


# למודי משה

על המועדים

פורים תשפ"ב



This Kuntros is dedicated in honour of all those who donated so generously towards the printing costs as well as those who help cover my weekly printing costs.


It is also dedicated in honour of my wife, parents and in-laws as a small token of appreciation for all that they do for me to enable to me to sit and learn Torah day and night without interruption.

When Yitzchok gave the berachos to Yaakov he said: ויתן לך - האלקים מטל השמים ומשמני הארץ ורב דגן ותירש - "May Hashem give you, from the dew of the heaven and from the fat of the earth, abundance of new grain and wine."

Rashi asks, why there is an extra 'vov' on ויתן לך and he answers: יתן ויחזר ויתן - "[Yitzchok was hinting] that Hashem should give and continue to give".

May all those who have helped towards the costs of this Kuntros be blessed with health, happiness, parnosah and all good things again and again and may you be able to continue to give again in the future.

I would also like to take this opportunity to give thanks Hakodosh Boruch Hu for giving me the strength and determination to write this Kuntros and for all the ongoing kindness He constantly bestows upon me and my family.





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ואע"פ שלא עברתי על הגליון שאיני יכול לקרוא בשפה שאינה מלשון הקדש אבל שמעתי מת"ח שהדברים הם תועלת גדולה לציבור בני תורה שהם בני חו"ל ולכן הנני להגיד שבחו של ת"ח כדי שיוכלו הכל ליהנות מאורו הטוב.

והנני לברכו מקרב לב שיזכה לזכות את הרבים בחבורים מועילים ולהגדיל תורה ולהאדירה מתוך מנוחת הנפש והרחבת הדעת כל הימים.

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שרגא פייבל הלוי זיממערמאן

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The above *kuntros* as well as my weekly *Parsha* sheet is available to be picked up from 37 Legh Street (Manchester), 2 Ashgrove Terrace (Gateshead) or from 24 HaMem Gimmel, Knisa Beis, 1 floor up (Eretz Yisrael).

This *kuntros* was written by Moshe Harris, please consult a Rov for final *halachic* ruling. For any *ha'oras* or to receive my weekly *Parsha* sheet please email me at [limudaymoshe@gmail.com](mailto:limudaymoshe@gmail.com) or call/text me on +447724840086 (UK) or 0585242543 (Eretz Yisrael).

To dedicate or sponsor a weekly *Parsha* sheet or future *kuntrasim* please contact me on the above details.

## משנכנס אדר מרבין בשמחה – “When Adar begins, we increase our joy”

The Gemara in *Taanis* (29a) teaches us: משנכנס אדר מרבין בשמחה – “when the month of Adar begins, we increase our joy”. The reason for this abundance of joy in Adar is primarily due to the presence of Purim within the month, when we commemorate the miraculous salvation of our people from a genocidal plot by the wicked Haman, whereby he hoped to destroy us completely.

The Gemara tells us to “increase” our happiness and joy during the month of Adar, implying that we are really supposed to be in a perpetual state of happiness throughout the entire year, just that we are supposed to increase slightly when Purim comes around.

What is the source of that ongoing joy, and what exactly happened around Purim time that would give us cause to increase that joy even more?

The answer to this question and the key to perpetual happiness can be found in a well know *maamer* [saying]: אין שמחה כהתרת הספיקות – “there is no greater joy than the resolution of doubt”. This means that if we gain clarity of purpose and mission and we know who we are and what we are living for, then we will attain true happiness.

The Jewish people are supposed to be happy – the kind of happiness that comes from knowing what being Jewish is all about – throughout the entire year. But sometimes we forget who we are as a people, we start doubting our purpose for being here and we begin to see ourselves like just another nation with no unique mission to bring to the world – much like Haman who said about the Jews to Achashverosh: ישנו עם אחד – “there is a nation”. The *Maharal* explains Haman’s slanderous words to mean that the Jews at that time had lost sight of their unique purpose and had begun to see themselves as just another “nation” – and this lack of clarity and self-definition made them lose their passion for Torah and their joy in being Jewish.

Only after being shaken by the threat of total annihilation by Haman and his cohorts were the Jews reminded of their uniquely Jewish mission which gave them renewed passion and joy, and a sense of clear purpose. With this clarity they merited to be saved, and this what we celebrate each year on Purim.

This idea is beautifully illustrated in a story told by Rabbi Paysach Krohn in his book *Along the Maggid’s Journey*, about the famous maggid Rabbi Sholom Schwadron, who, on one of his early trips to America from Eretz Yisroel, witnessed his first major snowstorm. More than two feet of snow lay caked on the ground, and the rabbi was homebound. On the third day, he ventured outside, taking in the beautiful scene of snow-covered trees and sidewalks. As he walked, he noticed a Rabbi standing in the distance. He nodded his head in greeting and was surprised when there was no reply.



“Maybe he didn’t see me,” thought R’ Sholom. As he approached the man, he said, “Good morning”, and still there was no reply. This upset the rabbi. After all, it was a mitzvah to greet each and every person, and the least he had expected was some minimal reaction. However, as R’ Sholom came up close to the Rabbi, he was amazed to see that it wasn’t a man at all. It was a snowman! Attired in a hat, scarf and overcoat, and sporting a “beard”, the snowman had appeared from the distance – to someone who had never seen a snowman before – like a human being.

“When I came near him,” R’ Sholom recalled years later with infectious laughter, “I realized that he was *ah kalter* Yid [a cold Jew], and that’s why he didn’t respond. If an individual is indeed *ah kalter* Yid, it’s a sign of no life, no commitment, no passion.”

The *maggid* went on to explain in the name of his Rebbe, Reb Leib Chasman, that this was the problem the Jews had at the time of Purim – and that continues to plague us to this very day – and which they had to correct in order to merit being saved from the wicked Haman. They had been affected by the influence of Amolek (the arch-enemy and spiritual opposite of the Jews, and the nation to which Haman belonged) about whom the Torah states when the Jews left Mitzrayim: אשר קרך בדרך – “they [Amolek] happened to come upon the Jewish people [to attack them]” (*Devorim* 25:18).

Rabbi Chasman explained that the root of the word ‘*korcha*’ is *kor* [cold]. Shortly after the Jews left Mitzrayim with total clarity as to their mission and unique destiny, and with a tremendous passion to be a “light unto the nations”, along came Amolek and instilled a sense of coolness – a sense of indifference – in the Jews’ attitude towards *avodas* Hashem and their purpose in life. Generations later, Haman did the same. This was reflected in the Jews’ participating in the great feast that King Achashveirosh made for the entire kingdom and in forgetting who they were as Jews.

Only later, when they renewed their passion for being Jewish and their commitment to Torah and *mitzvos* did they merit redemption and the Purim miracle because they had rid themselves of their cold indifference, replacing their self-doubt with the joy and excitement that comes from clarity of purpose. This is the deeper reason why Purim and the month of Adar are the happiest times of the year.

If we really want to be happy as human beings and especially as Jews, we don’t need to buy a new car, redecorate our home, change jobs, take a holiday, all we really need to do to be happy – not that it’s so easy to do, of course – is to look within ourselves and gain clarity as to who we are and why we are here. We need to remove the self-doubt that we sometimes have as Jews. This is the month in which we must remind ourselves of our amazing and unique history and destiny as Jews and start feeling proud again and happy to be Jewish.

# Insights into Halachah

## In a leap year when there is two Adar's, which one is the real one?

### Why extend the year?

The Gemara in *Sanhedrin* (11b) teaches, that the year is extended (made into a leap year) for three reasons: “For the spring, for the fruit of the trees, and for the season.” The most basic of the three reasons and the only one made explicit, is the first: שמור את חדש האביב - “Guard the month of the spring, and you shall make Pesach for Hashem, your G-d” (*Devorim* 16:1).

From this *pasuk*, *Chazal* derive an explicit instruction to ensure that Pesach occurs in the spring. The reason for this is that the *korban omer*, consisting of freshly cut barley, is offered on Pesach (Rashi). As barley is not harvested earlier in the year, Pesach must therefore be celebrated in the spring. Since the Hebrew calendar is lunar by nature, and the seasons occur according to the solar calendar, the discrepancy between them (of 11.25 days) must be corrected by adding an extra month every few years. This ensures that Pesach coincides with spring.

### Why Adar?

Rashi in *Maseches Rosh Hashanah* (7a) explains, that the *pasuk*: שמור את חדש האביב - “guard the month of the spring” refers to the month closest to spring: “Double the month before spring in order to ensure that Nissan falls in springtime”—the “guard” for the month of Nissan is the month that precedes it. Hence, the very reason for the extension of the year is also the reason for the choice of Adar.

*Tosfos* in *Sanhedrin* (12a) offers a different reason. If any other month was doubled, the month of Adar would not be the twelfth month of the year, but the thirteenth. This, *Tosfos* explains, would be in contradiction with an explicit *pasuk* in *Megillas Esther* (3:7), which states that Adar is the twelfth month of the year. In keeping with this statement, only the month of Adar is doubled.

### Which is the principle Adar?

*Tosfos* in *Rosh Hashanah* (19b) discusses the above. Although the twelfth month, as we have seen, must be Adar, *Tosfos* says that the first Adar is the additional month, and the ‘principle’ month is Adar II —the final month of the year.

