

Yeshiva University Center for the Jewish Future
Rabbi Isaac Elchanan Theological Seminary

Purim To-Go

5770

A SPECIAL EDITION IN HONOR OF THE
RABBI ISAAC ELCHANAN THEOLOGICAL SEMINARY 5770

Chag HaSemikha





YESHIVA UNIVERSITY

Adar 5770

Dear Friends,

It is my sincere hope that the Torah found in this virtual ספר may serve to enhance your יום טוב (holiday) and your לימוד (study).

We have designed this project not only for the individual, studying alone, but perhaps even more for a חברותא (a pair studying together) that wish to work through the study matter together, or a group engaged in facilitated study.

With this material, we invite you to join our *Beit Midrash*, wherever you may be, להגדיל תורה (to enjoy the splendor of Torah) and to engage in discussing issues that touch on a most contemporary matter, and are rooted in the timeless arguments of our great sages from throughout the generations.

Bivracha,

Rabbi Kenneth Brander

Dean, Yeshiva University
Center for the Jewish Future



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Table of Contents

Purim 2010/5770

Neither Here Nor There

Rabbi Norman Lamm. Page 8

Representing the 50th anniversary class of RIETS

How Should Jews Party?

Rabbi Haskel Lookstein Page 13

New musmakhim of RIETS

Am Mefuzar or Ish Echad?

Rabbi Dovid Asher Page 16

Shelo Asani Aved - Relationship with God, Relationship with Man

Rabbi Michael Davies Page 19

The Hit You Can't Forget: A Purim Torah about Tort Law

Rabbi Aaron Feigenbaum Page 27

Internalizing Ourselves

Rabbi Eric Goldman Page 32

What was Achashverosh Thinking?!

Rabbi Raphy Hulkower Page 36

One of these Mitzvot is not like the Others

Rabbi Tzvi Sinensky. Page 42

Mikrah Megillah: Vehicle for Prayer, a Medium for Praise, and a Form of Talmud Torah.

Rabbi Yigal Sklarin Page 47

Rabbi Isaac Elchanan Theological Seminary

Chag HaSemikhah 5770

Sunday, March 7th 2010 • 21 Adar 5770

Every four years, the Rabbi Isaac Elchanan Theological Seminary celebrates the young men who have accepted the calling of the rabbinate and mastered the scholarship necessary to receive rabbinic ordination. We proudly salute our new musmakhim as they join the more than one thousand RIETS rabbis serving in pulpits, schools, hospitals, outreach positions and Jewish organizations in America, Israel and beyond. This year, we honor the more than 190 musmakhim of the classes of 5766-5770 (2006-2010).



Richard M. Joel

PRESIDENT, YESHIVA UNIVERSITY AND RIETS



Rabbi Dr. Norman Lamm

ROSH HAYESHIVA, RIETS



Rabbi Yona Reiss

MAX AND MARION GRILL DEAN, RIETS



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RIETS BOARD OF TRUSTEES

Eitz Chaim Award Recipient



Rabbi Isaac Elchanan Theological Seminary: The Soul of Yeshiva University

Rabbi Isaac Elchanan Theological Seminary has been the soul of Yeshiva University for more than 100 years. Sounds of learning vibrate through the *batei midrashot* and resonate from morning until late at night.

RIETS educates and trains rabbis who have shaped and continue to shape our Jewish world. Combining the highest levels of Torah learning in the legacy of Rabbi Joseph Soloveitchik *zt"l*, an unmatched program of professional preparation for the rabbinate, and an impassioned commitment to impact the Jewish community, RIETS continues to produce the finest rabbinic leadership for the next generation and beyond. Our *musmakhim* fulfill their destiny as vital links in the chain that continues to transmit rabbinic knowledge and tradition from one generation of Jewish leaders to the next.

The moving and profound ceremony of the Chag HaSemikhah recognizes the promise of our rabbinic graduates and the achievements of all alumni of the Rabbi Isaac Elchanan Theological Seminary who have assumed responsibility for the future of the Jewish people. It officially marks the completion of RIETS' rigorous four-year graduate program of Torah learning and comprehensive professional training for the rabbinate.

Established in 1886, RIETS' over 2,700 of *musmakhim* serve the worldwide Jewish community in the Torah Umadda tradition that is Yeshiva University. RIETS was named after Rabbi Isaac Elchanan Spektor (1817–96), a revered sage and spokesman for world Jewry. In 1864, Rabbi Spektor was named rabbi of Kovno, Russia, a major Jewish community. Jews throughout the entire world turned to him for halakhic guidance. The Kovner Rav's writings were highly influential—on such issues as the observance of *shmita* (sabbatical year)

laws in the fledgling settlements of what was then Palestine and resolution of the tragic plight of *agunot*. After his death in 1896, RIETS was named in his memory.

In 1915, Dr. Bernard Revel was appointed president and Rosh Yeshiva of RIETS. After Dr. Revel's death in 1940, Dr. Samuel Belkin (1911–76), a young, prominent RIETS Rosh Yeshiva and a noted scholar who taught Greek at Yeshiva College, was named dean of the seminary; in 1943, he was elected president of the institution then known as "RIETS and Yeshiva College." Dr. Norman Lamm was elected president and Rosh hayeshiva in 1976—the first who was American-born—following Dr. Belkin's death that year. A *musmakh* of RIETS, Dr. Lamm is an alumnus of Yeshiva College and the Bernard Revel Graduate School of Jewish Studies, where he earned his PhD.

Under the visionary leadership and guidance of Richard M. Joel, the president of YU and RIETS, RIETS' impact is felt in the Jewish community throughout the world. RIETS *musmakhim* occupy an overwhelming number of pulpits throughout North America, as well as major educational, communal-professional, and lay leadership positions.

As the Western Hemisphere's leading center for Torah learning and training for the rabbinate, RIETS provides exceptional training for students entering the various fields of *Avodat HaKodesh* in the contemporary Orthodox community. The Rabbinic Professional Education program, R-PEP, is the product of a bold, successful strategic planning initiative launched in 2002 by the RIETS Board of Trustees, developed by a special Academic Affairs Committee chaired by Dr. Alvin I. Schiff under the overall guidance of then RIETS dean Rabbi Zevulun Charlop and current president of YU and RIETS, Richard Joel,

and implemented with the aid of the Center for the Jewish Future. In June 2009, the first cycle of students completed the R-PEP program under the supervision of Rabbi Marc Penner, Director of Professional Rabbinics.

Many great and influential rabbis have taught at RIETS. "We employ the best and the brightest *Roshei Yeshiva* [professors of Talmud]," said Rabbi Yona Reiss, the Max and Marion Grill Dean of RIETS and a RIETS *musmakh*. "Our learning tradition is a continuation of the high level of learning at the classical European yeshivot thanks to the strong foundation laid by my predecessor, Rabbi Zevulun Charlop." Rabbi Charlop presided over a period of enormous growth at the seminary for more than 35 years and is now serves as dean emeritus of RIETS and special advisor to the University president on yeshiva affairs.

During the past year, the seminary has benefited from the construction of the Jacob and Dreizel Glueck Center for Jewish Study, which houses a two-story, 500 seat *beit medrash*, as well as numerous classrooms and offices utilized by RIETS administration, students, and *Roshei Yeshiva*.

In an increasingly complex world, RIETS accepts the challenge to prepare its students to face the multifarious issues of today's society—anchored always in the sacred legacy of our Torah and people. RIETS is a vital link in the chain that has transmitted rabbinic knowledge and tradition from one generation of Jewish leaders to the next.

Rabbi Isaac Elchanan Theological Seminary

Rabbi Joseph B. Soloveitchik Semikha Program

Bella and Harry Wexner Kollel Elyon and Semikhah Honors Program

Israel Henry Beren Institute for Higher Talmudic Studies

Rabbi Norman Lamm Kollel L'Hora'ah Yadin Yadin

Ludwig Jesselson Kollel Chaverim

Marcos and Adina Katz Kollel

Yeshiva University Israel Kollel

Caroline and Joseph S. Gruss Institute in Jerusalem

Morris and Nellie L. Kawaler Rabbinic Training Program / RPEP

Aaron, Martha, Isadore N. and Blanche Rosansky Contemporary Halacha program

Huberfeld Family Semikha Leadership Initiative

Jacob E. Safra Institute of Sephardic Studies

Philip and Sarah Belz School of Jewish Music

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Gertrude and Morris Bienenfeld Department of Jewish Career Placement

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Abraham Arbesfeld Kollel Yom Rishon / Millie Arbesfeld Midreshet Yom Rishon

Aaron and Blanche Schreiber Torah Tours

Continuing Education Initiative for Rabbis and Rebbetzins



The Rabbi Joseph B. Soloveitchik Semikhah Program at RIETS: A Recipe for Rabbinic Success and Community Growth

The Rabbi Isaac Elchanan Theological Seminary continues to provide the rabbis of tomorrow with an unmatched program of study.

RIETS trains its students to become true talmidei chakhamim committed to lives of Torah study and service to the community. Its four-year semikhah program features a wide array of Torah subjects, including intensive Talmud study, a broad overview of practical Halakha and extensive professional training.

Rabbi Yona Reiss, the Max and Marion Grill Dean of RIETS, along with the Roshei Yeshiva, has recently reviewed the entire curriculum, enhancing the Halakhah Le'maaseh (practical halakhah) program; laying the foundation for a new curriculum of Machshavah (Jewish thought), revamping the curriculum for Yoreh Deah, Niddah and Aveilut; and introducing a program in medical Halakha.



In addition to the renowned RIETS Roshei Yeshiva and faculty, RIETS provides its students with exceptional Professional Training to prepare them for the current realities of the Jewish community. Students are now

tracked in one of five professional courses of study: Pulpit, Education (including a Masters Degree from YU's Azrieli School of Jewish Education and Administration), Community and Campus Outreach, Non-Profit Work and Hospital Chaplaincy.

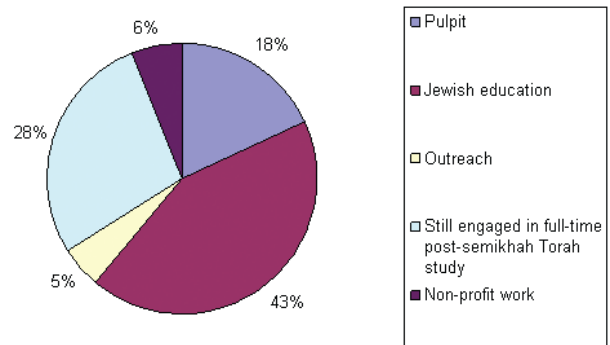
The new professional program has significantly advanced our students' ability to impact the Jewish community. Amongst the new offerings for talmidim are:

- Executive Style Public Speaking Classes: Small, professional classes taught by experts from the business world, where students speak weekly and are videotaped.
- Advanced Pastoral Counseling Training – Led by Dr. David Pelcovitz and Rabbi Menachem Penner, this course combines classroom instruction, encounters with leading mental health professionals, field visits to hospitals and mental health centers and role playing with professional actors. The gamut of mental health issues facing the Jewish community is covered.
- Outreach Courses taught by leading kiruv professionals and a joint program with Ner Leelef, an international outreach training organization.
- Fourth Year Professional Seminars: Sunday seminars focusing on real-world professional skills, including Managing Professional-Lay Relationships, Listening Skills, Strategic Planning, Marketing, Time Management and Stress Management.

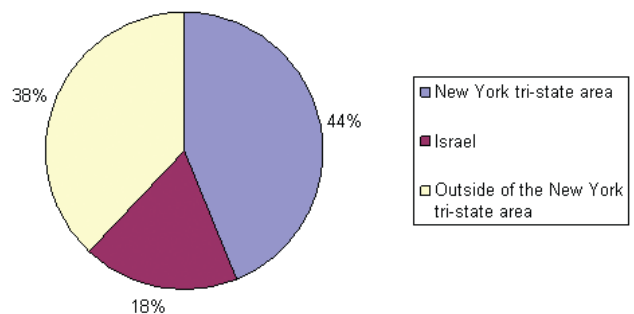
Celebrating The Global Reach Of RIETS

We celebrate over 190 new rabbis at this Chag Hasemikhah. This group, which hails from Australia, Hungary, Poland, Bulgaria and all over North America, represents the largest Chag Hasemikhah class in RIETS' storied history.

The fields musmakhim are serving



Where our musmakhim are serving

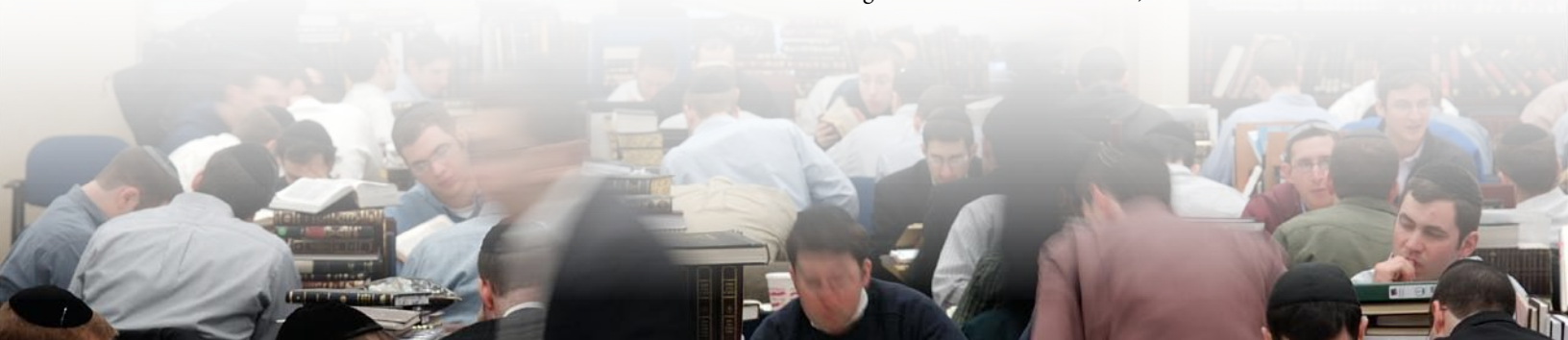


Some exciting news:

- Four rabbis will be receiving Yadin Yadin Semikha, a higher level of semikha granted after years of study in the areas of Marital and Civil law.
- Over 80% of our newly minted rabbis from the past four years will be entering full-time Rabbinic roles for the coming year.
- For the first time, a majority of those serving in Pulpit and Education positions will be serving outside of the New York Metropolitan area. The Yeshiva is proud that our students are spreading the Torah of RIETS across the country and across the world.

In the weeks prior to the Chag Hasemikhah, RIETS Roshei Yeshiva and YU Judaic faculty will be traveling across North America to serve as scholars in different communities and will laud the musmakhim hailing from those communities at every stop. Schools (Elementary and High) will recognize their alumni who have gone on to complete semikhah and many yeshivot will have Yemei Iyun featuring those alumni.

Although seating at the Chag Hasemikhah will be very limited, we invite you to watch the proceedings on www.riets.edu. The ceremony will begin at 11:00 EST on March 7, 2010.



Neither Here Nor There

Rabbi Norman Lamm

Chancellor and Rosh HaYeshiva, Yeshiva University

This derasha was originally delivered in the Jewish Center on March 9, 1968. It is taken with permission from the Yad Norman Lamm Heritage collection of Yeshiva University.

Towards the end of the Book of Esther, which we shall read this week, we are told that after their miraculous deliverance the Jews accepted upon themselves the observance of Purim forever after. *Kiyimu veKiblu*, the Jews "confirmed and took upon themselves" and their children after them to observe these two days of Purim.

Now, logic dictates that the two key verbs should be in reverse order: not *kiymu ve'kiblu*, but *kiblu ve'kimyu*, first "took upon themselves," accepted, and only then "confirmed" what they had previously accepted. It is probably because of this inversion of the proper order in our verse, that the Rabbis read a special meaning into this term in a famous passage in the Talmud (Shabbat 88a). When the Lord revealed Himself at Sinai and gave the Torah, they tell us, *kafah alehem har kegigit*, He, as it were, lifted up the mountain and held it over the heads of the Israelites gathered below as if it were a cask, and He said to them: "If you accept the Torah, good and well; but if not, *sham tehei kevuratkhem* - I shall drop the mountain on your heads, and here shall be your burial place." Moreover, the Rabbis then drew the conclusions from this implication that the Israelites were coerced into accepting the Torah. R. Aha b. Yaakov maintained that if this is the case, then *modaa rabbah l'oraita*- this becomes a strong protest against the obligatory nature of the Torah, it is "giving notice" to God that the Torah is not permanently binding, for the Torah is in the nature of a contract between God and Israel, and a contract signed under duress is invalid.

The other Rabbis of the Talmud treated this objection with great seriousness. Thus, Rava agreed that, indeed, the Torah given at Sinai was not obligatory because of the reason stated, that *modaa rabbah l'oraita*; but, Rava adds: *af-al-pi-ken hadar kibluha biyemei Ahashverosh*, the Israelites reaffirmed the Torah voluntarily in the days of the Purim event, for it is written: *kiymu ve'kiblu*, that the Israelites "confirmed" and then "accepted," which means: *kiymu mah shekiblu kevar* — after the Purim incident the Israelites confirmed what they had long ago accepted, that is, now after their deliverance from Haman they affirmed their voluntary acceptance of the Torah which they originally were forced to accept at Sinai. Therefore, since the days of Mordecai and Esther, we no longer possess the claim of *modaa rabbah l'oraita*, of denying the

obligatory nature of Torah because we accepted it originally under duress; for we affirmed it out of our own free will in the days of the Purim episode.

What does all this mean? The Rabbis offer us a double insight into both theology and psychology.

A moral act is authentic only if it issues out of a genuine freedom of choice. The Torah is meaningful only if man is free to accept it or reject it. Spiritual life is senseless where it is coerced. "See," the Torah tells us, "I give you this day life and death, benediction and malediction, *u-vaharta ba-hayyim*-- and you shall choose life." God gives us the alternative, and we are free to choose.