This ties in well with the fact that Purim is celebrated in the second month of Adar. Yet, the Gemara in *Megillah* (7b) explains that Purim is observed in Adar II in order to juxtapose the redemption of Purim to the redemption of Pesach. Thus, the celebration of Purim does not prove anything as to the status of the month.

*Tosfos* in *Nedorim* (63b) reaches a similar conclusion in discussion of another question: Which of the two months is 'Adar' alone (*Adar stam*), and which needs additional identification? The Gemara is dealing with one who makes a *neder* [vow] stating that it should apply "until Adar": Is the vow binding until the first Adar, or does it extend until the second? *Tana'im* relate to this question in discussing the proper way to date legal documents. *Tosfos* says, the halachah follows the opinion of Rabbi Meir, who says that 'Adar' alone refers to the second month of Adar, whereas the first month of Adar must be termed 'Adar Rishon.'

It thus emerges that according to the *Tosfos* both the question of which month is the principle month, and which month is termed 'Adar' alone have the same answer: the second month. Presumably, the *pasuk* (in *Megillas Esther* 7:3, where Adar is referred to as the twelfth month) is fulfilled even if it is called 'Adar Rishon.'

The *Kesef Mishnah* explains that this is also the Rambam's opinion in *Hilchos Nedorim* (10:6).

### ***Machlokes rishonim***

Other *rishonim* (see *Ran*, *Nedorim* 63b; *Shitah Mekubetzes*), however, disagree with *Tosfos* and say that the halachah should follow the opinion of Rabbi Yehudah, who considers the first of the two months to be 'Adar' alone, and the second to be 'Adar II.' According to these opinions, if a person makes a vow to pay back a loan in 'Adar,' the loan must be returned in the first of the two Adar months.

Does this mean that these *rishonim* also disagree with *Tosfos* concerning which of the two months is the principle month? Not necessarily.

It is possible that these *rishonim* maintain that the first month is plain 'Adar' for written and spoken purposes only. However, for various other *halachic* matters, the second of the two is the 'authentic' month.

Although *Tosfos* seems to tie both questions together, the *Maharsham* (*Nedorim* 63b) explains that the reason (according to the *Tosfos*) that the *Adar stam* is the second month is because people refer to the month in which Purim occurs as the month of Adar. This

does not mean that other *rishonim*, who learn that the first of the two is plain 'Adar', would not agree to the classification of the second of the two as the *halachic* Adar.

### **How do we *pasken*?**

The *Shulchan Aruch* appears to follow the distinction we mentioned above. On the one hand, the *Shulchan Aruch paskens* clearly that for both legal documents and *gittin* the first of the two months is termed 'Adar' (*Choshen Mishpot* 43:28; *Even HaEzer* 126:7). If a person writes a *get* in Adar II and writes 'Adar' with no addition, the *get* will be disqualified!

Yet, on the other hand, for a *yahrzeit*, the *Shulchan Aruch (Orach Chaim* 568:7) *paskens* that the day should be commemorated on the second month, thus indicating that this is the 'true' halachic month of Adar. In order for there to be no contradiction in the *Shulchan Aruch* we have to say that the *Shulchan Aruch* makes a distinction between Adar *stam*—the question of which month is considered 'plain Adar,' and the principle *halachic* month of Adar.

### **When to celebrate a bar-mitzvah?**

Now that we have outlined the basics we can go on to discuss the question of: When should the bar-mitzvah of a boy born in Adar be celebrated? There are a number of variations to this question, each of which needs to be addressed separately.

**Born in Adar of a leap year, and thirteenth year is a regular year:** A child that was born in Adar of a leap year, be it in the first or second month of Adar, becomes bar-mitzvah in a regular year on the corresponding day of Adar. This gives rise to a seeming paradox, which is ruled by the *Shulchan Aruch* (55:10): A child born on the fifth day of Adar II (for instance) will reach bar-mitzvah before a child born on the tenth day of Adar I!

**Born in Adar, and 13<sup>th</sup> year is a leap year:** The *Rema* (55:10) *paskens* that the child only becomes bar-mitzvah in the second month of Adar. This *psak* is in keeping with the ruling of *Tosfos*, whereby the second month of Adar is the 'authentic' *halachic* Adar, and the first month of Adar is the addition.

**Born in Adar I in a leap year and the 13<sup>th</sup> year is (also) a leap year:** The *Magen Avraham* (55:10) derives from the wording of *Shulchan Aruch* that the child becomes bar-mitzvah on Adar I, whereas a child born in Adar II would become bar-mitzvah on Adar II. However, the *Magen Avraham* questions this ruling based on the above *Rema's* (whereby a child born on Adar in a simple year becomes bar-mitzvah only on Adar II of a leap year). The reason for this, according to *Magen Avraham*, is that a leap year possesses thirteen (as

opposed to twelve) months, and a child only reached bar-mitzvah after a full thirteen years had passed.

Based on this reasoning, the *Magen Avraham* rules that a child born on Adar I of a leap year only becomes bar-mitzvah on Adar II of the leap year that is his 13<sup>th</sup> year—for only then does he pass thirteen full years (the last year comprising of thirteen months).

However, many *poskim* dispute this ruling of the *Magen Avraham*, as noted by *Be'er Heitev* (11, citing from *Shevus Yaakov, Orach Chaim* 9). The *Mishnah Berurah* (43) *askens* like the majority ruling whereby a child born on Adar I becomes bar-mitzvah on Adar I.

Perhaps the above *machlokes* depends on whether a child becomes bar-mitzvah when he completes thirteen full years, or when he reaches his birthday for the thirteenth time. Perhaps the *Magen Avraham* sides with the former argument, meaning that the child can only become bar-mitzvah after the full thirteen months of the leap year pass by. Whereas the other *poskim* side with the latter argument, according to which the bar-mitzvah is reached when the relevant day of Adar I occurs for the 13th time.

**Born on the 30th of Shevat, and thirteenth year is a leap year:** This date does not occur on a leap year, raising the question of when the child becomes bar-mitzvah. The *Binyan Tzion* (151) writes that the child becomes bar-mitzvah on the first day of Rosh Chodesh Adar II. The reason for this is that the second Adar month is the principle month of Adar, and the child's birthday, the 30th of Shevat (the first day of Rosh Chodesh Adar) corresponds to this day.

### **Putting on *tefillin* 31 days before the bar-mitzvah**

Even though most *poskim* take on that the bar-mitzvah of a boy born in a standard Adar is celebrated in Adar II, nonetheless, there are *poskim*, most notably the *Beis Shlomo* (*Even HaEzer* 56), who maintain that the bar-mitzvah boy should start putting on *tefillin* from Adar I, **a month and a day** before his actual bar-mitzvah, even if his *minhag* is not to do so until the bar-mitzvah itself. The reason for the extra day is, because according to the minority opinion of the *Maharash HaLevi*, the main Adar is the first one, and if one would start putting on *tefillin* 30 days before his true bar-mitzvah in Adar II, people may mistakenly suspect that his actual bar-mitzvah is that day in Adar I, which is not the normative halachah. Thus, the early extra day of donning *tefillin* serves as a *heker* of sorts, a public message showcasing that that first day of wearing *tefillin* is not the actual bar-mitzvah. Additionally, since the common *minhag* is to start donning *tefillin* prior to the bar-mitzvah anyway, by adding the extra day (31 days), the *bochur* fulfils the minority opinion as well.

Several contemporary *poskim*, including Rav Shmuel HaLevi Vosner and Rav Moshe Shternbuch, express preference for keeping this *minhag* of 31 days. In fact, the *Tzitz Eliezer* opines that it is for a leap year like this that the *minhag* to start putting on *tefillin* a month before a bar-mitzvah developed.

### **When to commemorate a *yahrzeit***

The *Shulchan Aruch* (*Orach Chaim* 568:7) *paskens*, that if one's parent passed away in a standard Adar his *yahrzeit* should be observed in Adar II (similar to the accepted *psak* for a bar-mitzvah). Yet, the *Rema*, citing the *Terumas HaDeshen* and *Mahari Mintz*, argues that *yahrzeit's* do not share the same status as bar-mitzvah's, and conversely they should be observed in Adar I.

[Important Note: This *machlokes* does not apply regarding one who was actually *niftar* in an Adar I or Adar II; those *yahrzeit's* are always observed on the exact day.]

### **What's the difference between a bar-mitzvah and a *yahrzeit* according to the *Rema*?**

The *Terumas HaDeshen* (1:294) understands that this *machlokes* is actually based on another one, a *machlokes* between R' Meir and R' Yehuda in *Nedorim* (63a) concerning which Adar is considered the main one regarding *halachos* of *nedorim* and *shtorois* [vows and documents]. The Rambam follows R' Meir's opinion, that Adar II is considered the main one, while most other *rishonim*, including the Rosh, Ritva, and Ran, follow R' Yehudah (as is the general rule in *Shas*), that Adar I is considered the main one. Apparently, regarding *yahrzeit's* the *Shulchan Aruch* sides with the Rambam, while the *Rema* follows the other *rishonim*.

The *Levush* (*Orach Chaim* 685:1) elucidates the *Rema's* ruling, stressing a critical difference between bar-mitzvah's and *yahrzeit's*. As opposed to a bar-mitzvah, when a child is now considered a man and obligated in *mitzvos*, properly observing a *yahrzeit* actually achieves *kaporah* [repentance] for the *neshomah* of the deceased. The *din* of Gehinnom is twelve months, therefore immediately after the conclusion of this period, which, in a leap year would occur in the first Adar, we should observe the *yahrzeit* to obtain elevation for the *neshomah*. Since we don't want to prolong this process we observe the *yahrzeit* in the first Adar, the first year after the passing. Since the first year we observe the *yahrzeit* in the first Adar, we continue to observe it in the first Adar.

Perhaps another *psbat* in the *Rema* is based on the principle of *ein ma'avirin al hamitzvos* [not to let a mitzvah pass us by]. Although the Gemara in *Megillah* concludes that the main Adar follows Rav Shimon ben Gamliel's opinion and it is deemed more important for Purim and its related *mitzvos* to be observed in the month adjacent to Pesach, nonetheless, in Rav Eliezer b'Rabbi Yosi's minority opinion, the first Adar is the main one due to *ein maavirin*

*al hamitzvos'*, and in his opinion one should fulfil Purim-related *mitzvos* at the first opportunity and not wait until the second Adar. Since the *mitzvah* of *yahrtzeit* observance could technically be observed in either Adar, and being closer to Pesach is a non-applicable factor regarding *yahrtzeit's*, it stands to reason that it should preferably be observed in the first Adar.

The *Mechaber* however, who argues, and says one should keep the *yahrtzeit* in the second Adar perhaps holds that that the rule of *akdumei paranusa lo mekadmin* [delaying observances that may cause anguish] overrides the rule of *ein maavirin al hamitzvos*. Just like we find we find regarding Tisha B'Av and other fast days, that when a scheduling conflict arises, we delay the fast instead of observing it sooner. Similarly, since the accepted practice is to fast on a *yahrtzeit*, they maintain that its observance should be delayed to Adar II.

The Chasam Sofer (*Shu"t Chasam Sofer, Orach Chaim* 163 and *Hago'as Chasam Sofer to Orach Chaim* 568:7) maintains, that although we find that regarding the *halachos of nedorim and shtorois*, even the *Shulchan Aruch* concedes that Adar I is considered the main Adar, nonetheless he says *yahrtzeit's* should be observed in Adar II. He explains that the rule regarding *nedorim* and *shtorois* is that they follow *loshan bnei adam* [the common vernacular]. Since people are used to only calling the month Adar in a standard year, even in a leap year the first Adar is simply colloquially called Adar as well. Yet, concerning *yahrtzeit's*, which concerns *neshomas*, its observance would follow the *loshan haTorah*, which clearly establishes Adar II as the main Adar, as all Purim-related observances are celebrated in Adar II. Therefore, he concludes that *yahrtzeit's* should be observed in Adar II.

### **Double *yahrtzeit***

The general halachah is, Sephardim who follow the *Shulchan Aruch* observe *yahrtzeit's* in Adar II and Ashkenazim who follow the *Rema* observe *yahrtzeit's* in Adar I. However, there are several Ashkenazic *poskim* who *pasken* like the *Shulchan Aruch* here, maintaining that a *yahrtzeit* should be observed in Adar II (see for example *Igros Moshe, Yoreh Deah* 3:160,1).

However, it is important to note that many of the *poskim* who *pasken* that *yahrtzeit* observance is in Adar I, still do allow one to say *kaddish* and daven for the *amud* in Adar II, especially if there is no other *chiyuv* that day.

The *Rema* in *Orach Chaim* (568:7) adds that there are those who are *machmir* to observe a *yahrtzeit* in both Adar's. Yet, in *Yoreh Deah* (402:12), he repeats this halachah, while only mentioning that one should observe the *yahrtzeit* in Adar II! Nevertheless, several

later authorities, including the *Shach* (*Yoreh Deah* 402:11; quoting the *Rashal* and *Bach*) as well as the *Magen Avraham* (*Orach Chaim* 568:20) and the Gaon (*Biur HaGr"a* to *Orach Chaim* 568:7) hold that one must observe the *yahrzeit* in both Adar's; the Gaon even mandating it *m'din*.

Although the *Aruch HaShulchan* writes strongly against what is essentially observing two distinct *yahrzeit's* for one person, nevertheless the *Mishnah Berurah*, Rav Moshe Feinstein (*Igros Moshe, Yoreh Deah* 3:160,1), and Rav Moshe Shternbuch (*Moadim U'Zmanim* 7:250) maintain that it is proper to observe a *yahrzeit* in both Adars if a parent was *niftar* in a standard Adar. However, even so, Rav Moshe Feinstein held that it is *m'toras sofek* [out of doubt] and not *vaday* [definite], and therefore a *vaday chiyuv* on either Adar would maintain precedence for davening for the *amud* – see *Mesoras Moshe* (pg. 193:417). Rav Shlomo Zalman Auerbach, although writing that Adar Rishon is the main one for *yahrzeit's*, nevertheless adds '*yesh machmirim*' to daven for the *amud* in Adar II. In the footnotes it mentions that when his Rebbetzin was *nifteres*, Rav Shlomo Zalman made a public *siyum* for her *yahrzeit* in Adar I and made another one in private in Adar II.

### **Yahrzeit on the 30th of Adar I**

Another halachah concerns somebody whose parent died on the thirtieth day of Adar I— a date that does not occur on a regular year. This question, which also arises for a number of other months, is a *machlokes haposkim*. Some state that the *yahrzeit* should be commemorated on the 29th of the previous month (*Magen Avraham* 568:7), and others write that it should be commemorated on the first of the following month (*Machatzis HaShekel*).

Rav Moshe Feinstein (*Igros Moshe* 3:159) *paskens* that the *yahrzeit* should be commemorated on the first of the following month, explaining that it is unreasonable to commemorate the passing on a date when the parent was still alive. Therefore, if a parent passed away on the thirtieth day of Adar I (in a leap year), the *yahrzeit* is commemorated (in a regular year) on the first day of Nissan.

### **משנכנס אדר מרבים בשמחה – “When Adar enters one should increase with *simcha*” – which Adar?**

Rashi (*Taanis* 29a) explains that the days of Adar are joyous because they were “days of miracles, Purim and Pesach.” Rav Yaakov Emden (*Shu"t Ya'avatz* 88) explains that Rashi could not explain the joy of Adar based on Purim alone, for why, in this case, would Adar be more joyous (on account of Purim) than Nissan (for Pesach) and Kislev (for Chanukah). Rather, the reason is because these are consecutive days of miracles.



The *Ya'avatz* goes on to add that Rashi hints in his words when one must augment joy in a leap year. The miraculous days of Adar and Nissan, as Rashi clearly implies, are adjacent with one another. The Gemara explains (*Megillah* 6b) that Purim is observed in the second month of Adar because we celebrate both redemptions—Purim and Pesach—in consecutive months. Thus, the joy of Adar in a leap year clearly begins only with the onset of Adar II.

### **The mitzvah of *machatzis hashekel***

Although sadly we no longer have a *Beis HaMikdash*, and no longer bring *korbonos*, the custom to give a half-shekel contribution during this time of year still remains.

#### **Source**

The primary source for the custom of giving the half-shekel, even when the *Beis HaMikdash* is no longer standing, is from *Maseches Sofrim* (21:4): על באחד באדר משמיעין על השקלים - “On the first of Adar the *shekolim* are announced.” The *beraisa* goes on to explain that the half-shekel coins that Klal Yisroel gave came to offset the *shekolim* that Hashem knew Haman would present to Achashveirosh for the right to annihilate the Jewish people. The *beraisa* concludes: וצריכין ישראל לתת שקליהם לפני שבת זכור ואסור לומר עליהם לשם כופר אלא לשם נדבה - “All of Yisroel must give their *shekolim* before Shabbos *Zochor*, and it is forbidden to pronounce them as a *kofer* [atonement], rather, they should be only be given as a donation.”

The fact that *Chazal* are careful that the *shekolim* not be termed “*kofer*” indicates that the *beraisa* was not referring to the times of the *Beis HaMikdash*. During the times of the *Beis HaMikdash*, the coins were consecrated for the purchase of *korbonos*. Now after the *churban*, one must beware lest the coins become sanctified and unfit for use. The above is an explicit source for the prevalent custom of giving a half-shekel donation, even once the money no longer went towards the purchase of animals for *korbonos*.

A number of the *Geonim* also mentioned the above custom, however they objected it sanctioning only the giving of *tzedakah* as *matonas l'evyonim* (see for example Rav Amrom Gaon, p.190, no 79). Their opposition stemmed out of concern that the coins would be mistakenly consecrated, and people who would use them would unintentionally commit the *aveirah* of *meilah* (misusing items belonging to the *Beis HaMikdash*).

The accepted custom (as we will see below) however, seems to be that one should give the yearly half-shekel donation.

## How many coins should be given?

The *Mordechai* (*Megillah* 777) writes: מה שנותנין ג' מחציות לפורים משום דכתיב בפרשת כי - תשא ג"פ מחצית השקל *'machatzis hashekel'* appears three times in *Parashas Ki Sisa*."