Therefore, if I am forced at gun-point to violate the Sabbath, I cannot be held responsible for my action. I am not guilty, because my act partakes of the nature of *ones*, compulsion. But coercion can be not only physical, but also psychological, as when a man performs a criminal act in a seizure of insanity or other mental distress. Both the physical and psychological deeds are characterized as *ones*. Even more so, extreme spiritual excitement also implies a denial of freedom and therefore lack of responsibility. Hence, if suddenly I am confronted by the vision of an angel who commands me to perform a certain mitzvah even at great risk to myself, and I proceed heroically to do just that, no credit can be given to me for my act. My freedom to decline pursuit of the mitzvah has almost vanished as a result of my unusual spiritual experience.

Thus, too, Israel at the foot of Sinai was engulfed in the historic theophany; they heard the voice of God directly in the great revelation of Torah. Of course, under the impress of such revelation, they accepted the Torah; they would have been insane not to. The felicitous and full confrontation with God elevates man to the highest ecstasy. But it robs from him his freedom to say no, to decline, to deny. And as long as man does not have the option of saying no, his yes has no merit. If he does not have the alternative to deny, then his faith is no great virtue. Faith and belief and submission and renunciation are all meaningful only in the presence of the moral freedom to do just the opposite.

Therefore, when I am faced with extremely happy circumstances, my freedom is diminished; even as it is when I am faced with a very harsh situation. When God honors me with His direct revelation, when I am privileged to hear His *Anokhi*, "I am the Lord thy God," directly from Him, I am as unable to disbelieve and disobey as when He twists my arm and threatens me with complete extinction – *sham tehei kevuratkhem* - if I do not accept the Torah. God's promises and His threats, the blessing of His presence and the threat of His wrath, are both coercive and force me to do His will under duress, without making a free choice of my own. Only a demon in human form would have done otherwise.

That, I believe, is what the Rabbis meant by the interpretation of Sinai as *kafah alehem har ke'gigit*. They did not mean that literally and physically God raised a mountain over the heads of the assembled Israelites and threatened to squash them underneath. They did mean to indicate, thereby, that the very fact of God's direct revelation was so overwhelming that Israel had no choice but to accept His Torah, as if He had literally raised a mountain over their heads. The common element, in both the symbol and what it represents, is a lack of freedom to do

otherwise. For this reason the Rabbis conceded that *modaa rabbah l'oraita*, since the acceptance of the Torah was not voluntary, since we were morally coerced and spiritually forced and psychologically compelled to do what we did, then the Torah lacks that binding nature which can come only from free choice. Israel had no choice at Sinai; therefore, the contract called Torah cannot be considered obligatory.

I suggest that just as the felicity of God's presence is coercive and curbs the freedom to disobey, so too the opposite, the tragedy of His absence, is coercive, and denies us the freedom to obey and believe. And just as when God reveals Himself it is as if He threatened us with *sham tehei kevuratkhem*, making our obedience mechanical and not virtuous, so too when He withdraws from us and abandons us, it requires a superhuman act of faith to believe, obey, pray and repent. We are not morally responsible for lack of faith brought on by existential coercion.

At the end of the Biblical *tokhahah*, the long list of horrible dooms predicted for Israel, the climax is reached in the words: *v'amar ba-yom hahu, al ki ein Elohai be'kirbi metza'uni kol ha-raot ha-eleh*, and Israel shall say on that day, because God is not in the midst of me have all these evils befallen me. What does this mean? The commentator Seforno interprets this as the absence of God, the *silluk Shechinah*, the withdrawal of the divine Presence. This *silluk Shechinah* will make Israel despair of prayer and repentance, and this despair will result in a further estrangement of Israel from God. Now, this kind of irreligion is not a heresy by choice, it is not a denial that issues from freedom. It is a coerced faithlessness. There are times when man is so stricken and pursued, so plagued and pilloried, that we dare not blame him for giving up his hope in God. Not everyone is a Job who can proclaim *lu yikteleni ayahel lo*, Though He slay me, yet will I believe in Him."

When Elijah will come and proclaim the beginning of redemption, when the Messiah will appear and usher in the new age of universal peace and righteousness, when God will reveal Himself once again in the renewal of the institution of prophecy, at that time there will be no virtue in the return of Jews to Torah and the return of mankind to the canons of decency. For they will not have acted out of freedom, but out of moral compulsion and spiritual coercion. Similarly, we cannot really blame the victim of the concentration camp who called upon God out of his misery and received no answer, who was himself witness to the ultimate debasement of man created in the image of God. We cannot condemn him for abandoning religion, much as we would prefer that he emulate those few hardy souls who were able to survive the holocaust with their faith intact. For both the presence and the absence of God, the *silluk Shechinah* and the *giluy Shechinah*, take away my freedom from me. In one case I am forced to accept Torah; in the other, to reject it. Under such conditions, *modaa rabbah l'oraita*.

However, if freedom is denied to us in both revelation and withdrawal, if there is no praise for believing in God in the time of His presence and no blame for doubting Him during His absence, if both fortune and misfortune, happiness and tragedy, are equally coercive, if in each set of circumstances our attitude to Torah is considered involuntary — when then do we accept Torah out of freedom, and when is our loyalty praiseworthy and our *kabbalat ha-torah* valid? The answer is: When God is neither present nor absent; when He neither conceals nor reveals Himself; when Fortune neither smiles at us nor frowns at us - in a word: our freedom is greatest

when life is neither here nor there! For then, and only then, do we have genuine options: to accept God and Torah, or to deny them; to choose the way of life and blessing, or the way of death and evil.

And it is this situation, that of "neither here nor there," that prevailed during the Purim episode. The victory of the Jews over Haman and the frustration of his nefarious plot was a surprising triumph and showed that God had not abandoned us; but there were no overt miracles either, no clear and indisputable proof that God was present and responsible for our victory. That is why the Book of Esther is included in the Bible, and yet it is the only book in which the Name of God is not mentioned. That is why the Rabbis maintain that the very name "Esther" is indicative of the hiding of God, the lack of His full revelation and presence. The Megillah itself is described in the Book of Esther as *divrei shalom v'emet*, "words of peace and truth." By *emet*, or truth, is meant the action of God directing the forces of history. Intelligent and wise people reading the Megillah, or experiencing it during that generation, know that all that has occurred is the result of the actions of God "Whose seal is Truth." All these improbable events leading to the redemption of Israel were obviously the providential design of the God of Israel. But it was just as possible for one less endowed with spiritual insight to interpret all the events as *shalom*, "peace", as a result of fortuitous events helped by the stupidity of the Persian king, the arrogance of Haman, and the wisdom of Mordecai: a diplomatic exploitation of unusually happy circumstances. Thus, the astounding victory was natural enough; there was no supernatural intervention in the affairs of the Jews of Persia. Therefore, the Purim story was "neither here nor there." So, Jews were free, authentically free, to interpret the events of that historical episode as they wished. Hence, if - as they did - they turned to God and accepted the Torah, this was a genuine and binding choice: *kiymu ve'kiblu*. The first time, at Sinai, they accepted the Torah but without the freedom to reject it, and it therefore represented a *modaa rabbah l'oraita*, a protest against its obligatory nature because of the lack of freedom; but now, *kiymu mah she'kiblu kevar*, they confirmed in freedom what they had previously accepted out of compulsion.

This lesson should not be lost on us in our individual lives. It is often said that in crisis, in the extraordinary moments of life, you can test the true character of a man. I do not believe that this is true, except if his reaction is contrary to expectations. If a man, for instance, responds heroically at a time of tragedy, he may be commended. But if he falls apart in extreme adversity, he cannot be condemned; he simply was not free to do otherwise. The same holds true in reverse situations. One who is friendly and charitable as a result of the miraculous recovery of a sick child may not yet be considered a man of nobility and generosity. He has almost been forced into charm and sweetness by his overwhelming sense of relief and gratitude.

When then can we tell what a man is really like? When may he be held morally accountable for his acts, and considered either guilty or praiseworthy? When he is free. And he is free when things are neither here nor there, when he is subject neither to elation nor depression, neither to the distress of adversity nor to the uplift of felicity.

It is in the Purims of life, when we have no clear proof that God is with us or against us, that there is a special virtue to accepting the Torah. Those who come to the Synagogue and pray only during occasions of *simhah*, or when reciting the Kaddish, are doing the right thing. But the real

test comes after the simhah or the eleven months of Kaddish — then, when things are neither here nor there, is the religious fiber of a personality tested. And not only is it tested, but at that time the decisions are more meaningful, more enduring, more lasting; for then the act of *kiymu*, confirmation, has *kiyyum* -- enduring quality.

That is why I am not always happy with the famous statement of Rabbi Samson Raphael Hirsch that "the Jewish calendar is the catechism of the Jew." That might possibly be interpreted as saying that the high moments of simhah and the low moments of *tzarah* define the Jew's life. But I prefer the ordinary to the extraordinary. The real test of *kabbalat ha-torah* is not Shavuot but Purim. The real test of loyalty is not on Passover with its manifest miracles, but on Hannukah, which is more in the category of "neither here nor there." What is accepted in high moments or rejected in low moments does not always last the great majority of moments and hours, of days and months and years, when we live neither on the mountains nor in the valleys but on the boring plateaus; when the days in the office and the evenings at home follow each other in dull succession. Then does our commitment have the greatest value, the strongest effect. Then it deserves the highest praise.

Halakhah is the discipline of the Jew in his daily routines. The Western mentality has not always understood the Halakhah. The Halakhah teaches man to acquire faith, to search for God, to sanctify himself, in the hundred and one prosaic acts of everyday existence when man is seized neither by joy nor sorrow, neither by love nor hate. It does not trust the religious experience of narcotic ecstasy, the easy religion of LSD, the attractive luxury of following the Guru to India and meditating in silence — nor does it condemn the despair of the man who murmurs against God out of his misery. It challenges us to holiness in the course of a life that is neither here nor there. And when we respond to halakhah's call, when we answer with the act of *kiymu ve'kiblu*, it stands us in good stead and keeps us level-headed and stout-hearted ever in the extremes of life.

In decades past, in the horror of the Holocaust, we experienced many a moment when it seemed that God had abandoned us and forsaken us. Now, we look forward to the vision of the renewal of prophecy and our manifest redemption when God will reveal Himself directly to us once again.

But now, in between these two poles, these two extreme ages, we live in Purim-type days, times that are neither here nor there religiously and spiritually.

Now, above all other times, we have both the freedom and the responsibility to confirm with all our hearts and all our souls the rousing declaration of ancient days, the *naaseh ve'nishma*.

Let it be said of us, as it was said of the generation of Mordechai: *kiymu ve'kiblu ha-yehudim alehem v'al zaram*, that we confirmed and accepted Torah and tradition upon ourselves and our children.

And then it shall be said of us, as it was said of Mordechai himself, that we shall be *gadol li'yehudim ve'ratzuy le'rov ehav*, great Jews, beloved by the majority of our brethren, *doresh tov l'amo, ve'dover shalom le'khol zaro*, seeking only the welfare of our people, speaking only peace to all our children and descendants after us.

How Should Jews Party?

Rabbi Haskel Lookstein

*Rabbi, Congregation Kehilath Jeshurun
Representing the members of the Chag Hasemikhah 5720, celebrating the 50th anniversary of
becoming musmakhim.*

With all the noise-making and frivolity that attend a public reading of the Megillah it is easy to miss something that is actually quite extraordinary.

The text of the Megillah describes how the Jews from the outlying communities (excluding Shushan) celebrated on the 14th day of Adar.

Days of drinking and joy, and the exchanging of food gifts.

Esther 9:19

יום משתה ושמחה, ומשלוח מנות איש
לרעהו.
אסתר ט:יט

Isn't there something missing? *Simcha, mishteh, and mishloach manot* - where is *matanot la'evyonim*? It's not there. *Matanot la'evyonim* is mentioned only in verse 22, where the three celebratory aspects of Purim are brought together for the first time: a festive meal, exchanging food gifts, and giving gifts to the poor. Why was it omitted in verse 19?

I believe the answer is that the first verse describes how the Jews of that day, who experienced the miracle of Purim in their own lives, celebrated immediately, on the spot, by rejoicing with physical pleasures. They had parties and feasts and exchanged gifts, but they never thought of associating *matanot la'evyonim* with their celebration. That idea was communicated to them by Mordechai, who in verse 20 is described as writing to the Jews and telling them how to celebrate Purim in the future. It was he, as a teacher of *Torah sheb'al peh*, and as a member of the Men of the Great Assembly, who instructed the Jews that they have to associate celebration with charity, something which they never thought of on their own.

There is, of course, a simple reason for this. It is not a normal response for people who are rejoicing over a wonderful event in their lives to do anything more than celebrate themselves and perhaps involve friends in the celebration. It is a lesson of rabbinic tradition that links charity with every celebration and that teaches us that no joy is ever complete unless and until it is shared with those who do not have joy.

This Jewish trait is not a natural one for us; it is not inborn; it is rather an acquired characteristic. We have learned from Torah that we must share our happiness. We cannot simply indulge ourselves in our joy. Every *simcha* must involve *tzedakah*.

Maimonides codifies this and emphasizes the primacy of making the poor happy in our celebration of Purim.¹

It is better to spend more on gifts to the poor than to spend more on the Purim meal and mishloach manot, for there is no greater and more splendid joy than to gladden the hearts of the poor, the widow and orphans, and converts, for the person who gladdens the heart of these downtrodden people is likened to the Divine Presence.

Rambam Hilchot Megillah 2:17

מוטב לאדם להרבות במתנות אביונים
מלהרבות בסעודתו ובשלוח מנות לרעיו,
שאין שם שמחה גדולה ומפוארה אלא
לשמח לב עניים ויתומים ואלמנות וגרים,
שהמשמח לב האמללים האלו דומה
לשכינה
רמב"ם הלכות מגילה וחנוכה ב:יז

The implications of this idea which Mordechai taught to the Jews and which our Torah emphasizes in connection with Yom Tov go far beyond Purim. What this means is that every time we celebrate something in our own lives - a birth, or a bar or bat mitzvah, or a wedding, or an anniversary, we ought to be giving *tzedakah* as part of the celebration. I know of one family which has a tradition from their grandparents that whatever they spend on a simcha has to be matched with an equal amount given to *tzedakah*. That is how a Jew should celebrate. Indeed, that's what makes a celebration authentically Jewish.

Many people, unfortunately, have not learned this lesson. On many occasions I have spoken to a family which has just celebrated a great simcha and asked the family for a gift to UJA, or to the congregation, or to some other worthy cause, only to hear the response "Rabbi, I am sorry that I can't give this year; I have just married off a child and it was a huge expense." Mordechai tells us that precisely when one undertakes an expense of this kind one should give his or her best to *tzedakah*.

In terms of textual analysis, did the Jews of Persia get the message which Mordechai was trying to convey? Did they understand that their self-indulgent celebration at the moment of deliverance was not sufficient and that *tzedakah* had to be part of such a joyous occasion? Apparently they did, for the Megillah tells us (9:23) that they accepted upon themselves "What they had begun to do and what Mordechai had written to them." They understood, they got the message and they fulfilled it.

What Mordechai taught us, however, is more than how to celebrate; he also taught us when to celebrate. Note verses 20 and 21 where Mordechai wrote to all of the Jews in all of the provinces to impress upon them the need to make the 14th day of Adar and the 15th day of Adar permanent celebrations, *b'chol shana v'shana*. Thanking God for deliverance is not a one-time occurrence. We do not thank Him and then next year ask "God, what can You do for me now?" We are obligated to thank God for our deliverance on the anniversary of each miracle which He performs for us.

Mordechai, of course, learned this principle from Pesach, Shavuot and Sukkot. He taught us that it applies to Purim as well. The Talmud then derives the same principle for the celebration of Chanukah. *L'shana acheret*, says the Talmud, the next year, the Jews made a Chanukah celebration with Hallel and thanksgiving.

This is why, for example, Israel Independence Day should be a religious holiday, as should Yom Yerushalayim. It is not enough that we were grateful to God once, back in 1948 or 1967 when

¹ Maimonides repeats this idea in his Laws of Yom Tov when he discusses how to rejoice on a festival.

the miracles occurred. People must gather in synagogues as they do on Purim and Chanukah and recite Hallel from year to year, reliving the miraculous deliverance of our immediate past.

There is also an implication here that one should celebrate not only our national joys but also our personal ones on a regular basis. Perhaps there is a religious principle in celebrating the anniversary of our marriage and remembering each year - if not each day - to say thank you to God for granting us a good marriage and, while doing so, to thank one's spouse for the same thing. This may very well be a fulfillment of the principle of Purim as taught to us by Mordechai: to say thank you *b'chol shana v'shana*.

Finally, Mordechai not only taught us how to celebrate as a Jew - to associate celebrations with *tzedakah* - and when to celebrate - every year - but he also taught us, as a general principle, the proper way to thank God when one experiences any kind of deliverance. There is fundamentally one way, and that is by becoming more committed Jews, by observing God's law and by accepting His commandments.

The Talmud interpreted the words *kiy'mu v'kib'lu* as meaning that the Jews fulfilled after Purim what they had previously accepted many years before, namely, the Torah. They reaccepted the Torah voluntarily and happily. Originally, they may have been forced to accept the Torah by the drama of Mount Sinai; now, after the deliverance of Purim, they joyously reaffirmed their commitment to Torah. This is an authentic Jewish response to deliverance through God's goodness. After the miracles, after the celebrations, even after the *tzedakah*, we say thank you to God by trying to be better Jews. When God has done good things for us we respond by *davening* better, by keeping Shabbos more enthusiastically, by learning more Torah, by taking on a new mitzvah as a response to the *chesed* which God has done for us.

I have seen many Jews respond to great events in their lives in this way. There are Jews who start to come regularly to shul after the birth of their first child, or after the wedding of a child, or simply after surviving a difficult illness. Their response to God's *chesed* is part of the lesson that we have all learned from Mordechai.