The *Maharil* (*Hilchos Purim*, p. 421, no. 4) writes, that instead of three coins, the proper custom is to use **four coins**:

במנחה כשהולכים לבה"כ נותנין מחצית השקל ומעות פורים... והוא ל"ד הלי"ש... והנותן שקלו צריך ג"כ ליתן מעות פורים שהם ג' מחציות המדינה... ואת מחצית השקל החזיקו לסייע בו אל העולים לארץ הצבי לשם שמים ומעות פורים היו חולקים מיד באותו פורים לעניים כשאר צדקה

"At *Minchah* time, when one goes to *shul*, one gives the half-shekel *ma'os purim* ("Purim money")... the value is equivalent to thirty four *helis*... one who contributes the half-shekel must also give 'Purim money,' which are three local half-coins. The half-shekel is given to support those who go to the Eretz Yisroel for the sake of Heaven, whereas 'Purim money' is allocated to the poor for Purim, together with other charity donations."

According to *Maharil*, it comes out that there are actually two obligations in the yearly custom. 1) Giving three half-coins of the local currency, which are considered "Purim money" and 2) An additional donation of the current value of the original half-shekel coin, given to support travellers to Eretz Yisroel.

The custom cited by the *Maharil* was prevalent in Germany and the surrounding lands, as the *Chida* writes (*Yosef Ometz*): "The custom here is to give a half-shekel constituting thirty-four *peshitim*... and another four *peshitim* for *matonas l'evyonim*."

However in Poland and the bordering lands, this custom was not accepted. The simple custom was to give only three half-shekel coins. Consequently the *Rema* (*Orach Chaim* 694:1) brings the *Maharil*, yet concludes: "This is not the prevalent custom."

However, it's important to mention that the *Biur Halachah* (694, ד"ה ויש) writes: ומי שעוזרו הקב"ה שיכול ליתן רוי"כ אחד זכר למחצית השקל וג' חצאי ג"פ לענין מה שכתוב בפרשה ג' - פעמים תרומה ולהי"א אחרון שכתב רמ"א אשרי וטוב לו one whom Hashem has aided, and is able to give one rubel for the half-shekel, and another three coins corresponding to the three times the word *machatzis hashekel* is mentioned in the *parsha*, following the second opinion mentioned in *Rema*, is praiseworthy, and it is good for him."

## Who is the half-shekel donation given to?

A number of sources state that the money donated as half-coin pieces correspond with *ma'os purim* – money given to the poor for Purim expenses. This is clear from the

words of the *Mordechai* (*Megillah* 777) and the *Levush* (686:12).

However, the prevalent custom today is not to designate the contribution only for the poor, but to give it to any worthy cause. A source for this can be found in *Masas Binyomin*, who describes the custom of giving *ma'os purim* to the *chazzan* who read the *Megillah*. He adds that this is not considered using *tzedokah* money for other uses, because the money was not initially designated as *tzedokah*. The *Magen Avraham* and *Be'er Heitev* also agree with the above.

The *Shaarei Teshuvah* (694:2) however, makes a distinction between *ma'os purim* and the half-shekel, explaining that only *ma'os purim*, and not the half-shekel donation, may be given to the *chazzan*. R' Ovadiah Yosef (*Yechaveh Daas* 1:86) also writes that the half-shekel should be given specifically to the poor. He cites this principle from a number of *poskim* (see *Eliyahu Rabbah* 685:11), and adds that the donation should preferably go towards supporting Torah learning.

“Indeed, it is proper to donate the money to Torah institutions, the holy *yeshivos*, for *Chazal* state (*Berachos* 8a) that since the *Beis HaMikdash* was destroyed Hakodosh Boruch Hu has nothing in His world but four *amos* of Torah....The Medresh (*Tanchuma*) writes that the Torah atones for the sins of Klal Yisroel in place of the *korbonos* which we no longer have. Indeed, those were the exact *korbonos* which were brought from the half-shekel contributions, referred to in the Torah as atonement for sins. Furthermore, *Chazal* state that the mitzvah of learning Torah is greater even than the offering of *korbonos* ....”.

In regards to the extra half-shekel donation which is mandated by the *Maharil*, the *Maharil* himself writes that the custom was to give the money to support those travelling to Eretz Yizroel. This could be another source for the prevalent custom today of not designating the half-shekel donation specifically for the poor. However, the *Chemdas HaYomim* (Part II, Purim) writes that the donation should be made to “those who toil in learning Torah,” and the *Ruach Chaim* (694:2) states that the money is divided among the *talmidav chachomim* of the city.

### **When should one give the half-shekel donation?**

Many source's seem to suggest that the time to make the donation was starting from Rosh Chodesh Adar. The *Maharam MiRutenberg* (153) brings that Rabbeinu Tam enacted: “After Adar begins, there is a ban on all those who pass through the towns that they should give (upon demand) *ma'os purim*” (this enactment was understood by many later *poskim* as referring to *machatzis hashekel*).

The *Chemdas HaYomim* (Part II, Purim) also mentions that this is the proper timing for the custom (from the beginning of Adar), adding that the donations were pronounced at the

special *krias haTorah* for *Parshas Shekolim*. The *Maseches Sofrim* that we mentioned above also mentions that the time for the donation is before *Parshas Zachor*.

Despite the above, the prevalent custom is to make the half-shekel donation specifically on Taanis Esther. Some *poskim* maintain that the correct timing for the custom is after the fast, on Purim night (see *Eliyahu Rabbah* 686:3 and *Kitzur Shulchan Aruch* 141:5). This was also mentioned as the custom of Chasam Sofer (quoted in *Minhogay Chasam Sofer*, p. 151, no. 4), and Rav Shlomo Zalman Auerbach (*Halichos Shlomo*, Adar, no. 9).

The commonly accepted custom seems to be however, to make a donation at *Minchah* time. There are a number of sources for the above, including the *Maharam MiRutenberg*, *Maharil* and the *psak* of the *Rema*. According to this custom, the half-shekel is donated on Taanis Esther, even when Purim falls on Sunday and the fast is observed on the preceding Thursday (*Kaf HaChaim* 696:25).

It is interesting to note that *Yesod Veshoresh HaAvodah* (12:3) made a point of giving his donation “before *Minchah*.” It appears that the general custom is not careful of this.

### **Who has to donate?**

There is a big *machlokes* as to what age the *chiyuv* to give a half-shekel donations begins. From the *pasukim* it's clear, that the original contribution that took place in the *midbar* was only by males above the age of twenty. Following this, several authorities rule that the yearly mitzvah of *machtzis hashekel* (the actual donation given to the *Beis HaMikdash* to help pay towards *korbonos*) was only mandatory for those above the age of twenty (*Chinuch* 105; *Bartenura*, *Shekolim* 1:3).

According to this opinion, we can assume that the customary half-shekel donation today is no more stringent than the original obligation to donate a half-shekel towards the *korbonos*. Therefore, the custom applies only from the age of twenty and up. This, in fact, is how the *Rema* based on the *Maharil paskens*.

Others, however, *pasken* that only the initial obligation in the *midbar* began from the age of twenty. The ensuing donations towards the *korbonos* were mandatory for all males over the age of bar-mitzvah (see the Rambam and *Tosfos Yom Tov* to Mishnah in *Shekolim* and the Ramban on *Parshas Ki Sisa*). The rationale for this opinion is that from the age of bar-mitzvah, a person requires atonement for his sins, and this was achieved by taking part in the *korbonos* of the *Beis HaMikdash*.

Based on the above, the *Mateh Yehudah* (694:4) *paskens* that the half-shekel donation must be given from the age of thirteen. The *Mishnah Berurah* (694:5) cites both sides of the argument, without settling between them, yet the *Yechaveh Daas* writes that one

should follow the more stringent opinion, and give the donation from the age of bar-mitzvah.

### **The custom of giving for women and children**

Taking the custom a step further, we find a number of sources for donating the half-shekel even on behalf of minors (children under bar-mitzvah), and unborn babies! This custom is cited by *Magen Avraham* (694:3). Although the *Magen Avraham* questions why this should be the case, the *Da'as Torah* cites a source for the idea from a statement in the *Yerushalmi* (*Shekolim* 1:3).

The *Darchei Moshe* also quotes from *Mahari Bin* that pregnant women should give the half-shekel donation on behalf of the unborn infant, and the *Yaavatz* (2:471) writes that the custom is to give on behalf of young children. Giving for children is a stringency beyond the basic custom, but if a father begins to donate on behalf of his child (with the intention of continuing to do so), he is obligated to donate even in subsequent years. This ruling is based on the Mishnah in *Shekolim*, and is quoted by *Magen Avraham*, *Chayei Adam* (155:4) and *Mishnah Berurah* (5).

Although most of the sources above refer specifically to males—boys, or the possibility of an unborn baby boy—some sources, such as the *Yerushalmi* quoted by *Daas Torah*, refer even to women and girls. As a result a number of *poskim* mention the custom of giving the half-shekel even with respect to girls (see *Shevet HaLevi* 7:183). The *Kaf HaChaim* writes that based on the atonement offered by the donation, it is commendable to give even for women and girls.

### **Which coins and of which value?**

According to most *poskim*, the three coins used for *machatzis hashekel* should be “half-coins”—meaning coins worth half of one local currency unit. This is the ruling given by *Rema*, as based on the *Maharil*.

We have seen however, that some are careful to give the value of the original half-shekel coin, which is the value of approximately ten grams of silver. The *Kaf HaChaim* writes that it is proper to donate three “half-coins” that reach the sum of the original half-shekel coin. If this is not possible, he writes to give the monetary equivalent of the half-shekel.

Rav Ovadiah Yosef similarly rules that giving the amount of the original coin is considered a commemoration of the mitzvah, citing this ruling from a number of *poskim*. The custom of both Rav Shlomo Zalman Auerbach (as quoted in *Halichos Shlomo*, Adar 9) and Rav Elyashiv is to give three half-dollar coins. This was to ensure that the word “half” appears on the coin, besides giving a donation of a coin that is actually silver—though this does

not apply to modern half-dollar coins. The idea of giving specifically silver coins is found in the *Kaf HaChaim*, and it was also the custom of Chasam Sofer to give specifically silver coins.

Where there is no coin that is minted with a “half-value,” some state that the custom of giving three coins for *machatzis hashekel* does not apply (*Shoel VeYishal* 1:138). He adds, however, that it is proper to commemorate the *machatzis hashekel* by giving the value of the original coin (as cited above from *Kaf HaChaim*). The *Maharsham* (8:97), however, writes that one should give three coins, and have intention that only half of their value should be donated as *machatzis hashekel*, the other half being a regular gift. Alternatively, he suggests that two individuals share whole coins.

When Rav Shlomo Zalman Auerbach was asked by a Russian Jew what to do in Russia where there were no “half-coins”, he replied that the “half” was not crucial, and stated that half-dollars, rather than half-shekels, should be used, because of the universal nature of the American dollar.

### Does a Megillah require an eitz chaim?

#### **Ashkenazic vs. Sephardic Megillos?**

*Boruch Hashem* there are many different types of *Megillos* available on the market today. There are *HaMelech Megillos*, 11 line Gr”a *Megillos*, 21 line *Megillos*, 42 line *Megillos*, 48 line *Megillos* and even perhaps illuminated *Megillos* (see *Eliyahu Rabbah, Orach Chaim* 691:7). However, there is one readily available noticeable difference between most Ashkenazic and Sephardic *Megillos* (aside for the actual *ksav*), and that is, that Sephardic *Megillos* have an *eitz chaim* [pole] attached at the end of it, something which is noticeably absent from most Ashkenazic *Megillos*.

#### **Why the distinctive divergence?**

There is a common misconception that this *machlokes* is based on different ways to understand the word “*amud*”, with the *Shulchan Aruch*, and hence Sephardim, understanding the requirement to be referring to an actual pole, while the *Rema*, and consequently Ashkenazim, deeming it to mean a column (as in a blank column of space) at the end of the *Megillah*. If one reads the *Rema’s psak* carefully however, he will clearly see that this assessment is inaccurate.

The *Rema* does not write that Ashkenazim should ensure having an extra column at the end of the *Megillah* to be considered as an *amud*, but rather he writes: נהגו שלא לעשות – לה עמוד כלל בסופה – “our *minhag* is specifically **not** to have any *amud* at all at the end of the *Megillah*.” This proves, that although he agrees with the *Shulchan Aruch’s* lexicon that

an “*amud*” is referring to an actual pole, nevertheless, he actively argues that we should **not** affix one at the end of our *Megillos*.

### Some background

The Gemara in *Bava Basra* (13b, 14a) discusses some of the *halachos* about attaching *sifrei kodesh* together and how to properly roll them, and concludes and brings proof to the opinion of Rav Ashi. Rav Ashi maintains: כל הספרים נגללים מתחלתן לסופן וס״ת נגלל – “all *sifrei kodesh* are rolled from their beginning to their end, except for a *sefer* Torah, as that is rolled towards its middle”. In order to achieve this, when we make a *sefer* Torah we attach two poles, one on each end of its parchment. This *din* is brought down by the Rambam (*Hilchos Tefillin U’Mezuzah V’Sefer Torah* 9:14) and the *Tur* and *Shulchan Aruch* (*Yoreh Deah* 278:2).

We also see a second *din* in the above Gemara, we see that all other *sifrei kodesh* should have one *etz chaim*, in order to enable it to be rolled מתחלתן לסופן – “from their beginning to their end”. However, *Chazal* didn’t teach us where the proper placement of such an *amud* should be in order to accomplish this. Indeed, there is a *machlokes rishonim*, whether this *amud* should be placed at the beginning or the end of the *seforim*.

Rashi determines from the preceding Gemara about attaching *sifrei* Torah together that מתחלתן לסופן – “from their beginning to their end”, is referring to leaving extra blank columns at the end of the parchment, to enable the scroll to be wrapped around the *amud* affixed at the **beginning**. Several other *rishonim*, including the *Tur* (*Orach Chaim* 691:1), learn this way as well.

*Tosfos*, however, questions this understanding, and asserts that מתחלתן לסופן doesn’t mean that, but rather refers to wrapping the scroll around an *amud* attached to the **end** of the scroll. He cites the *Maseches Sofrim* (whose *girsas* is לתחלתן – “to the beginning”), as well as the *Yerushalmi*, which explicitly states this, as proof to this position as the proper *girsas* and interpretation. The vast majority of *rishonim* understand this to be the Gemara’s requirement.

The *Beis Yosef* (*Orach Chaim* 691:1) questions how the *Tur* could have followed a minority opinion regarding this *machlokes*, and concludes that the main *psak* follows the majority of *rishonim*, and that the *Megillah’s amud* needs to be affixed at the end of the scroll. This is also how he rules unequivocally *Iemaseh* in *Shulchan Aruch* (*Orach Chaim* 691:2): וצריכה לעמוד בסופה – “a *Megillah* needs an *amud* at the end”.

## The Ashkenazic *minhag*

On the other hand, the *Rema* argues that the prevalent Ashkenazic *minhag* is specifically not to have an *amud* at all. The question is, why? If so many *rishonim* maintain that there must be an *amud*, why would the Ashkenazic *minhag* be specifically not to?

There are several explanations offered by the *poskim* through the ages:

**1)** The *Rema* actually quotes this *psak* from the *Maharil*. The *Maharil* (*Sefer HaMinhogim, Hilchos Purim* 16) maintains, since the Gemara in *Megillah* (7a) is uncertain whether the *Megillah* was written with *nevuah* [prophecy] or not, it doesn't have a full status of a 'sefer'. Proof to this is, that although we know that one may not actually touch the parchment of a *sefer* Torah directly (*Megillah* 32a), there is no such *din* in regards to touching a *Megillas* Esther (although there is some debate about this, the *Rema* (147:1) *paskens lemaseh* that it's not an issue, especially if one is particular to wash his hands before touching it). Although the Gemara and *rishonim* effectively conclude that there must be an *amud* on *sifrei kodesh*, according to this understanding, this does not actually apply to the *Megillah*, as it does not share the status of a true 'sefer'. Accordingly, the *Megillah* would be the exception to the rule.

**2)** A similar assessment is given by the *Damesek Eliezer* (*Orach Chaim* 691, on the *Biur HaGr"a* 20). He opines that as *Megillas* Esther is also referred to as an '*igeres*' (Esther 9:29), a letter, and has certain *halachos* that pertain to this aspect of it, such as having the whole *Megillah* spread out and folded underneath it (like a letter), it should not be beholden to the *halachos* exclusive of *sifrei kodesh*, especially as it is quite uncommon that a 'letter' would have actual staves to roll it.

**3)** The *Aruch HaShulchan* (697:7) adds an additional reason why the *Megillah* is not specifically listed as part of the rest of the *sifrei kodesh* that this *amud* requirement pertains to. He explains that, as opposed to other *sifrei kodesh*, the *Megillah* is only read from on Purim. He further posits that the reason why the *rishonim* necessitated an *amud* for the *Megillah* is that before the printing press was invented, the only *Megillos* available to learn from were kosher *Megillos*. Hence, the need for an *amud* to ensure it gets properly rolled and not ruined. However, by his day (1890s), with printed *Megillos* extant, this was no longer an issue, and as such, an *amud* is deemed unnecessary.

**4)** The *Bach* (691:1) and his son-in-law, the *Taz*, take an alternate approach, and contend that although the *rishonim* maintain that an *amud* should be affixed to *sifrei kodesh*, nonetheless, as they debate whether it needs to be placed at the beginning or the end of the scroll, it is preferable to do neither – following the dictum of *שב ואל תעשה עדיף* – "sitting and doing nothing is better" (*Eruvin* 100a).



Come what may, due to whichever reason we go with, the common Ashkenazic *minhag* is that *Megillos* do not have an *amud*.

### **Sephardim are very particular to have an *amud***

On the other hand, Sephardic *poskim* over the ages were and are very *makpid* [particular] that their *Megillos* have an *amud*, and although most held that it would still be kosher *bedieved* lacking an *amud*, nonetheless, several Sephardic *poskim* maintain that it is *posul* without it (see for example *Shu"t HaRashbash* (579). On a more contemporary note, Rav Ben Tzion Abba Shaul *paskened* (*Ohr L'Tzion*, vol. 4, Ch. 56:4), that if the only *Megillah* available does not have an *amud*, a *berachah* should not be recited on it.