Mordechai taught us how to celebrate, by sharing our happiness with others who do not have the same joy. He taught us when to celebrate - on every anniversary of a great event. He taught us how to say thank you to God, through increasing our kabbalat ha-Torah. Without Mordechai's lesson Purim could very well have degenerated into a Jewish counterpart to St. Patrick's Day with which it is always closely associated in the calendar. We could have ended up only being drunk and not doing the Jewish things. Because of Mordechai's teachings Purim is different and, most important of all, we are different. Our Sages tell us that eventually all of the festivals commemorating Jewish tragedy and triumph will ultimately be abolished, but Purim will remain forever. As the text says, "These days of Purim will never pass from among the Jews and their remembrance will never cease among their descendants ..."

Why Purim of all the festivals? Why must this celebration among all of our celebrations remain forever? Perhaps because our observance of Purim, as ordained by Mordechai, is more than simply a formula for a holiday. It is nothing less than a design for how to lead a Jewish life and how to relate to God's blessings in this world. That design should - and will - never go out of style.

Am Mefuzar or Ish Echad?

Rabbi Dovid Asher

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Publicizing the miracles wrought by *Hashem* for *Am Yisrael* is a privilege given to us on a limited number of occasions. On *Pesach*, the four cups of wine are a *mitzvah* meant to communicate and commemorate the *nissim* that occurred in *Mitzrayim*. On *Chanukah*, the candles express to the world our recognition of the remarkable recovery of the oil used in our temple and the incredible military victory over the Greeks.² On *Shabbos*, the creation of the world and the exodus from Egypt are marked with *kiddush*, festive meals, and *Shabbos* candles.³ On *Purim*, the miracle of our salvation is celebrated through the reading of *Megillas Esther* (*Megillah* 4a). The *Meiri* (*ibid.* 7b) adds that the *Purim* meal itself highlights our gratitude for the miracles that brought about the preservation of the Jewish community.⁴ This is possibly supported by the *Hagahos Maimonios* (1:3), who indicates that the *pirsumei nisa* of the *krias hamegillah* is connected to the *seudah* by ruling that both must be done during the daytime.

With regard to the above mentioned holidays, other than *Purim*, and their *mitzvos* of *pirsumei nisa*, it is incumbent on all Jews – rich and poor – to involve themselves in these aforementioned *mitzvos* to such an extent that they should even ask for handouts in order to fulfill them. It is clear that *halacha* does not reckon the taking of charity lightly. The *Rambam* refers to one who takes charity without needing it as a cursed individual.⁵ Lest one think that taking charity is permissible when it is being taken for *mitzvos*, the *Rambam* says that it is a *chillul Hashem* to take money from *tzedakah* in order to support oneself while studying *Torah* all day.⁶ Given the fact that the *Torah* discourages taking *tzedakah* for *mitzvos*, what is so great about the *mitzvos* of

² *Rambam, Hilchos Chanukah* 4:12 (see *Magid Mishneh*)

³ The *Radvaz* (*shut* 5:160) suggests that the theme of *Shabbos* is *pirsumei nisa*. Perhaps this idea can be extended to *ner shabbos* and to the *seudos Shabbos* as well. Rav Avishai David, Rosh Yeshiva Yeshivat Torat Shraga, subsequently mentioned to me that Rav Soloveitchik posits this suggestion as well.

⁴ There is a difference of opinion relayed by the *Bach* (*Orach Chayim* 688) concerning whether the *seudah*, *mishloach manos*, and *matanos l'evyonim* need to be on the same day as the *krias ha-Megillah*. The *Yerushalmi* (4:4) states that they do not need to be on the same day, while the *Maharalbach* (*shut* 32) feels that they should be performed on the same day. In the same *teshuva* he assumes that the *mishloach manos* are for the purpose of the *seudah*. If everything needs to be on the same day, then that would be an indication that all the *mitzvos* of *Purim* are part of one great *pirsumei nisa*.

⁵ *Rambam, Hilchos Matnos Aniim* 10:18-19.

⁶ *Rambam Hilchos Talmud Torah* 3:10. Although this is a minority opinion, it accentuates this principle.

pirsumei nisa that we are required to go through the embarrassment of asking for donations in order to fulfill them? Furthermore, if the *mitzvah* of *pirsumei nisa* is so crucial, why is there no explicit *halachic* authorization to ask for assistance in providing food and drink for the *mitzvah* meal on *Purim* just as there is for the comparable *mitzvos* of the other holidays?

Rav Yeruchem Fischel Perlow mentions that *kiddush Hashem* is the motivation behind our giving thanks when we sing *Hashem's* praises upon recognizing the miracles done on our behalf.⁷ Seemingly, the celebration of the power shown by God for our sake is a testament to His greatness. Delineating, in fine detail, the extraordinary measures exacted by *Hashem* promotes and sanctifies His greatness. This idea is also found in the *Baal HaMaor*,⁸ who says based on the *Yerushalmi* that the optimal way of fulfilling *pirsumei nisa* is with a *minyan*. Similarly, we see in the *Rambam*⁹ that the ideal fulfillment of *kiddush Hashem* is with at least a *minyan*. If one is meant to give up his life for *kiddush Hashem*, then certainly one can be expected to go to great lengths financially.¹⁰ The last *mishna* in *Avos* says that everything was created for God's honor. If that is the purpose of the creation, then taking charity to fulfill *mitzvos* of *kiddush Hashem* is worth the humiliation and the aggravation. In fact, it is not shameful or burdensome at all, but rather the preferred course of action. Considering that showcasing the miracles is related to the *mitzvah* of sanctifying God's name, it makes a lot more sense that we would be required to ask for assistance to purchase oil for Chanukah lights and wine for the four cups on Pesach.

How does this all relate to *Purim*? A closer look at the particulars vis-à-vis the *mitzvos* of *Purim* will give us insight into their connection to *pirsumei nisa*.

Two Themes of Purim

In Esther 3:8, *Haman* says to *Achashverosh* that the Jews are a disparate, disunited, and particularly rebellious people.¹¹ The *Manos Haleivi*¹² says that the institution of *mishloach manos* was meant to rectify issues of discord within the community. If one only has enough for oneself, then one should find another person in a similar predicament and exchange provisions with that person in order to fulfill this *mitzvah* (*Megillah* 7b¹³). The *gemara* mentions a story of two impoverished rabbis who utilized this stipulation by exchanging meals and eating them for their *Purim seudah* to fulfill the *mitzvah* of *mishloach manos*, thereby demonstrating the association of these two *mitzvos*.¹⁴ *Rabbeinu Chananel* (*Megillah* 6b) links *matanos le'evyonim* to *krias ha-*

⁷ In the name of Rav Daniyel HaBavli, *Mitzvah* 59-60, page 515.

⁸ *Rif*, *Megillah* 3a.

⁹ *Rambam*, *Hilchos Yesodei Hatorah* 5:4.

¹⁰ Rav Dovid Miller *shlita*, in *Sefer Zeved Tov*, page 417.

¹¹ See *Ibn Ezra* there.

¹² *Megillas Esther* 9:19, *Vinitzhah* edition page 300b.

¹³ *Rashi's* approach there.

¹⁴ The *Ramban* (*Baba Metzia* 78b) also writes that the distributions are to provide food for *seudas Purim*. In fact, *Rambam*, *Hilchos Megillah* 2:15 writes that one of the requirements for *mishloach manos* is to provide food that is ready to eat right away. It should be noted that many *Rishonim* explain that the *mitzvos* of *mishloach manos* and *matanos le'evyonim* are intended to galvanize *simcha* through the act of giving. We can suggest that since *simcha* - the desired outcome of these *mitzvos* - is also attained by having meat and wine (*Pesachim* 109a), it is logical to conclude that all of these *mitzvos* of *Purim* are connected to each other.

Megillah by stating that at the moment of *krias ha-Megillah* there ought to be an allocation of charity.

Utilizing the approach in the *Rishonim* that says that the *seudah* acts as a celebration of the miracles of Purim, we come across an amazing idea. There is no special dispensation to borrow resources to purchase a *seudah*, because it is already built into the day. As we said earlier, the *seudah* and the *mitzvos* surrounding it are part of the *pirsumei nisah*. One is not required to accept charity to fulfill his or her obligation of *seudah* because it is assumed that the community will provide for one another and achieve a unity that endeavors to perpetuate the *nissim* of *Purim*. During *Purim*, more so than during any other holiday, we take the initiative to provide for others before they even have to think of asking for assistance. As a community, we accept the responsibility to promote *Hashem's* kindness and wondrous acts. Nobody has to solicit like they would other holidays because this is the holiday of national *pirsumei nisa*. The importance of *pirsumei nisa* critically obligates each Jew's contribution to this vital cause. We come together in our *shuls* for the primary *pirsumei nisa* of *krias ha-Megilla*. This theme of togetherness extends beyond the confines of the *shul* and permeates the other *mitzvos* of the day, ultimately forming a mass pronouncement of God's miracles.

Another theme within *Purim* is *kimu v'kiblu ma shkiblu kvar*, that *Bnei Yisrael* reaccepted the *Torah* during the reign of *Achashverosh*¹⁵. The vast implications of this statement are beyond the scope of this discussion. However, a parallel is drawn to the experience at *Har Sinai* and to our unique unity at that pivotal moment. Recalling the significance of that occasion, centuries later we collectively decided to reaffirm our commitment to the *Torah* and to the Almighty¹⁶. Precisely during *Purim*, there are regulations built into the order of the day that bring us together. Unlike other holidays, where the individual is expected to seek out assistance to fulfill the *mitzvos* of *pirsumei nisa*, we preclude that allowance of relying on charity by instituting that the community must provide the necessities that enable all the families of Israel to broadcast the miracles of *Purim*. The technical laws concerning the *mitzvos*, their timing, and their interconnectedness provide a fundamental model of focused nationhood. As the people come together as one, so too the *mitzvos* of *krias hamegillah*, *mishloach manos*, *matanos l'evyonim*, and *seudas Purim* come together¹⁷ to amplify the message of *Purim*.

May the aura of unity permeate our understanding and our observance of this special day, and may the luster of our collective beauty extend beyond *Purim* towards an eternal harmony.

¹⁵ *Shabbos* 88a.

¹⁶ Rav Hershel Schachter *shlita*, *Sefer B'Ikvei Tzon*, page 373. This opinion is cited concerning the *seudas Purim* serving as a celebration for *kabolas HaTorah*.

¹⁷ See *Minchas Yitzchak* 7:50.

Shelo Asani Aved - Relationship with God, Relationship with Man

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There are many famous characters found within the text of the Megillah. Some are definite heroes and villains, some are debated amongst the *mefarshim*, and others don't quite fit into either category. Amongst these characters emerge two groups of seeming little significance that, in fact, both play very vital roles in the larger picture.

The first group is the *avdei hamelech*, the king's servants.

(2) *All the king's servants at the king's gate would bow down and prostrate themselves before Haman, for this is what the king had commanded concerning him. But Mordechai would not bow down nor prostrate himself.* (3) *So the King's servants at the king's gate said to Mordechai, 'Why do you disobey the king's command?'* (4) *Finally, when they said this to him day after day and he did not heed them, they told Haman, to see whether Mordechai's words would avail; for he had told them that he was a Jew.*

Esther Chapter 3

(ב) וְכָל עַבְדֵי הַמֶּלֶךְ אֲשֶׁר בְּשַׁעַר הַמֶּלֶךְ
כ' רָעִים וּמִשְׁתַּחֲוִּים לְהָמָן כִּי כֵן צִוָּה לוֹ
הַמֶּלֶךְ וּמֶרְדֵּכַי לֹא יִכְרַע וְלֹא יִשְׁתַּחֲוֶה:
(ג) וַיֹּאמְרוּ עַבְדֵי הַמֶּלֶךְ אֲשֶׁר בְּשַׁעַר
הַמֶּלֶךְ לְמֶרְדֵּכַי מִדּוּעַ אַתָּה עוֹבֵר אֶת
מִצְוַת הַמֶּלֶךְ: (ד) וַיְהִי [בְּאִמְרָם] כְּאִמְרָם
אֵלָיו יוֹם יוֹם וְלֹא שָׁמַע אֲלֵיהֶם וַיִּגִּדוּ
לְהָמָן לְרָאוֹת הִנֵּעַמְדוּ דְּבָרֵי מֶרְדֵּכַי כִּי
הִגִּיד לָהֶם אֲשֶׁר הוּא יְהוּדִי:
אֶסְתֵּר פֶּרֶק ג'

Interestingly, Mordechai's response to the king's servants is never recorded in the text, but this anonymous faction reports to Haman what he supposedly told them. According to a simple analysis of the text, this report lends to Haman's increasing dislike of Mordechai and consequent decree of annihilation upon his people.

The second group is the *naarei hamelech*, *meshartav*, the king's pages.

(1) *That night sleep eluded the king so he ordered that the record book, the annals, be brought and read before the king.*
(2) *There it was found recorded that Mordechai had denounced Bigsana and Teresh, two of the king's chamberlains of the guardians of the threshold, who had plotted to lay hands*

(א) בַּלַּיְלָה הַהוּא נִדְּדָה שְׁנַת הַמֶּלֶךְ וַיֹּאמֶר
לְהָבִיא אֶת סֵפֶר הַזִּכְרֹנוֹת דְּבָרֵי הַיָּמִים וַיְהִי
נִקְרָאִים לִפְנֵי הַמֶּלֶךְ: (ב) וַיִּמְצָא כְּתוּב אֲשֶׁר
הִגִּיד מֶרְדֵּכַי עַל בִּגְתָּנָא וְתֶרֶשׁ שְׁנֵי סְרִיסֵי
הַמֶּלֶךְ מִשְׁמֵרֵי הַסָּף אֲשֶׁר בִּקְשׁוּ לְשַׁלֹּחַ יָד

on King Achashveirosh. (3) 'What honor or dignity has been conferred on Mordechai for this?' asked the king. 'Nothing has been done for him,' replied the king's pages.

Esther Chapter 6

בְּמֶלֶךְ אַחַשְׁוֵירוֹשׁ: (ג) וַיֹּאמֶר הַמֶּלֶךְ מָה
נַעֲשֶׂה יָקָר וְגִדּוּלָה לְמַרְדֳּכָי עַל זֶה וַיֹּאמְרוּ
נַעֲרֵי הַמֶּלֶךְ מִשְׁרָתָיו לֹא נַעֲשֶׂה עִמּוֹ דָּבָר:
אֶסְתֵּר פָּרָק ו

The king finds that Mordechai has not been repaid for saving him from an attempted assassination plot, but only through the word of these *naarei hamelech*. Subsequently, they mention that Haman is in the courtyard, which is the lead-in to his ultimate demise.

What is so important about these two parties? While they may have been involved in the turning points of the story, why are they worth any particular mention? Moreover, what is the real difference between the two groups? They both seem to perform the same function as subjects of the monarchy. Why the distinction in title?

As much as both these groups seem to be very peripheral to the general events taking place, there is a deep lesson to be gained from them, and the differences between them, which extends far beyond the confines of the Purim story.

Let us look at the root of the distinctive titles given to each of these groups, and how each identity has developed through the text of our tradition. What is the Torah's perspective regarding these positions within the realm of human relationship?

What does it mean to be an *eved*, a servant? The first time there is reference to an *eved* is within the context of the curses that Noah bestows upon his son Cham and grandson Canaan.

(24) *Noach awoke from his wine-induced sleep, and he realized what his youngest son had done to him. (25) And he said, "Cursed is Canaan! He shall be a slave's slave to his brothers!"*

Bereishit Chapter 9

(כד) וַיִּיקָץ נֹחַ מִיֵּינוֹ וַיֵּדַע אֶת אֲשֶׁר
עָשָׂה לוֹ בְּנוֹ הַקָּטָן: (כה) וַיֹּאמֶר
אָרוּר כְּנָעַן עֶבֶד עֲבָדִים יִהְיֶה לְאַחֵיו:
בְּרֵאשִׁית פָּרָק ט

From the outset we see that the status of *eved* has a negative connotation in the realm of history.

Moving further, we have *eved* Avraham, often referred to as *ha'eved*; the example par excellence of a servant in the Torah. In most of the *mefarshim* we find Eliezer to be an extremely pious person. He is a prestigious member of the short list of people who went straight to Gan Eden while still alive.

And some say that there are those individuals of the human race that enter, during life, into the Garden of Eden ... Chanoch, Serach bat Asher, Batyah bat Pharaoh, Chiram the king of Tzur, Eliezer the servant of Avraham, Oved the king of the Kushites, the servant of Rabbi Yehudah, Yaavetz, Rabbi Yehoshua ben Levi, all the offspring of Yonadav, and the offspring of Milchas Ha'of. ... Eliezer the servant of Avraham is the son of Cham the son of Noah and when he heard the curse of his father he gave himself over to Avraham and was righteous and he is in the Garden of Eden ...

Otzar HaMidrashim

וַיֵּשׁ אֹמְרִים אַנְשִׁים מִבְּנֵי אָדָם נִכְנָסוּ
בְּחַיִּים בְּגַן עֵדֶן. ... חֲנוּךְ וְסֵרַח בַּת
אֲשֶׁר, וּבִתְיָה בַת פֶּרַעַה וְחִירָם מֶלֶךְ צוּר,
וְאַלְעִיזָר עֶבֶד אַבְרָהָם וְעֵבֶד מֶלֶךְ הַכּוּשִׁי,
וְעֵבֶדוֹ שֶׁל רַבִּי יְהוּדָה, וַיַּעֲבִצ, וְרַבִּי
יְהוֹשֻׁעַ בֶּן לֹוִי, וְכָל זֶרַע יוֹנָדָב וְזֵרַעוֹ שֶׁל
מֶלֶךְ הָעוֹף. ... אֲלֵעִיזָר עֶבֶד אַבְרָהָם
הוּא בְּנוֹ שֶׁל חָם בֶּן נֹחַ וְכַשְׁמַע קָלֶלֶת
אָבִיו מִסֵּר עֲצָמוֹ לְאַבְרָהָם וְהָיָה צַדִּיק
וְהוּא בְּגַן עֵדֶן ...

אוֹצֵר הַמִּדְרָשִׁים

אַלְפָּא בֵּיתָא דְּבֵן סִירָא עֲמוּד 50

Interestingly enough, this same source ties Eliezer to the original root of *avdus* mentioned earlier as a descendant of Cham the son of Noah.

However, if we look more closely, we may find somewhat of a different view of Eliezer hiding in the wings. Within the story of finding a bride for Yitzchak, Avraham is extremely adamant about whom Yitzchak can marry and where she can come from. Rashi explains:

Perhaps the woman will not go – [The word Ulai] is spelled Eilai, “to me.” Eliezer had a daughter and he was searching to find a pretext so that Avraham would tell him to turn to himself, to marry his daughter [to Yitzchak]. Avraham said to him, “My son is blessed, and you are cursed, and one who is cursed cannot cleave to one who is blessed.”

Rashi, Bereishit 24:39

אלי לא תלך האשה: אלי כתיב, בת היתה לו לאליעזר והיה מחזר למצוא עילה שיאמר לו אברהם לפנות אליו להשיאו בתו, אמר לו אברהם בני ברוך ואתה ארור, ואין ארור מדבק בברוך:
רש"י בראשית כד:לט

Eliezer was hopeful that the plan to find a wife for his master's son would fail so that Yitzchak would marry his own daughter, forever connecting him to the Jewish family. Avraham, however, was not interested in this proposition.

In a more extreme example of *avdus* gone wrong, we have the story of Gechazi, servant of Elisha.

(20) *Gechazi, the servant of Elisha, the man of God, thought [to himself], “Now, my master prevented [me] from accepting [the gift] which Naaman the Aramean had brought! As God lives, I will run after him and take something from him!” [...]*
(25) *He returned and stood before his master. Elisha asked him, “From where [have you come], Gechazi?” “Your servant has not gone anywhere,” he replied. (26) [Elisha] said to him, “Didn’t my spirit accompany you when the man turned away from his chariot to greet you? Is now the time to take money and clothing, olive groves and vineyards, sheep and oxen, slaves and maidservants? (27) Naaman’s leprosy will cling to you and your children forever!” [Gechazi] left him, leprous as snow.*

Melachim II Chapter 5

(כ) וַיֹּאמֶר גִּיחְזִי בְעֵר אֶלְיָשָׁע אִישׁ הָאֵל הִים הִנֵּה חָשַׁךְ אֶדְ נִי אֶת נַעֲמָן הָאַרְמִי הִנֵּה מִשְׁחַת מִיָּדוֹ אֶת אֲשֶׁר הֵבִיא חֵי ה' כִּי אִם רָצָתִי אֶחְרִי וְלִקְחָתִי מֵאֲתוֹ מֵאוֹמָה: [...] (כה) וְהוּא כָּא וַיַּעֲמֵד אֵל אֶדְ נִי וַיֹּאמֶר אֵלָיו אֶלְיָשָׁע <מֵאן> מֵאֵן גִּיחְזִי וַיֹּאמֶר לֹא הֵלַךְ עִבְדְּךָ אֲנִי וְאֲנִי: (כו) וַיֹּאמֶר אֵלָיו לֹא לִבִּי הֵלַךְ כְּאֲשֶׁר הִפֵּךְ אִישׁ מַעַל מְרַפְּבָתוֹ לְקִרְאָתוֹ הֵעֵת לְקַחַת אֶת הַכֶּסֶף וְלִקְחַת בְּגָדִים וְזִיתִים וְכֶרֶמִים וְצֹאֵן וְכֶקֶר וְעִבְדִּים וְשִׁפְחוֹת: (כז) וְצָרַעַת נַעֲמָן תִּדְבַּק בְּךָ וּבְזֶרְעֶךָ לְעוֹלָם וַיֵּצֵא מִלִּפְנֵי מֶצֶר רָע פְּשָׁלָג: מלכים ב פרק ה

Gechazi is a righteous and worthy servant of Elisha, until he directly goes against what Elisha says. He takes unwarranted gifts from Naaman and receives a curse of leprosy as a result. The Gemara takes this even further, proclaiming that Gechazi has no portion in the world to come¹⁸.

If we look at the primary portion in the Torah related to the laws of *avadim* we find an intriguing discussion there as well.

¹⁸ Sanhedrin 90a

(2) If you buy a Hebrew slave, he shall serve for six years, but in the seventh year, he is to be set free without liability. (3) If he was unmarried when he entered service, he shall leave by himself. But if he was a married man, his wife shall leave with him. (4) If his master gives him a wife, and she bears sons or daughters, the woman and her children shall remain her master's property. [The slave] shall leave by himself. (5) If the slave declares, "I am fond of my master, my wife and my children; I do not want to go free," (6) his master must bring him to the courts. Standing [the slave] next to the door or doorpost, his master shall pierce his ear with an awl. [The slave] shall then serve [his master] forever.

Shemot Chapter 21

Rabban Yochanan ben Zakkai expounded this verse as [pleasingly as] a packet of spices: What makes the ear unique among all the limbs in the body? The Holy One, Blessed is He, said, "An ear that heard My Voice at Mount Sinai at the time when I said, 'for the Children of Israel are servants unto Me,' and not servants of servants, [despite which] this person went and acquired a master for himself, his ear should be bored."

Kedushin 22b

(ב) כִּי תִקְנֶה עֶבֶד עֲבָרִי יָשׁוּשׁ שְׁנַיִם
יַעֲבֹד וּבְשִׁבְעַת יָצָא לְחֻפְשִׁי חֲנָם:
(ג) אִם בְּגֵפוֹ יָבֹא בְּגֵפוֹ יֵצֵא אִם
בַּעַל אִשָּׁה הוּא וְנִצָּאָה אִשְׁתּוֹ עִמּוֹ:
(ד) אִם אֶדְ נָיו יִתֵּן לוֹ אִשָּׁה וְיִלְדָה לוֹ
בָּנִים אוֹ בָנוֹת הָאִשָּׁה וְיִלְדֶיהָ תִּהְיֶה
לְאִדָּה נָיָה וְהוּא יֵצֵא בְּגֵפוֹ: (ה) וְאִם
אָמַר רִי אֲמִר הָעֶבֶד אֶהְיֶה אֵת
אֶדְ נִי אֵת אִשְׁתִּי וְאֵת בְּנֵי לִי אֵצֶא
חֻפְשִׁי: (ו) וְהִגִּישׁוּ אֶדְ נָיו אֶל
הָאֵל הִים וְהִגִּישׁוּ אֶל הַדָּלֶת אוֹ אֶל
הַמְּזוּזָה וְרָצַע אֶדְ נָיו אֶת אָזְנוֹ
בַּמַּרְצֵעַ וַעֲבָדוֹ לְעֹלָם:
שְׁמוֹת פָּרָק כֹּא

רבן יוחנן בן זכאי היה דורש את
המקרא הזה כמין חומר: מה נשתנה
אזן מכל אברים שבגוף? אמר
הקב"ה: אֵזֶן שִׁמְעָה קוֹלִי עַל הַר
סִינַי בְּשַׁעַר שְׁאֲמַרְתִּי (ויקרא כה נה)
כִּי לִי בְנֵי יִשְׂרָאֵל עֲבָדִים - וְלֹא
עֲבָדִים לְעַבְדִּים, וְהֵלֶךְ זֶה וְקָנָה אֲדוֹן
לְעַצְמוֹ - יִרְצַע.

מסכת קידושין דף כב:

What does this really mean? What is the underlying issue here?

One of Rav Soloveitchik zt"l's essays on the Megillah sheds light on this topic. The Rav posits that human society is constantly attempting to combat its limitedness. He states that this is a struggle that all man relates to throughout our existence, and works through how it manifests itself in the different chapters of history. Rav Soloveitchik is quoted saying:

Man is a limited being. He is burdened with a finiteness-awareness. He experiences existentially his incompleteness and imperfection, his closeness to nothingness. He knows that his power is restricted, his knowledge nil, his vigor ebbing with age, his years numbered, his successes few, his frustrations many, and his existential prospects bleak. [...] I have often remarked that mighty man, who has succeeded in landing astronauts on the moon, stands helpless and bewildered before a tiny cell that has gone berserk.

Man rejects finiteness-awareness. He wants to be more than he is in reality. He attempts to overreach himself; he wants to achieve vastness, boundlessness. He resents boundaries; he wants to disregard limitations and rush toward infinity.

Days of Deliverance (Pgs 30-31, 32)

This applies very well to the *avadim* in the Purim story. These *avdei hamelech* are interested in trying to escape their finitude by being the best subservient beings they can be, which means that they will attempt to dispose of anyone who is not similar to them, in this particular case to hand

Mordechai over to Haman. They hide behind the façade of being underlings, but in truth they are culpable of the same iniquities as the leading villains in our story. And perhaps worse, because they won't take responsibility for their actions, but rather hide behind those whom they call master.

We see a similar characteristic in Eliezer when he tries to enter into the Jewish family through marriage, rather than through his own merits. This trait carries through to what we view as his positive qualities as well. Eliezer is servile and thus creates an identity for himself exclusively as 'eved Avraham'. What is the reason for Eliezer going straight to Gan Eden? To understand why he does, we must first ask; who else falls into this category and what common attributes do they share? Many of these individuals are not those that we might have thought of if we had been compiling such a list; they are not, as it were, the major players of Jewish history. They play supporting roles, never taking the initiative that the main characters take. Because they never encounter the hazards that come along with said initiative and don't fall prey to the mistakes that arise from such risks, they are pure and enter Gan Eden alive, without prerequisite. While he was righteous, Eliezer does not take center stage and therefore he never gets burned in the process. In a sense, it is by default that Eliezer indeed goes straight to Gan Eden. Inaction as such is not why we are placed on this earth; we are here to act and, perhaps, even to err along the way.

We see this same idea of *avdus* with regard to Gehazi.

Similarly do we find it with Cain, Korah, Balaam, Doeg, Ahitophel, Gehazi, Absalom, Adonijah, Uzziah and Haman, who set their eyes upon that which was not proper for them; what they sought was not granted to them and what they possessed was taken from them.

Sotah 9b

וכן מצינו בקין, וקרח, ובלעם, ודואג,
ואחיתופל, וגחזי, ואבשלום, ואדוניאהו,
ועוזיהו, והמן, שנתנו עיניהם במה שאינו
ראוי להם, מה שביקשו לא ניתן להם,
ומה שבידם נטלוהו מהם.
מסכת סוטה דף ט:

Gehazi tried to take that which was not coming to him, and ultimately loses out by not only not receiving that, but also losing everything he had; his position as Elisha's right hand man. Ironically, here we also find ourselves comparing Gehazi to Haman.

Similarly, the *eved ivri* took that which was not his without any thought of being able to pay it back¹⁹. He ends up living comfortably with a family provided to him by his master. It is time for him to go and he just wants to sit pretty and enjoy?!

This is exactly what we don't want people to be - *eved la'avadim*. That is precisely the curse that Noach gives to Canaan – *eved avadim yihyeh l'echav* (Bereishit 9:25).

Within the story of the Megillah, it may even go one step further.

There were many Jews who protested that he was endangering the lives of all Israel because of his excessive personal piety, as is made clear in Aggadat Esther: "Israel said to him (Mordechai): 'You should know that you will bring about our

היו הרבה מישראל צועקים שמעמיד
בסכנת נפשות את כלל ישראל משום
חסידות פרטית יתירה, כמפורש
באגדת אסתר (פ' ג' אות ב') "א"ל

¹⁹ One of the ways in which a person becomes an *eved* is through stealing something from someone without having the ability to pay it back. (Shemot 22:2)

death by the sword of that wicked one (Haman).’ But he replied to them: ‘What then, should I bow down to an idol?’ and he refused to accept their words.”

Strive for Truth, Volume I, Pg 220

ישראל, תהא יודע שאתה מפילנו
בחרב של זה הרשע', אמר להם 'א"כ
אשתחוה לע"ז? ולא קיבל עליו."
מכתב מאליהו חלק א עמוד 76

Perhaps these Jews who were against Mordechai's ideas were in fact the *avdei hamelech* we began with. What did they do? Tell the authorities a story they may not have even heard from Mordechai himself, but fabricated on their own in order to be seen in the right. Ultimately this only led the story down the very path that they predicted. In trying to be self-righteous and follow everything that the rulership put forth, they were leading themselves down the path to destruction.

Thus far we've seen that the nature of the *avdus* relationship is that of an underhanded individual interested in his own personal gain. Where can we find the appropriate deferential relationship? For this we can look to the other minor group referred to in the Megillah, the *naarei hamelech*, *meshartav*. What do they do to bring our story back on track?

When Achashveirosh asks the *naarei hamelech meshartav* if he has repaid Mordechai for his kindness, they answer honestly, telling the king he had not done so. One can only imagine the pressure they must have felt accusing the king of having done something wrong. Instead of getting lost in the king's authority, they say what should be said instead of what he wants to hear. They feel a sense of moral responsibility and in turn disregard their personal well-being. This is what it means to be a *mesharet*, through truth and discussion, not through deceit in order to climb higher on the ladder of power without actually doing anything.

These *naarei hamelech* seem to be young, but as we see throughout Tanach, *naar* does not necessarily reflect one's age. Yitzchak Avinu is referred to as a *naar* when he is near forty. The term *naar* refers to a youthful open mindedness that allows one to make decisions even in the face of a difficult situation.

The only individuals referred to by the title *naar mesharet* in Tanach are Yehoshua and Shmuel. At a young age, Shmuel is able to avoid the negative practices of those around him and continue to grow in the esteem of God and man (Shmuel I 2:25-26). When he gets older and becomes the leader of the Jewish people, he is renowned for his just and rightful ruling (3:19-20).

Unfortunately, the clearest example of this is in the juxtaposition of Shmuel to his sons who took over after him. (8:1-5) What's more is that Shmuel is referred to not only as the *mesharet* for Eli HaKohen, but *mesharet et Hashem* (2:11, 18, 3:1).

Similarly, Yehoshua always followed Moshe, but never as an *eved*. He never tried to undermine Moshe or anyone else through his position. A prime illustration of this is the account of the prophecy of Eldad and Medad.

(26) Two men remained in the camp, and the spirit [also] rested on them. The name of one was Eldad, and the name of the second was Medad. Although they were among those registered, they did not go out to the [Communion] Tent, but they spoke prophetically in the camp. (27) A young man ran to tell Moshe. "Eldad and

(כו) וַיֵּשְׁאָרוּ שְׁנֵי אַנְשִׁים בַּמַּחֲנֶה שֵׁם
הָאֶחָד אֶלְדָּד וְשֵׁם הַשֵּׁנִי מִידָד וַתֵּנַח
עֲלֵיהֶם הָרוּחַ וְהֵמָּה בְּכַתְּבֵים וְלֹא
יָצְאוּ הָאֵלֹהִים וַיִּתְּנָבְאוּ בַּמַּחֲנֶה:
(כז) וַיֵּרָץ הַנֶּעֱרַר וַיַּגִּד לְמֹשֶׁה וַיֹּאמֶר
אֶלְדָּד וּמִידָד מִתְּנַבְּאִים בַּמַּחֲנֶה:

Medad are speaking prophecy in the camp!" he announced. (28) Yehoshua bin Nun, Moshe's chosen attendant, spoke up. "My lord Moshe," he said. "Stop them!" (29) "Are you jealous for my sake?" replied Moshe. "I only wish that all of God's people would have the gift of prophecy! Let God grant His spirit to them [all]!"

Bamidbar Chapter 11

(כח) וַיַּעַן יְהוֹשֻׁעַ בֶּן נֹון מִשְׁרֵת מֹשֶׁה
מִבְּחָרָיו וַיֹּאמֶר אֲדֹנָי מֹשֶׁה כָּלָאִם:
(כט) וַיֹּאמֶר לוֹ מֹשֶׁה הֲמִקְנָא אֶתָּה
לִי וּמִי יִתֵּן כָּל עַם ה' נְבִיאִים כִּי יִתֵּן
ה' אֶת רוּחוֹ עֲלֵיהֶם:
במדבר פרק יא

Rashi takes this reaction of Yehoshua to a whole new level.

Stop them: ... Because they were prophesying Moshe would die and Yehoshua would bring Israel into the Land.

Rashi, Bamidbar 11:28

כלאם: [...] לפי שהיו מתנבאים משה
מת ויהושע מכניס את ישראל לארץ:
רש"י במדבר יא:כח

Yehoshua was so concerned for the honor of his teacher that he could not stand to hear of his demise, even if it was through the medium of prophecy and included that he would be the next leader of the nation.

This last point may assist in explaining a peculiar ruling with regard to the particular timing of the holiday of Purim.

The Megillah is read on the 11th, 12th, 13th, 14th, or the 15th; no less and no more. Cities surrounded by a wall from the time of Yehoshua bin Nun read on the 15th, villages and large cities read on the 14th, except that the villages move up to the day of entry.

Megillah 1:1

מגילה נקראת באחד עשר בשנים עשר בשלשה
עשר בארבעה עשר בחמשה עשר לא פחות ולא
יותר כרכין המוקפין חומה מימות יהושע בן נון
קורין בחמשה עשר כפרים ועיירות גדולות קורין
בארבעה עשר אלא שהכפרים מקדימין ליום
הכניסה:

משנה מסכת מגילה א:א

Why is it that walled cities reading on the 15th of Adar need to date back to the time of Yehoshua and not to the time of the actual events being commemorated? Perhaps because when we are dealing with fortification and protection, the way to do it is not through connection to those leaders of Shushan who hid behind others to gain power and prestige, but through a connection to the true *naar mesharet*, the example to us all of how to be a proper student.

While Yehoshua is not on the list of people who went straight to Gan Eden, we do understand that no one sinned during his reign over the Jewish nation. It appears that the reasoning behind this stems from his being *mesharet* Moshe and the relationship that entailed, which also gained him the rare appellation at the end of his life, the same one that Moshe got at the end of his life, and the only true way to be an *eved*; an *eved Hashem*, a servant of God.