There is even a story told about Rav Ovadiah Yosef, that when he was once given an Ashkenazic *Megillah* to *lein* from, he refused, for lack of an *amud*. He then noticed a broom leaning in the corner of the *shul*. Wrapping the *Megillah* around the handle to create an appropriate *amud*, he then began to read from it!. Although this story is most likely apocryphal, it certainly drives the message home, showing the lengths *Sephardim* should go to ensure that their *Megillos* have an *eitz chaim*.

Halachah *lemaseh*, the *Kaf HaChaim* concludes that if a *Megillah* without an *amud* was read, and later on one was found with an *amud*, it should be read again, but without a *berachah*. Rav Ovadiah Yosef (*Chazon Ovadiah on Purim*, pg. 243) concludes that certainly a *Megillah* without an *amud* is *kosher bedieved*, and *b'shaas hadchak* [time of great need] a *berachah* can be made on it. However, ideally, in such a situation, he avers that a Sephardi needs to be *כוחו בכל השתדל* – “try his best” to obtain a *Megillah* with an *amud*.

[The story about Rav Ovadiah Yosef wrapping a *Megillah* around a broomstick appeared in the *Mishpacha Magazine*, on Feb. 24, 2010, pg. 34 in an article titled ‘In a Dark Basement in Bulgaria’. Although this story certainly drives the message home about the lengths *Sephardim* should go to ensure that their *Megillos* have an *eitz chaim*, nonetheless this story is problematic for a number of reasons.

First of all, the *Shulchan Aruch paskens* (691:2) that a *Megillah* shares the strictures of a *sefer Torah*. In *Hilchos Sefer Torah* (*Yoreh Deah* 278: 2) he *paskens* that that the *amud* needs to be sewn to the parchment with sinews (*gidim*) from a kosher animal. The *Rema*, based on the *Terumas HaDeshen* (1:51) is the one who is more lenient, allowing the *amudim* to be sewn on with silk thread *b'shaas hadchak*. The *Dogul Mervovoh*, Rabbi Akiva Eiger the Chasam Sofer, and *Pischei Teshuva* all question this need, since the requirement for having *atzei chaim* is not actually *me'akev*, it would seem preferential simply not to affix them at all. Indeed, the *Ikrei HaDa"as* (*Ikrei Dinim, Orach Chaim* 7:11)

maintains that if the *atzei chaim* are not properly attached to a *sefer Torah*, that *sefer Torah* should not be *leined* from; and it is only due to the Ashkenazic *psak* of the *Dogul Mervovah* that would allow this Torah's use *b'dieved*. Hence, as the same rules should apply to a *Megillah*, it would seem that there would be no *halachic* gain for a Sephardi to wrap the *Megillah* around a makeshift *amud* in order to *lein*.

Moreover, besides for the fact that Rav Ovadiah Yosef himself fails to make any mention of this in his many *seforim* he has written, in *Chazon Ovadiah* (Purim, pg. 243) he *paskens* that *b'dieved* one may *lein* from a *Megillah* whose *amud* is attached with thread (as opposed to kosher *gidim*), as it is no worse than, and akin to, *leining* from a *Megillah* with no *amud* at all, which is *mutar b'dieved* for Sephardim. Accordingly, it would seem odd for Rav Ovadiah to have wrapped a *Megillah* around a broomstick to create an *amud*, as by his own admission, this would be no more preferential than *leining* without an *amud*.]

### **Not all Ashkenazic *poskim* agree with the *Rema***

It must be noted that not all Ashkenazic *poskim* agree with the *Rema's* assessment. Indeed, several *poskim*, most notably the Vilna Gaon, argued on the reasoning of the *Bach* and *Taz* to explain the *Rema's* (absent) pole position, even referring to this rationale as '*tzorich iyun gadol*'. This is because if there is *halachic* uncertainty as to which end of the scroll to affix an *amud*, they maintain that it would stand to reason that we should rather affix an *eitz chaim* on **both** ends of the *Megillah* out of doubt, and not on neither end, as not affixing an *amud* at all essentially fulfils neither opinion.

Based on the strength of his argument, it is reported that the Vilna Gaon was personally *makpid* that his *Megillah* had an *amud* at the end, following the majority opinion of the *rishonim* (*Tosefes Maaseh Rav* 68). Several other Ashkenazic *poskim*, including the *Yosef Ometz*, *Damesek Eliezer*, and *Mishnah Berurah*, maintained preference for this opinion as well. It is also known that the Chasam Sofer's *Megillah* had an *amud*.

[In *Maaseh Rav* it is quoted that: קורין המגלה בניגון וטעמים ממגלה הנכתבת בגליון כס"ת עם עמודים – "one should read the *Megillah* with its notes in a tune, from a *Megillah* written on a scroll like a *sefer Torah*, with **amudim** [poles]." *Amudim* is plural, and implies that one needs two *atzei chaim*, akin to a *sefer Torah* for a *Megillah*, nonetheless, Rav Naftali Hertz HaLevi (*Burim on Maaseh Rav* 136), explains that this was simply his logic, that indeed out of doubt we should place *atzei chaim* on both ends of the *Megillah*. However, practically, since the *din* mandating an *amud* was truly referring to other *sifrei kodesh*, and the *Megillah* is also conversely referred to as an '*Igeres*', the Gr"a held that one pole is indeed sufficient, and should be affixed to the end of the scroll, following the majority opinion.]

Practically, the prevalent *Ashkenazic minhag* has remained the way it was – not to use an *eitz chaim*. Several recent notable authorities whose *Megillos* did not have an *amud* include the Chazon Ish, Steipler Gaon, and Rav Yisrael Yaakov Fischer.

On the other hand, it is known that Rav Shlomo Zalman Auerbach's personal *Megillah* did have an *amud* and Rav Elyashiv is quoted as maintaining that having one would be considered a '*hiddur*'. Several Chassidish halachah *seforim* also maintain that having an *amud* is considered a *hiddur*, especially as the *Kaf HaChaim* wrote that this was the Arizal's *minhag* as well, based on Kabbalah.

### **11 line Gr"a Megillos**

At the beginning of our discussion we mentioned in passing that there are many different types of *Megillos*, one of the many different types we mentioned was a 11 line Gr"a *Megillah*. Although it may be called a Gr"a *Megillah* it is very unlikely that the Vilna Gaon himself owned such a *Megillah*. When we say a Gr"a *Megillah* all we mean is that these *Megillos* are manufactured taking his *shittah* [opinion] into account.

Basically, there are *shittos* that hold regarding the Aseres Bnei Haman, that the preceding word '*ish*' needs to be at the start of the page, as the Aseres Bnei Haman should be written on their own page. In order to accomplish this, they are generally written with a larger font than the rest of the *Megillah*. However, while the Gr"a agrees that when writing the Aseres Bnei Haman, it should start with the word '*ish*', and end with '*Aseres*', he argues that they should nonetheless be written the same size as the rest of the *Megillah*. He also interprets a Yerushalmi, and understands that the preceding word '*ish*' and following word '*aseres*' need to be written as part of the Aseres Bnei Haman (with similar style writing; this would then take up 11 lines), but not that it needs its own page (see *Biur HaGr"a*, *Orach Chaim* 691:25 and *Maaseh Rav* 243). Therefore, in order to have a *Megillah* that fulfils all of these disparate requirements, with the script being the same size as the rest of the *Megillah* and also giving the Aseres Bnei Haman their own page, an eleven line *Megillah* would be necessary.

Renowned Rabbanim who were known to have preponderance for an eleven line 'Gr"a *Megillah*' include the Chazon Ish, Steipler Gaon, Rav Shlomo Zalman Auerbach and Rav Yisroel Yaakov Fischer. However, quite interestingly, albeit somewhat contrastingly, in the *Miluim* of the recent Weinreb edition of *Maaseh Rav* (pg. 389:243), it cites Rav A.Z. Slotzky's (a *Moreh Tzedek* in Vilna) *haskomah* to *sefer Mesores HaTorah V'HaNeviim*, explaining that as the *Megillah* is referred to as a '*sefer*', it shares certain *halachos* of a *sefer* Torah, and as there is no *sefer* Torah written with only eleven lines, it is perhaps preferable not to use an 11-line *Megillah*, but rather one with 48 lines, **as the Gr"a himself did.**

(The *mareh makomos* for the above were mainly taken from an article written by R' Yehudah Spitz)

## **Is one obligated to pay for damage caused on Purim?**

### **Mishnah in Succah (45a)**

On the final day Succos, according to some *rishonim*, the people of Yerusholayim used to snatch the *lulovim* from the hands of children, and eat their *esrogim*. Rashi explains that this practice was not considered *gezel* [stealing]: שכך נהגו מחמת שמחה - “as it was the customary thing to do as a result of great joy”.

*Tosfos*, in his first *pshat*, agrees with Rashi’s explanation. *Tosfos* derives from the Mishnah, that children who tear each other’s clothes, or injure each other’s horses, in playful duels at *chasunas* (intended for the entertainment of the *choson* and *kallah*) are exempt from paying for the damage they cause.

According to the above *pshat*, we find that if one causes damage whilst playing and there is an assumed risk factor involved the relevant parties are exempt for paying for the damage.

*Tosfos*, however, offers an alternative *pshat* in the Mishnah, according to which no snatching actually took place. Rather, the children would eat their own *esrogim*, and not take anybody else’s. According to this interpretation, there is no proof for an exemption from damage liability in cases of play-fights that take place at a *chasunah*.