We see from here that the title *eved* is solely appropriate when it is coupled with the holiness and sanctity of Hashem. At such a point, one's entire life becomes partnered with the message of God that permeates their world.

A Servant of Hashem – One who focuses all energy and efforts in Hashem, and even in dealing with worldly matters the intent is toward the service of

עבד ה' - מי ששם כל כחו וכוונתו וכל
השגחותיו בשם יתעלה ואף בהתעסקו בענייני
העולם מתכוין לעבודת הא-ל יתעלה הוא יקרא

God; he is called an *Eved Hashem*...

Radak, Yehoshua 1:1

עבד ה' [...] ...

רד"ק יהושע א:א

This is an extremely elevated level to attain, exemplified by the fact that so few have merited such distinguished designation. And even those so called, only in their passing²⁰.

Avdei Hashem Anachnu, V'lo Avadim l'Avadim – we have to be very careful who we consider to be HaMelech; that title is reserved for the King of Kings. *Mesharet* is the proper relationship for us to build between people, as a *naar*, always with open eyes and an objective understanding of what is right and true. Not as an *eved*, looking toward artificial agendas and personal gain.

Through our understanding of the story of Purim and our profound tradition, may we merit to actualize and develop meaningful relationships with both God and man.

²⁰ See Toldos Yitzchak, Devarim 34:5

The Hit You Can't Forget: A Purim Torah about Tort Law

Rabbi Aaron Feigenbaum

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It is known that Rama rules (Orach Chayim 695:2) that a person is not liable for damages that occur during Purim festivities. What is not well known is that this law has ramifications well outside the Holiday of Purim. For example, perhaps the most famous football injury ever took place Nov. 18, 1985 on Monday Night Football. The Redskins attempted a flea flicker and Lawrence Taylor was not fooled. He came blitzing and sacked Joe Theisman, breaking his leg and ending his career. Theisman went on to have a successful career as a broadcaster, but would never play again. Taylor's actions, although not premeditated, potentially cost Theisman a considerable amount of money. What would have happened in a beis din had Theisman sued?

Our discussion begins with a mishna (Bava Kama 26a): "A man is liable for all of his damages, whether they be accidental or purposeful, whether he is awake or asleep. If he blinds the eye of his friend, or if he breaks vessels, he pays full damages." The gemara further teaches (Bava Kama 26b) in the name of Chizkiya that a man is liable for accidental damages as he is for intentional damages, and for unavoidable damages as he is for willful damages. Thus it appears quite simple that a man is responsible for any damage caused by his direct actions, be they willful or not.

Tosafos (Bava Kama 27b) however begin to limit the scope of these obligations, arguing that there are instances of unavoidable damage that a person would not be liable to pay. They claim that even though Chizkiya taught that a man is liable for unavoidable damages, in an instance where the damage is absolutely unavoidable the Torah would not obligate him to pay. Tosafos finds precedent for such a ruling in Yerushalmi (Bava Kama 2:8). Yerushalmi teaches that if a man goes to sleep, and while he is asleep another fellow lies down beside him, should the first fellow damage the second amidst his slumber he would not be obligated to pay. Tosafos explain that the first fellow had no way of knowing the second fellow was there and thus we see that in instances of absolutely unavoidable damages a man is exempt from payment.

Ramban (Bava Metzia 82b) takes issue with Tosafos arguing with the simple reading of the Bavli, that a man is always obligated to pay for damages he causes. Ramban claims "Why should he be exempt from payment, a man is always liable be it unavoidable or willful damage?"

Ramban claims that the reason Yerushalmi exempts the first sleeping fellow is not because one is exempt from payment in cases when the damage is absolutely unavoidable, but rather because when the second fellow lies down beside the already sleeping man he is the one being negligent. He brings the damage upon himself, and therefore cannot claim compensation.

At first glance it might seem tempting to suggest that our question revolves around the argument between Tosafos and Ramban. Tosafos might suggest that damage caused in a sporting event is absolutely unavoidable, and thus exempt from damages, while Ramban would maintain that a man is obligated to pay for any damage he causes regardless of whether he could have avoided them. But such a suggestion is objectionable from both sides. It is difficult to maintain that our case is a case of unavoidable damages because the tackle is done intentionally, and thus perhaps even Tosafos would obligate payment. Conversely, even if we assume that this is not an unavoidable damage, perhaps when someone agrees to play the game they accept a certain level of risk, and thus if they are hurt it might be comparable to Ramban's interpretation of Yerushalmi where the second fellow is himself negligent, and perhaps even Ramban would exempt any damages.

Perhaps a more relevant argument amongst Rishonim can be found in Sukka 45a. The Mishna tells us that on the seventh day of Sukkos after the obligation of lulav and esrog has been fulfilled “*miyad tinokos shomtin es lulavehem v'ochlim esrogehem*”. Tosafos, quoting Rashi, explain that after the fulfillment of the mitzvah adults would, without permission, take the four species from the hands (*miyad*) of children and eat their esrogim. They continue, “And this is not considered stealing because that was what they were accustomed to do in celebration. We can learn from here to exempt young men who joust with each other to create joy for a bride and groom should one of them tear the clothing of the other or injure his horse, because jousting is what they are accustomed to do in order to create joy.” Tosafos thus assume that any damage caused during an accepted form of amusement would not be subject to liability.

Rosh (Sukka 4:4) argues with Rashi's interpretation of the Mishna as well as with the expansion of Tosafos. Rosh explains that after the fulfillment of the mitzvah of lulav and esrog, immediately (*miyad*) the children would take apart their own set of four species, eat the esrogim and play games with the lulavim. Having disregarded Rashi's understanding of the Mishna, Rosh has no source to permit damage caused while creating joy. It should not therefore surprise us that Rosh (Teshuvos HaRosh 105:5) argues with Tosafos and obligates payment should one of the jousters cause damage.²¹

Tur (Choshen Mishpat 378) rules in accordance with his father, Rosh, that should a groomsman cause damage while jousting he is obligated to pay full damages. The same should of course be true for damage caused while dancing at a modern wedding. Rama (Choshen Mishpat 378:9) however quotes Tosafos: “Young men who ride on horses to create joy for the bride and groom are exempt from damages should they harm each other's property amidst the playful happiness

²¹ Bach (Choshen Mishpat 378:9) suggests that Rosh only argues with Tosafos because in his place and time the custom of jousting was not well spread and accepted enough to exempt damages. Bach maintains, however, that Rosh fundamentally agrees with the law that one is not liable for damages brought about by an accepted recreational activity.

since it is the custom to perform such activities; the same would be true of other forms of happiness.” Similarly Rama rules in Hilchos Purim (Orach Chayim 695:2) that should a person cause damage to another amidst their Purim festivities he would not be obligated to pay. Thus it appears that Rama rules in accordance with Tosafos and any damage caused during an accepted form of recreation should not be subject to liability²².

Magen Avraham (Orach Chayim 695:7) quotes an argument whether this exemption applies only to monetary damage or even to bodily harm. We might then have to split our decision. According to some, if amidst a sporting event a player damaged the uniform of his opponent he is exempt from payment, but should he damage another players’ person he would still be liable²³. Perhaps the basis for such a split is the mishna in Bava Kama 92a. The Mishna teaches that if person A gives permission for person B to damage his property, person B cannot be held accountable for any damage he causes. The mishna continues though, that if person A grants permission for person B to damage his person, person B would still be liable for any damage he causes. We see clearly that there is a divide between damage caused to one’s property where one can allow others to damage, as opposed to damage done to one’s person where we do not have such rights. According to this approach, Tosafos was only lenient with regard to monetary harm, but not bodily harm. This divide is accepted as law by Aruch Hashulchan (Orach Chayim 695:10).

However, it appears that Rama does not accept this divide, and maintains this exemption even in an instance of bodily harm²⁴. We need to thus understand why damage caused amidst a recreational activity would be different than a person granting permission for his friend to harm him in which case the friend would still be liable?

Tur (Choshen Mishpat 421) quotes from his father (Teshuvos HaRosh 101:6): “There were two fellows wrestling with each other, and one wrestler slammed his adversary to the ground and fell on top of him, blinding his friend when he knocked him down. What is the law? The answer appears that he is exempt from payment ... for in this case when they wrestle together they both knowingly enter into the wrestling, and the damage is done without intent, for it is known that when two people wrestle the goal is to pin the other fellow to the ground, and since they wrestle with all of their strength it is impossible to take caution to knock your adversary down gently so he should not get hurt, and thus as each of them tries to knock the other fellow down they forgive (*mochlin*) each other, and it is based on this understanding that they wrestle²⁵.”

²² Vilna Gaon Choshen Mishpat 378:25. It is possible to argue that this exemption is only for happiness amidst the performance of a mitzvah, and cannot be expanded to other forms of recreation. This appears to be the opinion of Maharshal (Yam Shel Shlomo Bava Kama 5:1) and Aruch HaShulchan (Orach Chayim 695:10 and Choshen Mishpat 378:21).

²³ Such an approach would fit well with the words of Rama in Hilchos Nizikin, but would be forced in his language in Hilchos Purim.

²⁴ Darche Moshe (Choshen Mishpat 378:5) quotes this law in the name of Morechai and Aguda without distinguishing between the two, and while Mordechai’s words are inconclusive, Aguda maintains this exemption even in an instance of bodily harm.

²⁵ Accepting Bach’s opinion (that the Rosh agrees with Tosafos that one is not liable for damages caused by an accepted recreational activity) will resolve the apparent contradiction between Teshuvos HaRosh 101:5 quoted in

Beis Yosef questions this ruling based on the Mishna Bava Kama 92a. Rosh exempts payments that occur as a direct result of recreational activity because when one decides to take part in that activity they assume a certain degree of risk associated with normal behaviors during that activity. Thus by participating in the activity they forgive others who may harm them. However the mishna specifically states that one is held liable for bodily harm even if the injured party instructed you to do it, so how would the logic of the Tur apply to bodily injury?

Beis Yosef responds that “perhaps we can differentiate a case where one party forgives his friend from a case where they each forgive each other.” Based on this logic, Rav Caro rules (Shulchan Aruch Choshen Mishpat 421:5) in accordance with Rosh to exempt the wrestlers from liability for damages. What is the basis for this distinction? Sema (Choshen Mishpat 421:10) explains that this is more than just forgiving damage, which the Mishna says is not effective to exempt liability. In this case they each partake in the action of damage against themselves. Perhaps when a person chooses to partake in a recreational activity he knows the risks involved and if he is hurt, like Ramban’s explanation of Yerushalmi, he has himself been negligent.

It would appear from all of the above that provided the harm is perpetuated during the normal course of play and that the harm is not done willfully, a person would not be liable for damages, bodily or monetary, that occur amidst a game or any other recreational activity.

There is however one final caveat. Rabbi Dov Lior (Shut D’var Chevron 101)²⁶ rules that if amidst a basketball game damage is caused when a foul is perpetrated the person who commits the foul would be liable for the damage. His rationale is that when one agrees to play basketball he only forgives damage that would result from playing by the rules of the game, such as if an errant pass would cause damage, but he does not forgive actions that are against the rules of the game. Thus Rabbi Lior reasons that since fouls are against the rules of the game, a person does not forgive damage caused by a foul and the person committing the foul would be liable to pay.

I believe, however, that while fouls are against the rules of the game, they are certainly a large part of the game. When one agrees to play basketball they know that there is a good chance that they will be fouled and thus forgive the damage caused by fouls, just as they would implicitly forgive damage caused by an errant pass. It would be much more surprising to a player if they were not fouled throughout an entire game than if they were fouled, and while a person does not think he will get injured from those fouls he certainly expects to be fouled and thus his implicit forgiveness should still be intact²⁷. Perhaps Rabbi Lior would be correct in regards to a flagrant foul, even if the intent is not to harm, since the damaged party might not have expected such a foul to have been committed.

Tur Choshen Mishpat 378 and Teshuvos HaRosh 101:6 quoted in Tur Choshen Mishpat 421. The Vilna Gaon (Choshen Mishpat 378:25) did not accept this approach and must therefore assume that the damage caused in jousting was not to be expected so that when the jousting began none of the participants would have granted implicit forgiveness. Alternatively, Rabbi Aaron Levine suggested to me that Rosh only exempts damage when wrestling in the instance where the wrestlers are professional, but should random people agree to wrestle they would be liable just like the jousters.

²⁶ Thank you to Rabbi Yehuda Turetsky for pointing out this source to me.

²⁷ See P’risha Choshen Mishpat 421:7 that since the wrestler expects to be hit, the fact that he does not think the hit will damage him does not negate the forgiveness.

We have seen that the ruling of Rama (Orach Chayim 695:2), that one is not liable for damage that occurs amidst Purim festivities, is not the only instance where a person would not be liable for damages that he causes. Perhaps though we can see special significance to the application of this law in Hilchos Purim based on an insight from Rabbi Yonason Sacks.

The halacha is clear (Shulchan Aruch Orach Chayim 686:2) that should Purim, as it does this year, occur on Sunday, Taanis Esther is observed on the preceding Thursday. Sheiltos (67) points out that generally speaking we have a halachik tendency to push off depressing days and not to make them sooner. Thus should most fast days fall on Shabbos we generally push off the fast until Sunday, as opposed to making the fast sooner on any day before Shabbos. Rabbi Hai Gaon explains that while most fast days serve to remind us of tragedy, Taanis Esther is in fact a part of the celebration of Purim. Rabbi Sacks explains that an essential component of the experience of Purim is to move directly from the depression of the fast into the celebrations of the day. In celebrating Purim we celebrate not only the salvation, but we also see in retrospect the necessity of, or the growth achieved by the troubles as well. It should not surprise us that at the very party the Jews were punished for attending, Vashti is killed, setting the scene for salvation. If we looked only at the party we would have thought everything was terrible, but amidst the depression was the source of salvation.

While the celebration of Pesach is a celebration of God's revealed miracles, Purim is a celebration of God's hidden miracles. When experiencing a revealed miracle you don't need broad vision to see the salvation of Hashem, but when experiencing hidden miracles it is necessary to see how the story unfolds from beginning to end in order to recognize how each stage is part of the salvation of Hashem. Rabbi Sacks suggests that this is why (Shulchan Aruch Orach Chayim 690:17) when we read Megillas Esther we open up the entire Megilla, because we can only recognize God's hidden miracles, the salvation of Purim, if we see the whole story. If we only look at the small section which is before us we will not see the salvation of Hashem, but if we look at the Megilla from beginning to end and see the whole story we recognize the hand of God.

If the central theme of Purim is recognizing the presence of the Yad Hashem in times when it is not apparent, perhaps it would be antithetical to the nature of the day to obligate payment for damages caused amidst Purim festivities. To charge someone for damages supposes, perhaps, that some wrong has been perpetrated. But with a deep understanding of the nature of Purim we would be certain that while it may look unfortunate now, if we could see the whole picture we would understand that it is an integral part of our salvation.

Behind the Mask: Internalizing Ourselves

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Perhaps one of the most widely known customs of Purim is that of dressing up in costumes. Ironically, this custom is not even mentioned in the gemara, nor is it quoted in any of the early halachic sources. Even in the Shulchan Aruch, this custom only gets a tangential mention by the Rama (696:8) when he briefly discusses the permissibility of dressing up on Purim in clothing of the opposite gender.²⁸ However, it is never described as a proper minhag that should be observed. On the contrary, in 695:2, the Rama actually says that we should wear *bigdei Shabbos*, our fancier clothing, on Purim. What then is the basis for this minhag? Surely there must be more behind this custom than simply being a Jewish Halloween. What is the meaning behind this custom?

Many have suggested that dressing up in costumes and hiding ourselves is symbolic of how Hashem “hid” Himself in the Megillah, not using a splitting of the sea or even an improbable military victory as His vehicle of salvation, but rather a behind-the-scenes orchestration of everyday events. Others have explained that the custom teaches us that we should never take things at face value, and that there is always more than meets the eye. However, perhaps there is a deeper message that we can glean from this curious, yet widely established custom.

Yet another intriguing halachah on Purim is that of drinking wine. As opposed to dressing up, drinking wine is actually discussed in the gemara and quoted in the Shulchan Aruch. Once again, we are left to try to find an understanding behind this intriguing halachah. Certainly it is not simply a license to get drunk so that we can enjoy ourselves and let loose one day a year. What is the basis of this confusing halachah?

In addition to Purim’s being a holiday of salvation, it is also a time of kabalas haTorah. When Bnei Yisroel stood at Har Sinai and accepted the Torah from Hashem, there was something missing within that acceptance that prevented it from being perfect and everlasting.

(Shemos, 19) And they stood [lit] underneath the mountain... This teaches us that Hashem held the mountain over Bnei Yisroel and said to them: “If you accept the Torah, good. If not, there will be your burial place”
Shabbat 88a

(שמות יט) ויתיצבו בתחתית ההר, אמר רב
אבדימי בר חמא בר חסא: מלמד שכפה
הקדוש ברוך הוא עליהם את ההר כגיגית,
ואמר להם: אם אתם מקבלים התורה - מוטב,
ואם לאו - שם תהא קבורתכם.
סכת שבת דף פח.

²⁸ Although see the Mishna Brurah who quotes poskim that are against this custom of wearing clothing of the opposite gender even in this case.

When Bnei Yisroel accepted the torah at Har Sinai, they did so out of *yirah*, fear, a factor that prevented this acceptance from being *the* kabalas haTorah for all time. Therefore, at some point in our future, we were going to have to reaccept the Torah. We were going to have to recommit ourselves in a manner free of all coercion and pressure.

This second kabalas haTorah took place at Purim.

Rava says, even so, Bnei Yisroel reaccepted the Torah during the times of Achashveirosh. As it says "They established and they accepted": they established what had already been accepted.

Shabbat 88a

אמר רבא: אף על פי כן, הדור קבלוה
בימי אחשורוש. דכתיב קימו וקבלו
היהודים, קיימו מה שקיבלו כבר.
סכת שבת דף פח.

It is interesting to note that these two episodes of kabalas haTorah are each marked by phrases that have an important common denominator: *naaseh v'nishma* at Har Sinai and *kiymu v'kiblu* at Purim. Both of these phrases achieve their significance in their being, seemingly, reversed. *Nishma* (learning) should precede *naaseh* (doing), just as *kiblu* (accepting) should precede *kiymu* (establishing). The fact that the opposite order is used requires some explanation, given their place as the defining words for each of these historical occasions. Additionally, we need to understand why the wording of the acceptance by Bnei Yisroel was changed from Har Sinai to Purim.

As ovdei Hashem, we understand that to perform mitzvos simply as actions, without ever internalizing their meaning and message, is missing the point. To learn Torah as merely an intellectual exercise, without hearing the messages and feeling the connection to Hashem, relegates our learning to a simple pursuit of knowledge. Ideally, we strive to internalize all that we do, and to allow the Torah that we learn and the mitzvos that we perform to become a part of us and shape our very being.

Therein we can establish a distinction between our acceptance of the Torah at Har Sinai and our acceptance of the Torah at Purim. At Har Sinai, we pledged to perform. We proclaimed "*naaseh*" as a promise to perform all that Hashem would command us to do even before learning about it. However, there is another level that we would have to strive to reach, that of internalizing the *kedusha* of the Torah and allowing it to become a part of ourselves. That was achieved at the second acceptance of the Torah at Purim, a pledge of *kiyum*, of establishment.

Rav Shlomo Volbe, zt'l (AleI Shur, 2 vol, p. 465), points out that in the aftermath of Har Sinai, Bnei Yisroel went on to perform the *cheit ha'eigel*. In stark contrast, in the aftermath of Purim, Bnei Yisroel went on to rebuild the Beis Hamikdash. It is the difference between performing and internalizing, between *naaseh* and *kiymu*.

As we approach Purim every year, we are faced with the challenge of internalizing all that we have achieved over the past year in order to turn our *naaseh* into *kiymu*. But how can we do this? How can we be sure that our efforts have yielded their desired outcomes?

Nichnas Yayin Yatza Sod

As wine enters, [a person's] essence is revealed

Eruvin 65a

נכנס יין יצא סוד.
מסכת עירובין דף סה.

The Maharal explains that wine possesses a unique feature in that it is drawn from the deepest, most hidden part of the grape. It therefore has the ability to reach and connect to the deepest part of the person drinking it. By drinking wine, we allow that which is truly inside of us to come out. We remove all of our inhibitions and provide an opportunity to feel that which we have attempted to instill within ourselves. We no longer have any safeguards; we are free to feel those emotions that are so hidden within our being. It is then that we can feel to what extent we have internalized all that we have learned and performed. Once we no longer have walls guarding our inner thoughts, no longer have obstacles blocking us from being in touch with what we are feeling inside, we can then glimpse into what our true essence is. Our drinking wine on Purim should not lead to levity and partying, but rather to a deeper sense of who we truly are. It is not silliness and games that should be the product of the alcohol, but rather the effects that our Torah and mitzvos have had on our lives. With every sip of alcohol, another word of Torah should be emitted. With every cup of wine, we hopefully reveal a deeper level of love for Hashem. The more the inebriation affects us, the more it should reveal our true desire to better ourselves and become more passionate and more fervent in our *avodas* Hashem.

Of course, reaching that level is a daunting task. After all, we live in a society that bombards us from all sides with influences telling us to live our lives out in the open. We are being convinced that whatever we do should be shared on a blog or a tweet. It's not enough for us to just live our own lives, but we need to have our lives be publicized for all to see. All too often, people aren't even really experiencing their own lives, but rather that of TV and movies, of sports and magazines. Our culture has made it so difficult to just stop and focus on ourselves; to be introspective and be in touch with what is our true nature, to tap into those internalized values. This idea was expressed by the Belzer Rebbe as the culmination of the three levels of *galus* that we experience, the first two being the exile of Bnei Yisroel from Eretz Yisroel and the exile of Bnei Yisroel from each other, through *machlokes* and strife. The third level, which he says is the harshest of all, is the exile of a person from their true selves.

Mordechai and Esther- Their Defining Characteristic

Rav Volbe explains that Hashem carried out His plans of salvation for the Jewish people through Mordechai and Esther because they shared the crucial trait of *tzniyus*, modesty. In reference to Mordechai, the gemara says:

Where can we see a reference to Mordechai in the Torah?
(Shmos, 30) Pure Myrrh which in Aramaic is Mori Dachi.
Chulin 139b

מרדכי מן התורה מניין? דכתיב (שמות ל')
 מר דרור ומתרגמין: מירא דכיא.
 מסכת חולין דף קל"ט:

The *mor dror* was a key ingredient of the *ketores* that would be used in the Beis Hamikdash on Yom Kippur in the Kodosh Hakadoshim, the most hidden and sacred place that only the kohen gadol could enter, only once a year.

Similarly, the gemara tells us about Esther:

In reward for the tzniyus that Rachel had, she merited to have a Shaul as a descendent. And in reward for the

בשכר צניעות שהיתה בה ברחל - זכתה ויצא
 ממנה שאול, ובשכר צניעות שהיה בו בשאול

tzniyus that Shaul had, he merited to have Esther as a descendant.

Megillah 13b

- זכה ויצאת ממנו אסתר.
מסכת מגילה דף יג:

Esther carried on this legacy of *tzniyus*, as Rav Volbe points out, in the most challenging of circumstances. Even though she was in a public position as queen of the greatest empire in the world, Esther still maintained the utmost level of *tzniyus*. As the megillah says:

Esther did not reveal her origins or her nationality, as Mordechai had told her.

Esther 2:20

אין אסתר מגדת מולדתה ואת עמה כאשר צוה עליה
מרדכי
אסתר ב:כ

Both Mordechai and Esther embodied the *midah* of *tzniyus*, a *midah* that is crucial to connecting to Hashem, especially in a time of *hester panim*, the concealment of Hashem's presence. When Hashem "hides", the only way to connect to Him is by exhibiting a *midah* that most closely resembles *hester panim*, that of *tzniyus*.

The *midah* of *tzniyus* does not simply refer to a mode of dress; that is but one manifestation of this trait. Rather *tzniyus* is defined as being able to stay within ourselves, and not constantly needing to look for ways to display that which is within us. It is the trait of being able to feel meaning in our lives internally and not having to look to external sources to feel good about ourselves. In a time of *hester panim*, when Hashem Himself is in "hiding", it becomes so much more difficult for us to connect to Him and therefore so much more of a struggle to find meaning in our lives. It is then that our *tzniyus* must be invoked, because it is the *midah* of *tzniyus* that tells us to look inward and focus on ourselves and our own strengths. We must avoid the trap of trying to find our worth in externals, and rather search internally to imbue our lives with *kedushah*. Only then can we truly find the meaning in our lives, and connect ourselves to Hashem. As the Maharal says, the first step in one's *avodas Hashem* must be a "*hakaras ha'atzmi*", self-recognition.

And so we put on a mask. Not simply to symbolize something to the world or even to demonstrate some hidden meaning to those around us, but rather for ourselves; to remind ourselves to stop searching for our self worth in external sources and instead to focus inward to ascertain how valuable each of us are. Wearing a costume gives us a chance to reconnect with that potential and value that we each possess, because only we know who we truly are, and the only way to fill our lives with *kedusha* is by being in touch with that inner self.

Just as a person needs to believe in Hashem, so too he needs to believe in himself.

Sefer Tzidkas Hatzadik #154

כשם שחייב אדם להאמין בהקב"ה כך צריך אחר כך להאמין בעצמו.

ספר צדקת הצדיק אות קנד

May we be *zocheh* this Purim to have the ability and the strength to focus inward and to realize how powerful and *kadosh* each of us really are. To use that potential to internalize all that it is we try to accomplish in our *avodas Hashem*. And in that way, our *kabalas haTorah* will be one that will impact our lives to the level that we strive to achieve.

What was Achashverosh Thinking?!

Rabbi Raphy Hulkower

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“They tried to kill us, we survived, let’s eat.” This depressingly funny phrase, so characteristic of Jewish humor, has often been quoted as a slapstick summary of many Jewish holidays. In many ways, Purim exemplifies this motif with our festive meal in commemoration of our victory over Haman and our enemies. Naturally, as we retell this story every year, our attention is primarily drawn to the central decree in the story – Haman’s decree, written and sealed by Achashverosh, “to kill and exterminate all Jews, young and old, children and women on the thirteenth day of the twelfth month (Esther 3:13).” However, there is another decree, the first decree recorded in the story of the Megillah, to which we often pay little attention. At the end of the first chapter, Achashverosh signs another decree suggested by Haman:

This suggestion pleased the King and the officials, and the King acted according to the word of Memuchan²⁹. And he sent letters to all the king’s domains, to each domain in its own script and each people in its own language, [stating] that every man should be master over his house and speak the language of his own people.

Esther 1:21-22

וַיִּטֵּב הַדָּבָר בְּעֵינֵי הַמֶּלֶךְ וְהַשָּׂרִים
וַיַּעַשׂ הַמֶּלֶךְ כְּדִבְרֵי מְמוּכָן. וַיִּשְׁלַח
סְפָרִים אֶל כָּל מְדִינֹת הַמֶּלֶךְ אֶל מְדִינַת
וּמְדִינַת כְּתֻבָּה וְאֶל עַם וְעַם כְּלָשׁוֹנוֹ
לִהְיוֹת כָּל אִישׁ שֶׁרָר בְּבֵיתוֹ וּמְדַבֵּר
כְּלָשׁוֹן עַמּוֹ.

אֶסְתֵּר פָּרָק א': כ"א-כ"ב

This decree is problematic on two levels. From the point of view of the narrative, it is tangential to the overall story of the Megillah. Whether or not the men of Persia were masters of their houses should not impact on Haman’s hatred of the Jews, or on the ability of the Persians to carry out the later decree to exterminate us. More importantly, from a legalistic point of view, this decree is completely and utterly absurd. How can even the most powerful of monarchs expect to govern what goes on behind closed doors? As Rav Soloveitchik remarks

In this matter, it all depends on the character of the husband and the wife. If the male is a strong-willed, master personality, he will be lord in his house even without legal support. However, if the woman is domineering, if she is the strong personality, commanding and masterful, she will dominate her husband, regardless of the royal decree that forbade the subordination of the male to the female”

Days of Deliverance, p. 57

²⁹ The gemara in Megillah 12b tells us that Memuchan is another name for Haman.

Furthermore, even if a man could be made in control of his house by the king's order, could he truly be called master of his house?!

Chazal's View

The rabbis of the Talmud not only take note of this strange decree, but even go so far as to say that it plays a critical role in the Purim story.

*Rava said: If not for the first letters, there would not have been even a single remnant or survivor of the Jewish people*³⁰

Megillah 12b

אמר רבא: אלמלא אגרות הראשונות לא
נשתייר משונאיהן של ישראל שריד ופליט.
מסכת מגילה דף יב:

Can it be that *Chazal* are really talking about the same absurd decree mentioned above?! How can this irrational decree have resulted in anything significant, let alone be a source of salvation in the Purim story? *Rashi* on the gemara explains that the non-Jews' hatred of the Jews was so great that they certainly would not wait to start massacring their Jewish neighbors. As soon as they saw that Achashverosh had issued a decree to kill all the Jews, they would disregard the exact date that the decree was supposed to take effect, and immediately start killing Jews. Had they done so, God forbid, there would not have been any time for Mordechai and Esther to devise and execute their plan to reverse the edict.

And yet somehow the king's chauvinistic command at the end of the first chapter of the managed to prevent this pogrom. How so? The gemara continues:

For the people [of Persia] said to each other: What is the meaning of the king's command that each man should be master of his house. This goes without saying! Even a lowly weaver is the lord is his own home!

אמרי: מאי האי דשדיר לן להיות כל
איש שרר בביתו? פשיטא! אפילו
קרחא בביתיה פרדשכא ליהוי!

Thus, according to the gemara, even the people of Persia at that time found Achashverosh's decree absurd. In their view, even a man without much power, such as a simple weaver, did not need the king's encouragement to be the master of his own home. Such an idea was laughable and certainly not worthy of being issued as a royal edict. If the king did issue such a decree, they reasoned, it must have been issued in error or under the influence of wine. As such, they could not be sure whether to take *any* of the king's decrees seriously. If the king could send out such a ridiculous command, perhaps even more reasonable requests were also errors and likely to be reversed. It was in this frame of mind that the men of Persia later read the edict to slaughter all their Jewish neighbors. Wisely, they chose not to act on that command at least until the day listed on the decree. This would provide ample time to wait and see if the decree was in fact real or just another error sent out by a drunken king.³¹

³⁰ Literally "of the enemies of the Jewish people," a common euphemism used by the gemara when discussing a harmful statement regarding the Jewish people.

³¹ A similar explanation can also be found in the *Yalkut Me'am Lo'ez* on Esther 1:22.

In this way, Chazal's view is that the decree to be master of one's house was so absurd that it was not only ineffective but also counterproductive. The act of issuing a ridiculous decree served to undermine the authority of the crown to the point that even later decrees were not taken seriously. This mistrust of the king later played a crucial role in the Purim story, keeping the Persians at bay until Esther had time to save the Jewish people.

Achashverosh's Perspective

The previous gemara demonstrates how the ostensibly tangential edict in the beginning of the Megillah serves an essential role in the Purim story. However, it presupposes that the people of Persia were correct in their characterization of the king – that such a decree could not make sense and must have been forged, sent in error, or in a drunken state of mind. While this reasoning is well grounded, as readers of the Megillah, we know that the edict was neither a forgery nor an error. Thus, we are left with two possibilities. Either it was just the alcohol talking (or issuing decrees), or we must explore the possibility that there is some logical way to explain Achashverosh's decree.

Certainly, one can make an easy argument that alcohol influenced Achashverosh's behavior that fateful evening. According to the *Targum Sheni*³² on Esther 2:1, Achashverosh himself admits that his wine influenced his decisions and the next day "he sent and summoned all his advisors and servants and said to them: I am not mad at Vashti. Rather I am angry with you, for I was merely speaking under the influence of wine, but you incited me to kill her!" But the king's advisors were not only at fault for leading him to kill Vashti. They were equally aware that his decree commanding the men to be masters of their homes was ill conceived and would only bring disgrace to the crown. *Ibn Ezra* (1:22) even explains that the tangential line of "וְיִמְצְאוּ" "כלשון עמל" was added at the end of the decree, presumably by a more scrupulous advisor, to protect the king from shame by distracting people's attention from the comical decree by adding in a more substantive clause at the end.

The *Megillat Setarim*, written by Rabbi Yaakov of Lissa (better known for his work the *Chavas Da'at*) puts an entirely different perspective on Achashverosh decree that all men are to be masters of their households. In his commentary on Esther 1:22, the *Megillat Setarim* explains how the king's edict was far from a drunken whim, and in fact the decree was quite clever and calculated. Achashverosh, realizing that Vashti descended from mighty kings, was concerned that her royal relatives might try to take revenge when they found out that she was murdered. If so, they would likely try to organize the men of the empire into an army and cause a rebellion against this tyrannical king. In order to prevent such a rebellion, Achashverosh issued a decree that every man should be master over his house – *but only over his own house*. The intent of the decree was actually to diminish a single man's authority and to prevent the organization of brigades which might be used against the monarchy. Although the decree seems to be increasing a man's power in his home, it also sneakily forbids any authority outside the home. Every man in the empire was to be

³² Targum Sheni is more of a homitelical work than a true "targum" or translation and probably dates to the 7th or 8th century, though the exact date and author is unknown.

master over his wife and children, but not over any other man. In this way, Achashverosh was actually trying to save himself and his monarchy through this seemingly ridiculous decree.

Haman's Perspective

As one attempts to analyze the motives of Achashverosh's decree, one must also recognize that although the king signed and sealed this absurd decree, the idea for the decree itself ultimately belonged to Haman. What was Haman's motivation for suggesting such a strange decree? Certainly, if Haman wanted to kill all the Jews, and to influence the king to his favor, he would want to help strengthen the monarchy, not undermine it. Obviously, this is not a difficulty according to the *Megillat Setarim* – in fact perhaps it demonstrates just how clever an advisor Haman was. However, according to the more mainstream understandings of the decree, one must still wonder how such a shrewd advisor could have suggested the very ruling that the gemara tells us undermined all later decrees. The *Yalkut Me'am Lo'ez*, based on the writings of *Iyyun Yaakov*, suggests a motive for Haman. Similar to Pharaoh's knowledge that his downfall could come at the hands of a baby boy, Haman's astrologers warned him that the king's wife would rescue the Jews and cause his own downfall. This explains why Haman was so quick to suggest that Achashverosh kill Vashti and this is also why he had an interest in ensuring that all women were subjugated to the will of their husbands. Haman realized that the king would ultimately remarry, but he wanted to make certain that the king's new wife would have as little power and influence as possible.

A Psychological Approach

There is another, perhaps even simpler, way to explain Achashverosh's absurd decree, based upon the language of the Megillah itself and some commonsense psychoanalysis. While Achashverosh was certainly intoxicated when he agreed to kill Vashti and declare all men masters of their households, he was influenced that night by something more powerful as well – anger. This is clearly seen from the words of the Megillah at the beginning of the very next chapter.

After these things, when the anger of the King Achashverosh subsided, he remembered Vashti, and what she had done, and what was decreed against her.