### **How do we *pasken*, and what’s the halachah on Purim?**

The *Rosh* (*Succah* 4:4) brings down both *p’shotim* and in a *Teshuvah* (101:5) *paskens* stringently. However, the *Rema* (*Choshen Mishpot* 378:9) *paskens* based on the *Mordechai* (and others) like Rashi, that the exemption from liability applies even to wedding duels.

The *Terumas HaDeshen* (110, citing the *Riva*; cited by *Beis Yosef* 695) extends the above principle to Purim, and maintains, just like one who snatches an *esrog* is not liable, somebody who playfully snatches food and the like on Purim is also exempt from liability.

Based on this rationale, we find a basis not only for an exemption from liability, but we even find a basis to playfully take somebody’s food. During the rest of the year, such acts would of course be considered *gezel*, but on Purim, in line with a customary atmosphere of festivity, they are permitted.

However, the *Beis Yosef* (695) writes that this custom no longer applies, and that there are therefore no grounds for exemption from damage liability on Purim. The *Rema* (*Orach Chaim* 696:8), however, does mention this custom. Certainly, this will not give a person permission to snatch another's food where this is not the custom.

### **Physical damage and bodily injury**

Does the exemption for customary damage apply even to bodily harm?

In the instances above it is clear that the exemption is not only *bedieved* [if it happened], it even gives a person the license to do the deed knowing that damage may result. The custom according to the sources above is grounds for considering it as though there is no offense at all. Although the victim made no statement to this effect, it is as if the snatching or damaging is done with his permission.

The *Kapos Temorim* (*Succah* 45a) uses this line of reasoning to derive a stringency when it comes to bodily harm. The halachah is that if one declares, "Tear my garment and be exempt," it is legally effective, a parallel declaration concerning bodily harm however, is ineffective (see *Choshen Mishpot* 421:12). The prohibition against physical assault remains in place even given the victim's permission.

Based on this, the *Kapos Temorim* deduces that a custom of risky playfulness will not have any force concerning bodily harm: if an explicit statement permitting physical damage is not effective, an implied statement, by force of custom, cannot be any better.

From the *Rema*, however, it would seem that customary exemptions apply even to physical injuries (*Orach Chaim* 695:2 and *Teshuvah*, 210), leading the *Kapos Temorim* to leave the question open (see also *Aruch HaShulchan* 695:10, who *paskens* that the exemption does not apply to bodily damages).

Perhaps based on the Gemara in *Bava Kamma* (32a), we can suggest another reason why the exemption may apply even to bodily damage. The Gemara says, it is permitted to run in public on *erev* Shabbos. Although it is prohibited to run during the week for fear of causing damage, on *erev* Shabbos it's permitted, and one who causes damage while running is exempt from liability.

This exemption is explained as a *takonas Chazal*, *Chazal* wished to permit running on *erev* Shabbos, and therefore exempted the person running from damage liability. The same can be said of customary damages. A person who follows a customary practice is exempted from liability by a *takonas Chazal*.

## **Damages on Purim**

The *Rema paskens* (*Orach Chaim* 695:2) that if someone damages another person on account of Purim festivities, he is exempt from liability.

Yet, in view of the sources above, this exemption will apply specifically to cases in which the damage was customary, meaning normal and to a degree that is to be expected under the circumstances. In such instances, the one who damaged is exempt from both prohibition and obligation to pay.

A typical example of this is when one person inadvertently steps on a person's shoe during a Purim dance, tearing apart the sole from the upper leather. Under such circumstances, the person who caused the damage is exempt from liability. Similarly, if the dance took place around a table and a bottle was knocked over and broken, the perpetrator is exempt, since this damage is, as it were, within customary bounds.

Note that this applies only to damage caused in the context of a Purim celebration. Somebody who wantonly becomes drunk and causes damage, without any connection to a Purim feast, will be liable for damages.

### **Significant damages: The case of the car**

There was a case brought to *Beis Din* of a young man, evidently drunk, who caused significant damage to a car. The case included a number of considerations, including the difficulty of establishing how exactly the damage was caused. However, it was clear that there was, in principle, full liability for the damage. Although there might be an exemption for customary damages, there is no such exemption for significant damages, which are, of course, not customary.

This principle is mentioned by the *Mishna Berurah* (695:13, citing the *Bach*), who *paskens* that significant damages are not included in the exemption. The customary damages of Purim are limited to small claims.

### **Causing damage nowadays**

The *Aruch HaShulchan* (695:10) writes, that customary Purim exemptions from liability no longer apply today, since such boundless celebration is no longer the norm. This is similar to the aforementioned *Beis Yosef* concerning snatching food, who also notes that the custom of previous generations no longer applies.

It's important to note that Purim exemptions (and others of the same type) apply only to somebody who causes damages without intent. There is no custom that exempts

somebody who causes intentional damage – though proving that the damage was done intentionally might be difficult.

Likewise, somebody who knows that his nature is to cause damage when drunk must take preventative measures, and must not become drunk if he knows that this will lead to damages (see *Yam Shel Shlomo, Bava Kamma* 3:3).

Even assuming an exemption, it is proper practice for the perpetrator of the damage to offer payment – out of common decency as well as a possible halachic obligation.

### **Purim stains**

In a crowded hall, with everybody trying to get a good position by the table, it is virtually inevitable that someone will spill some food or drink on another's good clothes. Is the person who spills his cup or food on somebody else's clothes liable to pay the dry cleaning bill?

Based on the foregoing discussion, such damage might be considered customary (since it is almost inevitable), so that the person who perpetrates the damage will be exempt from dry cleaning costs.

However, this is very much contingent on specific circumstances of each case, and as always a Rov should be asked for the final *psak*.

(Mostly taken from a halachah write-up written by R' Yehoshua Pfeffer)

### **Interrupting Megillah in order to say kiddush levonah**

There is an exceptional monthly mitzvah that *Chazal* singled out by designating one who fulfils it as akin to being *mekabel pnei* haShechinah [greeting the presence of the Shechinah]. This mitzvah is the mitzvah of *kiddush levonah*.

### **When is the proper time to fulfil the mitzvah?**

It's not so clear from the Gemara when the proper time to perform this mitzvah actually is. We know that at the start of the lunar cycle (which takes 29 days, 12 hours, and 793 *chalokim*), every Rosh Chodesh, the moon appears almost non-existent, and slowly waxes until the full moon mid-month. After its apex, it slowly wanes until the end of the month and then the monthly cycle starts anew.

Rav Yochanan states that the mitzvah of *kiddush levonah* can be fulfilled עד שתמלא פגימתה – “until the moon becomes full from its deficiency”. There is an apparent *machlokes* between Rav Yehudah and Nahardai when exactly that is, with Rav

Yehuda maintaining up until 7 days after the new moon and Nahardai stating that we have up until the 16<sup>th</sup> of the month (*Sanhedrin* 41b, 42a).

However, several *poskim* understand that Rav Yehudah and Nahardai are not truly arguing, but rather that Rav Yehudah was referring to the starting time for *kiddush levonah*, day 7, whereas Nahardai was referring to the last possible time, until the 16<sup>th</sup>, meaning the night of the 15<sup>th</sup>. Yet, the *Maseches Sofrim* (20:1) qualifies this, teaching that as it is akin to greeting the Shechinah, *kiddush levonah* should be recited on Motzei Shabbos, when one is '*mevusam*' (ostensibly, 'perfumed') and dressed in his Shabbos finery. On the other hand, Rabbeinu Yonah (*Berachos* 21a, *midafay* haRif) argues that this quote is not referring to people, but rather the moon, when its light is 'sweet' and people start getting benefit from the moon's illumination, meaning from after the 3<sup>rd</sup> day of the month.

[In Rav Karo's *sefer Maggid Meisharim* (cited by the *Mishnah Berurah* 426:4), he relates that his *maggid* taught him that reciting *kiddush levonah* on Motzei Shabbos is a *siman* for a successful month. The *Pri Etz Chaim* (*Shaar Rosh Chodesh*) cites Rav Chaim Vital as saying that the reason we recite *kiddush levonah* on Motzei Shabbos is because the *Beis HaMikdosh* was destroyed and the Shechinah exiled on Motzei Shabbos. Therefore, we are "*mevasrin chiddush Yisroel v'haShechina*" specifically on Motzei Shabbos.

The *Avudraham* and later the Vilna Gaon (*Biur HaGr" a, Orach Chaim* 426:1) write that the interpretation of Rabbeinu Yonah is the correct one.]

Further complicating matters, based on their understandings of the requirements, various *rishonim* set different starting times for this mitzvah, leading to several divergent *shittos* among Klal Yisroel as to from when one can and/or should recite *kiddush levonah*:

1) **Day One:** Many *rishonim* (and several *achronim*), including the Rambam (*Hilchos Berachos* 10:16), *pasken* that *kiddush levonah* may be recited from after the first day of the month.

2) **Three Days:** Following the precedent of Rabbeinu Yonah, many Ashkenazic (and several Sephardic) *poskim* maintain that one may (and some say should) recite *kiddush levonah* from this time, and maintain that it is certainly preferable in the winter, when clear views of the moon's luminosity may be scarce.