Esther 2:1

אחר הדברים האלה כשך חמת המלך
אחשוורוש זכר את ושתי ואת אשר עשתה
ואת אשר נגזר עליה.
אסתר ב:א

The Megillah could very easily have said, 'when the king became sober' if alcohol was the biggest player in explaining the king's actions. Instead, we are told that only once his *anger* went away was he truly able to revisit his actions from the previous night. When Achashverosh decided to kill Vashti, he did so in the height of his rage, out of his sense of scorn and hurt. As much as we may feel that the king's request of Vashti was inappropriate, he was still publicly rebuffed and shamed by her in front of the most powerful men and women in all of the empire. Sadly, many people are blinded by rage, and Achashverosh may still have wanted to kill Vashti even if he was completely sober. This same sense of hurt and betrayal was also likely to influence his decision to decree that all men should be rulers over their homes. Feeling betrayed by his own wife and contradicted in his own home, Achashverosh felt that by "protecting" other men from similar

insult he was somehow recovering from his offense. In a strange form of transference, he was essentially transferring his own feelings of hurt to all men of the empire. Rashi points out that Haman played upon these emotions of Achashverosh.

for the matter of the queen will become known to all the women

Esther 1:17

if [the queen] could embarrass the king, then all women will come to embarrass their husbands!

Rashi ibid

כי יצא דבר המלכה על כל הנשים

אסתר א:יז

זה שביזתה את המלך על כל הנשים להבזות

אף הן את בעליהם

רש"י שם

This was the context, the state of mind, during which Achashverosh issues his inane edict that all men must be masters of their homes. While the decree may seem absurd in hindsight, it maintains an element of logic when we take into account the emotional state of Achashverosh at that time.

Achashverosh's Fatal Flaw and the Message of Purim

Assuming that Achashverosh's emotional state can be used to explain his strange edict, the question still remains of why the Megillah found it necessary to record this episode. Is there something greater to learn from Achashverosh's emotions and absurd decree? Perhaps the Megillah is subtly revealing to us Achashverosh's fatal flaw.

Everyone gets angry at times, and we may even behave improperly or make ill-conceived decisions under the influence of our anger. What hopefully sets us apart from Achashverosh is the ability to admit when we are wrong and when our anger is misplaced. While it is only human for Achashverosh to be insulted and angered by the queen's public disobedience of his wishes, not for one second did he entertain the thought that *his* actions, that *his* request, may have been inappropriate. Achashverosh viewed his interaction with Vashti as a normal request by a husband followed by unnecessary disobedience on the part of his wife. Since the problem was simply a lack of obedience or respect, all the king had to do was make an example of Vashti and legislate that no women should follow her lead. This is why he believed that he was doing some great service for the men of Persia by legislating that their wives must also obey them. If he had considered that his request was horribly inappropriate for any woman, let alone the queen, such legislation should never have been necessary. But Achashverosh was not capable of this introspection. Rather, he was completely incapable or unwilling to admit that he was wrong.

This narcissistic sense of infallibility was not an isolated event for Achashverosh. Rather, his entire system of government was built around the notion that he could not and would not ever make a mistake. This is most clearly seen at the end of the Megillah when Esther has convinced Achashverosh not to follow through with his decree to kill the Jews. Rather than simply revoking the decree, and allowing peace to reign in the empire, the king issued a new decree stating that the Jews are allowed to defend and avenge their enemies. Why is such a convoluted solution necessary?

... Because an edict written in the King's name

ואתם כתבו על היהודים כטוב בעיניכם בשם המלך

*and sealed with the royal signet may not be
revoked*

Esther 8:8

וּחֲתָמוּ בְּטַבְעַת הַמֶּלֶךְ כִּי כָתוּב אֲשֶׁר נִכְתַּב בְּשֵׁם הַמֶּלֶךְ
וּנְחֲתוּם בְּטַבְעַת הַמֶּלֶךְ אֵין לְהַשִּׁיב
אֶסְתֵּר פֶּרֶק ח:ח

Most governments realize that at times, there is a need to revise or revoke laws and orders. A call from the governor can save a criminal from death, even after he has already been sentenced in a court of law. Under Achashverosh, however, built into the legislative system was the notion that the king would never change his mind and revoke his decrees. The idea that a previous decree could be ill conceived or improper was not even an option, just as Achashverosh viewed his personal actions with regard to Vashti. This is Achashverosh's fatal flaw. Luckily, he is not the hero of our story. He is a straw man from whom the Megillah may teach us lessons each and every Purim.

One of the messages of Purim is the idea of teshuva, repentance. On Purim, we celebrate not only our victory over our enemies, but over ourselves as well. Unlike Achashverosh, we recognize that not only are we capable of making mistakes, but that we wish to change ourselves and our ways. The kabbalistic sages such as the Zohar and Rav Tzadok teach us that it is not mere coincidence that Yom Kippurim and Purim share almost the same name. The two holidays are conceptually and mystically connected, despite their disparate moods and celebrations. On Yom Kippur, we solemnly recognize the actions of our past and ask Hashem for forgiveness. On Purim, we dress up in costume; we dance, sing, and laugh to make light of ourselves. At least for one day a year, we practice not taking ourselves so seriously. We are not infallible. We are not perfect. We make mistakes and we recognize that fact. It is only through this knowledge that we can constantly hope to be able to change for the better. May Hashem recognize our celebration as such.

One of these Mitzvot is not like the Others

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It is widely acknowledged that three *mitzvot* fulfill the mandate of *pirumei nisa*, publicizing the holiday's miracle: reading the *megillah* on Purim, drinking the four cups on Pesach and lighting the *menorah* on Chanukah. Indeed, these identifications are explicit in the *Gemara* (*Berachot* 14a; *Megilla* 3b, 18a; *Shabbat* 23b; *Pesachim* 108b).^{33 34}

It is therefore startling that we find a number of differences between these *mitzvot*. The first concerns the audience of the *pirsum*. With respect to the *megillah*, it is clear that the requirement is to share the story with fellow Jews. When it comes to the four cups, it similarly appears that we are relaying the narrative to a Jewish audience. However, there are indications that the lighting of the *menorah* “spreads the light” not only to Jews but to non-Jews as well. The Talmud records (*Shabbat* 21b) that one may light the *menorah* until the *Tarmodeans* have left the marketplace. Rashi explains:

The feet of the Tarmodeans: This is the name of a nation, who collected thin branches, and would tarry in the marketplace until the people of the market would return home after nightfall.

רגלא דתרמודאי: שם אומה, מלקטי עצים דקים, ומתעכבין בשוק עד שהולכים בני השוק לבתיהם משחשכה.

According to Rashi, the *Tarmodeans* were a non-Jewish population. Rav Soloveitchik³⁵ infers that according to Rashi, the *pirumei nisa* of *ner chanukah* is universal in scope; we narrate the story to all humankind. The question begs itself: if all three *mitzvot* are characterized as *pirumei nisa*, why we do find such a dramatic discrepancy?³⁶

³³ The *Gemara Berachot* 14a also identifies the recitation of *Hallel* as involving *pirumei nisa*, but we will leave *Hallel* aside for the purposes of our discussion.

³⁴ According to Rav Moshe Soloveitchik (*Harerei Kedem*, Vol. I), it is for this reason that R. Yehoshua Ben Levi mentions only these three *mitzvot* as incumbent upon women, because *afhen hayu be'oto ha-nes*, they too were included in the miracle. The principle of *afhen* is limited to *mitzvot* of *pirsum*.

³⁵ *Days of Deliverance*, pgs. 198-9.

³⁶ A third piece to this puzzle is the *halacha* of *mechirat kesuto*, that a pauper must sell his clothing in order to fulfill certain *mitzvot* of *pirumei nisa*. This is an exception to the general principle that one need not cede more on one-fifth of his assets to fulfill a positive commandment. This *halacha* appears in the *Gemara* only in reference to the *arbah kosot* (*Pesachim* 108b). Interestingly, Rambam codifies this *halacha* with respect to both *arbah kosot* (*Hilchot Chametz U-Matzah* 7:7) and *Ner Chanukah* (*Hilchot Chanukah* 4:13). Moreover, he never mentions the principle

Additionally, in light of the *pirsum* motif, we might have assumed that all three require a quorum of ten individuals, as a *minyan* generally satisfies the requirement of a *halachik* public gathering. But this is not the case. With respect to the four cups, there is no requirement of a *minyan*. When it comes to *ner chanukah*, we once again find no need for 10 individuals – with the singular exception of the widespread custom of lighting the *menorah* in shul, where the necessity of a *minyan* is widely accepted.³⁷

In sharp contrast, the Talmud (Megillah 5a) addresses the requisite of ten men for *keri'at ha-megillah*. Rav distinguishes between communities that read the megillah on the 14th or 15th of Adar, which do not require the presence of ten men, and the Talmudic-era towns that read the megillah on the 11th through the 13th of Adar,³⁸ which do require a *minyan*. R. Assi, however, maintains that a *minyan* is always necessary, even in a community that reads on the 14th or 15th.³⁹

Rashi (s.v. *bizmanah, she-lo bizmanah, ve-Rav Assi*) and others (*Milchamot Hashem* 3a *be'Alfas*, *Mordechai Megilla* 782) ground the requirement of ten in *pirsumei nisa* considerations. Indeed, R. Zerachia Ha-Levi (*Ba'al Ha-Ma'or Megilla* 3a *be'Alfas*) maintains as a matter of practical *halacha* that one cannot fulfill the *mitzvah* even b'dieved unless a quorum is present, based on the principle of *pirsumei nisa*.⁴⁰ What emerges is that *keri'at ha-megillah* is unique, as only here – not regarding the *menorah* or the four cups – do we encounter the possibility that a *minyan* is required. If the term *pirsumei nisa* truly applies to all three *mitzvot*, why is *mikra megillah* unlike all the others?⁴¹

of *mechirat kesuot* in regard to reading the *megillah*. Arguably, this *halacha* may not apply to *mikra megillah* at all, in which case we might have a third distinction among the three *mitzvot*.

Additionally, *Maggid Mishnah* (*Hilchot Chanukah*) further indicates that there is a difference between *arbah kosot* and *ner chanukah*, invoking the term “*kol she-ken*” as opposed to “*hu ha-din*” in comparing between these two *mitzvot* vis-à-vis the *mechirat kesuot* requirement. See also *Kesef Mishnah* who critiques *Magid Mishnah*'s invocation of the term “*kol she-ken*.”

³⁷ See *Bei'ur Halacha Orach Chaim* 671 s.v. *ve-yesh nohagin*.

³⁸ This is the interpretation of Rashi s.v. *she-lo*. See, however, R. Ephraim, cited in *Ba'al Ha-Ma'or* 3a *be'Alfas*.

³⁹ *Rishonim* debate whether R. Assi's requirement of ten men is a mere preference or a strict requirement. Rashi (s.v. *ve-Rav Assi*) considers this a mere preference, whereas *Tosafot* (s.v. *hava uvda*) implies that this is a strict requirement.

⁴⁰ Another explanation is offered by R. Nissim, who writes (*Chiddushei ha-Ran Megilla* 5a *ve'af al gav*) that we require a *minyan* because *mikra megillah* is compared to *keriat ha-Torah*, which also requires the presence of ten men. *Hagahot Ashri* (*Rosh* 1:6) suggests that a practical difference between these two perspectives is whether or not we require the 10 individuals to be *b'nei chiyuva*, individuals who themselves are obligated in the *mitzvah*. If the basis for the requirement of ten is the comparison to reading the Torah, then just as there we require ten individuals who are obligated, so too it would be required for reading the *megillah*. However, if the requirement of ten flows from the principle of *pirsumei nisa*, one might conclude that even one who is not obligated in the *mitzvah* of reading the *megillah* can count toward the *minyan*.

⁴¹ Interestingly, although we assume as a matter of practical *halacha* that one who cannot find ten men may read the *megillah* even without a *minyan* (*Shulchan Aruch Orach Chaim* 690:18), there is nevertheless a debate whether or not one may recite the *beracha* of “*ha-rav et rivenu*,” the blessing that follows the *megillah*, without ten. Indeed, the consensus view is that one should avoid reciting the *beracha* (*Beit Yosef Siman* 692 s.v. *katuv be'Orchot Chaim, Rama*

I believe that the key to this enigma lies in Rambam's treatment of this topic. Let us begin with his discussion of *ner chanukah*:

(12) *The mitzvah of ner chanukah is very precious. One must be cautious to publicize the miracle and to increase the praise of God and thanksgiving to Him for the miracles He has performed on our behalf. Even one who only receives food from charity must lend or sell his clothing, purchase oil and wicks, and light.*

(13) *One who has only a single coin, and kiddush and ner chanukah stand before him, purchases oil to light the Chanukah candles... for it involves a commemoration of the miracle.*

Rambam Hilchot Chanukah Chapter 4

(יב) מצות נר חנוכה מצוה חביבה היא עד מאד וצריך אדם להזהר בה כדי להודיע הנס ולהוסיף בשבח האל והודיה לו על הנסים שעשה לנו, אפילו אין לו מה יאכל אלא מן הצדקה שואל או מוכר כסותו ולוקח שמן ונרות ומדליק.
(יג) הרי שאין לו אלא פרוטה אחת ולפניו קידוש היום והדלקת נר חנוכה מקדים לקנות שמן להדליק נר חנוכה ... שיש בו זכרון הנס.

רמב"ם הלכות חנוכה פרק ד

Here Rambam presents a classic formulation of *pirsumei nisa*: "to make the miracle known and to increase the praise of God." Rambam derives from this unique quality of *ner chanukah* that: a) this mitzvah is "extremely beloved," b) a poor person must be willing to lend or sell the shirt off his back in order to fulfill the mitzvah, and c) the mitzvah of *ner chanukah* precedes that of wine for Kiddush.

We now turn to Rambam's treatment of the four cups on the Seder night:

(6) *In every generation one is obligated to demonstrate himself as if he himself exited now from Egyptian bondage, as it says, "And He brought us out from there." Regarding this matter God commanded in the Torah, "You shall remember that you were a slave." In other words, as if you yourself were a slave, left to freedom and were redeemed.*

(7) *Therefore when one dines on this evening, he must eat and drink and recline in the fashion of freedom. And every individual, men and women, must drink on this night four cups of wine, not less. Even a pauper who is supported by charity – the [community] must not give him less than four cups.*

Rambam Hilchot Chametz U-Matzah, Chapter 7

(ו) בכל דור ודור חייב אדם להראות את עצמו כאילו הוא בעצמו יצא עתה משעבוד מצרים שנאמר ואתנו הוציא משם וגו', ועל דבר זה צוה הקב"ה בתורה וזכרת כי עבד היית כלומר כאילו אתה בעצמך היית עבד ויצאת לחירות ונפדית.
(ז) לפיכך כשסועד אדם בלילה הזה צריך לאכול ולשתות והוא מיסב בדרך חירות, וכל אחד ואחד בין אנשים בין נשים חייב לשתות בלילה הזה ארבעה כוסות של יין, אין פוחתין מהם, ואפילו עני המתפרנס מן הצדקה לא יפחתו לו מארבעה כוסות.

רמב"ם הלכות חמץ ומצה פרק ז

Here, Rambam stresses that the obligation is *le-har'ot* – to outwardly demonstrate – the miracle, for one is meant to reenact the events of the redemption as if they had just occurred. What emerges is that the concept of *pirsumei nisa* as applied to the four cups **differs fundamentally from that of Chanukah**: Whereas in the context of *Chanukah*, the goal is to publicize the miracle to others, in the case of the four cups, the essence of the mitzvah is to re-experience the miracle. For this reason, we are obligated to ensure that the pauper partakes of the four cups like all others.

692:1, *Bei'ur Halacha* s.v. *ela*). This seems to reflect the broader significance of a *minyan* with respect to *mikra megillah*.

We have identified the meaning of *pirsumei nisa* with respect to *ner chanukah* and *arbah kosot*. How are we to define this characteristic with respect to *keriat ha-megillah*?⁴²

To analyze the *pirsum* element as it applies to the *megillah*, let us return to our first question: Why is it that of the three *mitzvot*, only *mikra megillah* likely requires a *minyan*? Perhaps the answer is that **what distinguishes the reading of the *megillah* from all the others is the communal dimension of the mitzvah**. Thus, the term *pirsumei nisa* in context of *mikra megillah* carries a third meaning: this *mitzvah* is ideally performed in context of a *tzibbur*. And because it is ideally a communal *mitzvah*, the *pirsumei nisa* of the *megillah* is addressed specifically to a Jewish audience, as opposed to the *pirsum* of *ner chanukah*, which, according to Rav Soloveitchik's interpretation of Rashi, aims at any passerby.

Why? **Of all these holidays, Purim is the only one in which the entirety of *k'lal yisrael* played a crucial role in the salvation**. In the case of Chanukah, it was not the entire community that fought the battles and rededicated the Temple, but specifically the members of the Hasmonean family. Regarding Pesach, while it is true that God required the Jewish people to perform an act of faith in sprinkling the blood on the doorposts, there are clear indications that His decision to redeem the Jewish people was more about the promise made to our forefathers or God's kindness than our great merit at the time of the Exodus.⁴³ Thus the role of *k'lal yisrael* is limited with respect to Chanukah and Pesach.

However, in the case of Purim, Mordechai calls upon the entire Jewish community of Shushan to fast for three days and three nights (Esther 4:16). Moreover, many Jewish communities played an active role in physically defending themselves (Esther 9:1-18), and, recognizing the spiritual significance of the military victory, they refused to collect the spoils (Esther 9:10, 15-16).⁴⁴ Remarkably, the *Megilla* indicates that the people themselves declared Purim a holiday (Esther 9:17-20, 23). In fact, according to Ramban, residents of unwalled cities read the *Megilla* a day before members of walled cities because the unwalled cities were poorly protected from the enemy. The degree of Divine providence was therefore greater in those more vulnerable locations. In the years following the miracle, the unwalled cities' residents accepted upon themselves an earlier day of celebration, recognizing the precariousness of their situation and therefore the higher level of gratitude owed to God. This acceptance was subsequently endorsed by contemporary rabbinic leadership:

They saw fit to precede the unwalled cities to the walled cities, for their miracle was greater, and they initiated the mitzvah first to establish for themselves a holiday.

Ramban Megilla 2a

וראו להקדים פרזים למוקפים מפני שהיה
ניסם גדול ושהם התחילו במצוה תחילה
לעשות להם לבדם יו"ט.
רמב"ן מגילה ב.

⁴² It is fascinating to note that in his *halakhic* compendium *Mishneh Torah*, Rambam never clearly invokes the concept of *pirsumei nisa* with respect to *Mikra Megilla*. However, Rambam perhaps alludes to the *pirsum* motif in his introduction to *Mishneh Torah*.

⁴³ See, for example, *Yechezkel* 20:6-10.

⁴⁴ See R. Bachaye *Shemot* 17:14, Ralbag *Shmuel* I 15:6, *B'nei Yisaschar*, *Ma'amarei Chodsh Adar*, *Perek* 6. See, however, *Rashi Esther* 9:10, who argues that the Jews did not collect the spoils so as not to arouse the jealousy of *Achashveirosh*.

Here too we have an instance of a community enhancing the holiday of Purim by taking the initiative and establishing a day of thanksgiving to *ha-Kadosh Baruch Hu*.

Finally, some maintain that immediately before setting out to battle, the people joined in communal prayer. The *Gemara Megilla* 2a identifies the 13th day of Adar as *z'man kehilla la-kol*, a time of gathering for all. While Rashi (2a s.v. *z'man*) understands that the people came together to engage in battle, *Rosh* (*Megilla* 1:1) quotes *Rabbeinu Tam* as rejecting Rashi and maintaining that on the 13th of Adar – what eventually became known as *Ta'anit Esther* – the Jewish community joined in communal prayer. Thus, according to *Rabbeinu Tam*'s interpretation, *Ta'anit Esther* highlights the communal engagement of *k'lal yisrael* in the process of redemption.

For this reason, it makes perfect sense that the *mitzvot* of Purim are intended to highlight the theme of community. Arguably, this motif underlies the *mitzvot* of *matanot la'evyonim* and *mishlo'ach manot*, both of which serve to enhance relationships among various members of the community. Furthermore, as we have demonstrated, the nature of the primary *mitzvah* of Purim, *keriat ha-megillah*, is fashioned after the manner in which the events of Purim unfolded. **Just as the Jewish community played an integral role in the events of Purim, so too we are bidden to read the *megillah* as a community.** As we have seen, the *pirsumei nisa* dimension of *mikra megillah* – in contrast to *ner chanukah* and *arbah kosot* – is specifically constructed so as to accent this communal dimension.

In the merit of our joining together as a community in celebration of Purim, may we witness a time when we no longer need to join together as a community in prayer and self-defense, for we will find our communal shelter beneath the wings of the *shechina*.

Mikrah Megillah: Vehicle for Prayer, a Medium for Praise, & a Form of Talmud Torah.

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In one of the last *teshuvot* of the first volume of the *Shut Noda BeYehuda* (O”H vol. 1 #41), Rabbi Yechezkiel Landau addresses a practical question revolving around the reading of the *megillah* on Purim night. The question posed to him was: If one has yet to recite *kiddush levana* and the deadline for its recitation is quickly approaching (the last night to recite *kiddush levana* is the 14th, the same night as Purim), can one interrupt the reading of *megillah* to say the *bracha* of *kiddush levana*? More pointedly, if in the middle of *mikrah megillah* the clouds disperse to reveal the moon, is it appropriate to stop reading the *megillah* and go outside to recite the blessing?

This article will flesh out the Noda BeYehuda’s comments and explanations to this query. In the process, many of the unique aspects of the mitzvah *mikrah megillah* will be highlighted and analyzed. It will focus on *mikrah megillah* as a vehicle for prayer, a medium for praise, and a form of *talmud Torah*.

The Noda BeYehuda begins his discussion by analyzing a dispute between the Baal haItur and the Tur over the permissibility of interrupting the reading of the *megillah* to hold a conversation. The Baal haItur (Hilchot Megillah 114a, cited in Tur O”H 692:2) maintains that since the *bracha* recited at the conclusion of reading the *megillah*, *harav et reiveinu*, is only a *minhag* (custom), one should not reprimand anyone for talking during the reading of the *megillah*. Since there is a difference between the nature of the first three *brachot*, *al mikrah megillah*, *she’assah nissim*, and *shehechianu*, and the concluding *bracha*, one should not view the three *brachot* in the beginning and one at the end as a unit or as completing the reading of the *megillah*. Rather, the last *bracha* is independent from the first *bracha*. While the first *bracha* specifically relate to the reading of the *megillah*, the concluding *bracha* is a general blessing of *shevach* and *hoda’ah*, praise and thanks, to Hashem for the miracle of Purim (see Ran, *Megillah* 12a in Rif, s.v. *baruch*). Therefore, while one

cannot talk for the duration of *pesukei dezimrah* because it is bracketed by two *brachot*, *baruch sheamar* and *yishtabach*, this is not the case by *mikrah megillah* and conversation is permitted.

Both the Tur and the Bet Yosef argue with the Baal haItur, but for different reasons. The Tur (O”H 692:2) argues that while the concluding bracha of “*harav et reiveinu*” is only a minhag, once the rabbis instituted it to be recited at the conclusion of *mikrah megillah*, it takes on the characteristics of a concluding bracha. Therefore, it is forbidden to talk during *megillah* reading so as to not disconnect the initial and concluding *brachot*, similar to *pesukei dezimrah*.⁴⁵

The Bet Yosef (O”H 692:2) takes a more practical approach in arguing with the Baal haItur. Whether talking during *megillah* reading is a *hefsek* (an interruption) or not, it is a problem to talk because one will be unable to hear the *megillah* in its entirety. Therefore, all conversation is forbidden.

A practical difference between the Tur and the Bet Yosef is specifically who is forbidden to speak during *mikrah megillah*. If the problem is a separation between the *brachot*, the Tur’s explanation, then both the reader and the listener must refrain from conversation. But if the issue is that the listener will miss some of the words of the *megillah*, then only the listener would be prohibited from talking and not the reader (see Mishnah Berurah 592:9).

Another difference relevant to the discussion below is if conversation would be permitted if one interrupts *mikrah megillah* but will not miss any of the reading of the *megillah*. For example, if the reader pauses for the listener to hold a conversation when the *megillah* is being read, since the listener does not miss any of the words of the *megillah*, according to the Bet Yosef conversation would be permitted, while according to the Tur it would still be forbidden.

The Noda BeYehuda asks an additional question on the Baal haItur who maintained that conversation was permitted during *mikrah megillah*. The Talmud (Brachot 14a) cites a question that was posed to Rabbi Cheya: “When reciting *hallel* and reading *megillah*, is one permitted to interrupt the performance of the *mitzvot* with talking? Should one make a *kal vachomer*, an a priori, from *kriyat shema*? Since one is allowed to interrupt *kriyat shema* [at certain points and in certain situations] and *kriyat shema* is a Torah law, *kal vachomer*, *hallel* and *megillah*, which are rabbinic in nature, certainly one can interrupt? Or, does one say that the fulfillment of *pirsumei nisa*, publicizing the miracle of Purim, is greater [than even the Torah law of *kriyat shema* in respect to interrupting the *mitzvah*] and one cannot interrupt *megillah* under any circumstances?” Rabbi Cheya responded: “One can interrupt, and there is nothing to discuss further.”

While the Baal haItur read this passage as allowing one to carry on conversations during the reading of the *megillah* without any objections, as per Rabbi Cheya’s statement: “One can interrupt, and there is nothing to discuss further,”⁴⁶ the Noda BeYehuda questions this

⁴⁵ See also *Hararei Kedem*, vol. 1, # 196.

⁴⁶ See the Ran (Brachot 14a, cited in Noda BeYehuda, *ibid.*) who explains the Baal haItur based on Rabbi Cheya’s added words, “and there is nothing to discuss further.” By adding this to his answer it was as if he was dismissing the entire comparative question. The permission to talk during the reading of *megillah* and the recitation of *hallel* is completely different from *kriyat shema*, namely, one is permitted to carry on conversations for any reason at anytime with out any reservations

interpretation. The question in the Talmud revolved around whether *megillah* and *hallel* were stricter than *kriyat shema*, not whether they were different or more lenient. When Rebbi Cheya concluded that one is permitted to interrupt *megillah* and *hallel*, he was not giving *carte blanche* permission to carry on any conversation. Rather, the permission to interrupt *megillah* and *hallel* should be modeled after *kriyat shema*'s strict standard of only being allowed to interrupt with conversation in-between paragraphs or only be permitted to respond to someone and not initiate any conversation.⁴⁷

The Noda BeYehuda concludes based on the Shulchan Aruch's ruling (O"H 692:2) that it is forbidden to interrupt the reading of the *megillah* with conversation, following the Tur and not the Baal HaItur. However, he asks to what extent does the Tur's rationale in forbidding conversation go? Is it similar to *kriyat shema*, as the Talmud in Brachot originally asked, or not? If *megillah* is comparable to *kriyat shema*, are all the permitted interruptions, such as responding to *kaddish*, *kedushah*, *barachu*, *modim dirabanan*, and to respond to one's friend out of respect (see Shulchan Aruch 66:3), also applicable to *mikrah megillah*?⁴⁸

Specifically related to the case of *kiddush levana*, the Magen Avraham (66:5) rules that if one hears thunder while reciting *kriyat shema*, one is permitted to interrupt his recitation and make the appropriate *bracha* on hearing thunder. He explains that if one is permitted to respond to his fellow man (*bassar va'dam*) out of respect, *kal vachomer* one is permitted to respond out of respect for *Hakadosh Baruch Hu* and make a *bracha* upon hearing thunder in the middle of reciting *kriyat shema*. The Noda BeYehuda then expands the Magen Avraham's comment to even include the permission of interrupting the reciting of *kriyat shema* for *kiddush levana*, since *kiddush levana* is in the same genre of *birchat hashevach*, blessings of thanks, as the blessing over thunder. Based on that, the Noda BeYehuda deduces that one may also interrupt *mikrah megillah* for *kiddush levana*.

In his conclusion,⁴⁹ the Noda BeYehuda rules that one is permitted to interrupt *kriyat shema* and *mikrah megillah* for the recitation of *kiddush levana* on the condition that one fears the moon will no longer be visible by the conclusion of the reading the *megillah* or the recitation of *shema*. However, the Noda BeYehuda adds two caveats to this ruling. First, one should try to reach the end of the paragraph before interrupting *shema* and *megillah*, but if this is impossible one can rely on the Magen Avraham and recite *kiddush levana*.⁵⁰

⁴⁷ See also *Mishkanot Yaakov* #164 and *Hararei Kedem*, vol. 1, # 196.

⁴⁸ See also Bet Yosef, *ibid.*, who quotes a dispute in the *rishonim* as to whether it is allowed to interrupt *kriyat shema* for *dvarim she'bikedusha* or not. Some *rishonim* (Rosh, Tosfot) argue that since one is engaged in praising Hashem, *kriyat shema*, it is inappropriate to interrupt *shema* with another form of praise.

⁴⁹ For two reasons, the Noda BeYehuda initially rejects the expansion of the Magen Avraham to include allowing reciting *kiddush levana* while in the middle of *kriyat shema*. First, there are those achronim who argue on the original ruling of the Magen Avraham (see e.g. Bechor Shur, Brachot 13a, cited in Noda BeYehuda). They argue that the list of prayers that one may interrupt *kriyat shema* for provided by the *rishonim* was specific and did not include the blessing on thunder. Second, the mitzvah of *kiddush levana* is different than the *bracha* on thunder for a technical reason, that the blessing on thunder must be said immediately after hearing thunder, while the duration of the *bracha* on the new moon can be recited the entire time the moon is visible.

⁵⁰ See also *Teshuva MeAhava*, vol. 2, 222, and *Mishnah Berurah*, 66:19, who cites a similar ruling in the name of the Chaye Adam

Second, specific to *megillah*, one is only permitted to interrupt *mikra megillah* if they will not lose out on reading *megillah* in public with the congregation. One is only allowed to interrupt reading *megillah* if the communal reading will be delayed until they return.⁵¹ The Noda BeYehuda explains that to miss out on the congregational reading of the *megillah*, one will be lacking in the fulfillment of the mitzvah of *pirsumei nisa*. Even though the mitzvah of *kiddush levana* is *tadir* (more frequent) and should have precedent, when *tadir* and the fulfillment of *pirsumei nisa* are in conflict, *pirsumei nisa* trumps *tadir*. Therefore, while in theory one potentially could leave *megillah* reading to say the bracha of *kiddush levana*, it is only permitted if they will not miss the communal reading and lose the fulfillment of *pirsumei nisa*.⁵²

To summarize, there is a dispute among the rishonim (between the Baal haTtur and the Tur and Bet Yosef) whether one is permitted to interrupt the reading of *megillah* with conversation. A second issue is whether according to the Tur *mikra megillah* should be treated similarly to *kriyat shema* in respect to being allowed to interrupt its recitation in certain instances. That will then impact how far one can extend the permissibility of interruption during *mikra megillah*, and whether one can even leave to recite the bracha of *kiddush levana* or the bracha upon hearing thunder.

While much of this discussion seems theoretical, many of the unique aspects of *mikrah megillah* are touched upon. First, the Talmud in Brachot takes it for granted that the reading of the *megillah* is analogous to prayer in general, *kriyat shema*, and more specifically *hallel*. The Shulchan Aruch (589:5) rules that if there is no *minyan* to read the *megillah* and all the men present know how to read it, one man cannot read for the group. Rather, every individual must read for himself. The Magen Avraham points out that this phenomenon of requiring a *minyan* is strikingly similar to the necessity of a *minyan* for prayer, in contradistinction to the mitzvah of *shofar*, where one can fulfill the mitzvah for others even in absence of a *minyan*.⁵³

Rabbi Soloveitchik (*Hararei Kedem*, vol. 1, # 192) explains that the necessity of a *minyan* for *mikrah megillah* is based on the Talmud (Megillah 14a) that one of the reasons why we do not recite *hallel* on Purim is because “*kriyata zu hilula*,” “the reading [of the *megillah*] is a form of praise.” Therefore, the reading of the *megillah* takes on the halachic characteristics of prayer, specifically those of *hallel*, in respect to fulfilling the mitzvah in its complete form.

Similarly, the Talmud (Megillah 4a) in searching for a source as to why we read the *megillah* at night and in the day quotes the opinion of Ulah Birah who cites the verse in Tehillim (30:13) “So that my glory may sing praise to You, and not be silent; Hashem, my God, I will give thanks unto You forever.” Rashi (ibid. s.v. *yizamercha*) explains that Ulah interpreted the verse as, ‘I will

⁵¹ The Noda BeYehuda rules that stopping the reading of the *megillah* is only permitted if 50% of the entire congregation has not yet recited *kiddush levana*, otherwise it is a *tircha ditziburah*.

⁵² The source for this ruling is the Gemara Shabbat 23b, where the Gemara rules that *pirsumei nisa* of Chanuka candles takes precedence over *tadir* of *kiddush* on Shabbat. Tosfot (ibid. s.v. *hadar*) explains that this is only true if only one mitzvah, either the *tadir* or the *pirsumei nisa* mitzvah, can be performed. If both can be performed and it is a question of correct procedure and order, this is a dispute in Tosfot ibid. See also Taz O”H 582:2 and Gra ibid. who argue about if there is in fact a dispute in Tosfot.

⁵³ See however ibid., where Magen Avraham cites dissenting opinions that the preference of *berov am hadrat melech* takes precedence and that one should read for the group. See also Mishna Berurah 589:15 who cites the majority of *achronim* siding with the ruling of the Shulchan Aruch.

praise Hashem' through reading the *megillah* at night and 'not be silent' during the day. Rashi continues that the *megillah* functions as a platform to praise Hashem just as singing praises do.

Rashi, in his extrapolation of Ulah Birah's explanation, adds another element relating that this form of prayer and praise should be done in public. As the Noda BeYehuda explained, a central aspect of reading the *megillah* is its public reading as a forum to praise Hashem publicly by publicizing the miracle, to the extent that the Talmud (Megillah 3a, see Tosfot s.v. *mevatlin*) teaches that *kohanim* and *levim* should delay performing their service in order to hear *megillah* in a public gathering and perform *pirsumei nisa*.

Lastly, one aspect of *mikrah megillah* not discussed by the Noda BeYehuda, yet relevant to this discussion, is the reading of the *megillah* as a function of *talmud Torah*. The Talmud (ibid.) instructs individuals to interrupt their study of Torah in order to hear *megillah*. Some *achronim* ask why the Talmud instructs one to disengage from Torah study and go read the *megillah*, when in fact reading the *megillah* is in fact a form of learning Torah!⁵⁴ While there are numerous answers given,⁵⁵ the fact remains that at its most basic level reading the *megillah* is a form of learning Torah.

There is an interesting discussion amongst the *achronim* as to how one should proceed when learning Torah and they hear thunder or see lighting; is it appropriate to stop learning to make a *bracha*? While many assume one should interrupt their learning to make a *bracha*, arguing it can be no worse than *kriyat shema*, Rabbi Ovadia Bartenura seems to disagree. The Mishna in Avot (3:7) states: "R. Shimon said if one is walking on the way and is learning [Torah] and stops his learning and declares 'What a beautiful tree' ... the Torah regards such a person as liable for the death penalty." Bartenura adds that even if his observations and comments would lead him to bless God for his wonderful creations, to interrupt the study of Torah is still forbidden by the rabbis.

This discussion is relevant to the Noda BeYehuda's original question of the permissibility of interrupting *mikrah megillah* for *kiddush levana* or any *birchat hashevach*. Perhaps, *megillah* is stricter than *kriyat shema*, since by reading it in public one is actually fulfilling a mitzvah of *talmud Torah b'rabbim*, the study of Torah in a public setting. Therefore, while we permit one to recite a *birchat hashevach*, the blessing on thunder, while they are praying, since it is all words of praise, one might argue that it would be inappropriate to insert a blessing of praise in its incorrect framework, namely the study of Torah.

While these are some of the technical halachic aspects of *mikrah megillah*, this discussion highlights some of the different themes and concepts related to the reading of the *megillah* as a form of prayer, praise and *talmud Torah*.

⁵⁴ See e.g., notes of the Rashash and Maratz Chajes, Megillah 3a.

⁵⁵ See e.g., *Moadim U'zmanim*, vol. 2, pp. 140-141.