3) **Seven Days:** Although in his *pirush* on the *Tur* the *Beis Yosef* brings various different opinions, when he codified the halachah in *Shulchan Aruch*, he ruled unequivocally that *kiddush levonah* should be recited only after the seventh day. He bases his ruling on a *Teshuva* from Rav Yosef Jiktilia, an early master Kabbalist (he lived approximately 750



years ago) and esteemed author of *Shaarei Orah*. As this is the *Shulchan Aruch's* definitive *psak*, it is the most common *minhag*, and definitively followed by Sephardic Jewry.

4) **Motzei Shabbos:** As mentioned previously, optimally *kiddush levonah* should be recited on *Motzei Shabbos*. However, if one is worried that by waiting until *Motzei Shabbos* he may miss out on his chance for *kiddush levonah*, then practically it should be performed during the week.

5) **Earlier in Winter:** Many *poskim* write that although it may be preferable to wait until a *Motzei Shabbos* after seven complete days from the beginning of the month to perform *kiddush levonah*, nonetheless, in the winter months, with a likely probability of being unable to recite *kiddush levonah* due to cloudy nights and bad weather, it would be preferable to perform it earlier, on a *Motzei Shabbos* after three days, and possibly even during the week (depending on individual situation).

### **Mitzvah *kiyumis* or *chiyuvis*?**

Although there are many stories about the great lengths some rabbonim and rebbes would go to to properly observe the mitzvah, such as hiring helicopters to fly above the clouds or even taking flights to areas where there was a clear sky, all to get a clear glimpse of the moon, nonetheless it's not entirely clear from the *poskim*, what type of mitzvah *kiddush levonah* really is.

Is it considered a mitzvah *kiyumis*, meaning a mitzvah that one fulfills when seeing and blessing the moon during this timeframe, similar to the mitzvah one fulfills when making the blessing upon seeing lightning or hearing thunder? If so, one would not be under a specific obligation to be *mekadesh* the *levonah*, but rather if he sees the moon during the correct timeframe, he is required to make the *berachah*. However, if it is considered a mitzvah *chiyuvis*, a mandated mitzvah, then he would be obligated to seek out a clear view of the moon in order to make the *berachah*.

### **The Noda B'Yehuda's Purim *psak***

A practical difference between these two understandings of the mitzvah was highlighted when the *Noda B'Yehuda* issued a ground-breaking *psak* (*Shu"t Noda B'Yehuda, Kama, Orach Chaim* 41). The *Noda B'Yehuda* noted that generally speaking, the last night of a month one can safely perform the mitzvah of *kiddush levonah* is the night of the 14<sup>th</sup>. As Purim is the only Yom Tov that falls out on the 14<sup>th</sup> of a month, he posed a fascinating question:

What should a *tzibbur* do if due to inclement weather and overcast skies they were unable to recite *kiddush levonah* the whole first half of a month, and the first time the moon was clearly visible was in the middle of the *leining* of the *Megillah*?

The *Noda B'Yehuda's* surprising response was that the entire *tzibbur* should stop the reading, go outside and recite *kiddush levonah*! Afterwards, they should immediately resume the *krias HaMegillah* where they left off. He qualifies that this *psak* is only applicable if the entire *tzibbur* was unable to perform *kiddush levonah* up until that point, as certainly one individual's lack of *kiddush levonah* would not warrant an entire *tzibbur's* interruption of the *pirsumay nisa* of *krias HaMegillah*. (The *Biur Halachah* points out, this only refers to the actual *berachah*, not the additional *tefillos*).

The *Noda B'Yehuda* cites several reasons why this is the appropriate ruling:

1) There is a *machlokes* between the *Magen Avraham* and the *Bechor Shor* regarding one who is in the middle of reciting *krias shema* and hears thunder, whether he should stop and recite the *berachah* for hearing thunder or not. The *Magen Avraham* (*Orach Chaim* 66:5) writes, that as the *berachah* mandated upon hearing thunder is due to *kovad Hashem*, one should pause his recital of *krias shema* momentarily and recite the *berachah*. He explains that this pause should certainly be deemed more significant than the allowance for certain interruptions whilst in the middle of reciting *krias shema* given in specific situations simply for *kovad bosor v'dom* ('flesh and blood'; meaning human honour).

The *Bechor Shor* (*Berachos* 13a), on the other hand, argues that since the entire *krias shema* is essentially *kovad Hashem*, one cannot pause while performing a more important type of *kovad Hashem* merely to recite a lesser one, such as the *berachah* on thunder. As such, in that situation, he mandates continuing *krias shema* without pausing. Although there does not seem to be a clear consensus on this *machlokes*, the *Noda B'Yehuda* applies it to our case and asserts that we certainly may rely upon the *Magen Avraham's shittah b'shaas hadchak*, as this very well may be the last opportunity of the month to recite *kiddush levonah*.

2) There is a principle that '*todir v'she'aino todir, todir kodem*', that if one has the opportunity to perform one of two *mitzvos*, he should give precedence and begin with the one that is performed more frequently. Since *kiddush levonah* is performed monthly and *krias HaMegillah* biannually, the principle tells us to perform *kiddush levonah* first.

Although one may argue that *kiddush levonah* is a *mitzvah derabonon* and thus '*todir kodem*' should not be sufficient reasoning to push off the *pirsumay nisa* of *krias HaMegillah*, which is a '*mitzvas aseï d'divrei kabbalah*'. The *Noda B'Yehuda* asserts that this assessment only holds true regarding the *ikar krias HaMegillah* on Purim day, as the

obligation of reading the *Megillah* on Purim is alluded to in the *Megillah* itself (9:28) **והימים** האלה נזכרים ונעשים בכל דור ודור, specifying daytime. The *Noda B'Yehuda* argues that the *Megillah* reading on Purim night is classified as a regular mitzvah *derabonon*.

In his opinion, the *Megillah* reading on Purim night is classified as a regular mitzvah *derabonon*. Hence, the rule of '*todir kodem*' still holds true, as both *mitzvos* share equal footing, since both are classified as *mitzvos derabonon*. Especially in this specific instance, as *kiddush levonah* is a mitzvah *oiveres* (a fleeting mitzvah), which if we do not fulfil immediately we may not be able to perform at all, whereas the *Megillah* may still be read for the rest of the night, the ruling to pause the *Megillah* reading for the *tzibbur* to recite *kiddush levonah*, is the correct course of action.

## Opposition

However, opposition to the *Noda B'Yehuda's* novel ruling was not long in coming. Later *poskim* raised several points of contention to his approach:

1) There is a well-known principle of '*ha'osek b'mitzvah potur min hamitzvah*', if one is involved in performing one *mitzvah*, he is (at least temporarily) absolved from performing a different *mitzvah* that may arise. Hence, while performing the *mitzvah* of *krias HaMegillah*, how can we justify a *tzibbur* stopping in the middle of the public *Megillah* reading, simply to perform an additional mitzvah of making a *berachah* on the moon?

2) There is another principle of '*chovas hayom odif*', that a mitzvah that pertains specially to that specific day maintains preference over others. Although there is *machlokes* in the Gemara (*Succah* 56a) whether or not this rule overrides that of '*todir kodem*' regarding which *berachah* to make first during *kiddush* on the first night of Succos, the Gemara concludes that indeed the *berachah* of *leisheiv basuccah* ('*chovas hayom*') should be recited before *shehechayanu* ('*todir*'); as it is recited on every Yom Tov, not just Succos), due to this principle. Applying this principle to our case should mean that *krias HaMegillah*, which is the *mitzvas hayom* of Purim, should take precedence to that of *kiddush levonah*, which is in fact germane for the beginning of every month. Accordingly, why should we interrupt the fulfilment of the *chovas hayom* solely for *kiddush levonah*?

3) There is a third principle of '*ein maavirin al hamitzvos*', or not to pass by a mitzvah. According to *Tosfos* (*Yoma* 33a), this precept applies when one has the choice and ability to perform two *mitzvos* and is unsure with which one to start, he should not pass over a mitzvah but rather observe the first one that comes his way. Although generally speaking, '*todir kodem*' would take preference over '*ein maavirin*', as mentioned previously, that is when two equal *mitzvos* present themselves at the same time. In our case, the second

mitzvah which is *'todir'*, *kiddush levonah*, is only presenting itself while in the middle of performing the mitzvah that *'arrived first'*. Accordingly, how can we stop the observance of a mitzvah, especially one that is public *pirsumay nisa*, just because another mitzvah, particularly a mitzvah *derabonon*, *'showed up'* in the middle?

4) It is not so clear-cut that the Purim night *Megillah* reading is classified as a mitzvah *derabonon*, and there are many who are of the opinion that the *leil Purim krias HaMegillah* shares the status of the daytime reading – that it is similarly considered a *'mitzvas aseï d'divrei kabbalah*. According to these *shittos*, the mitzvah *derabonon* of *kiddush levonah* should not be able to interrupt the *'mitzvas aseï d'divrei kabbalah'* of *krias HaMegillah*.

5) It seems from his *psak* that the *Noda B'Yehuda* must have held that *kiddush levonah* is a mitzvah *chiyuvis*, a mandated mitzvah, to have the *'strength'* to interrupt *krias HaMegillah*. Yet, such a classification is not so straightforward, as it can be argued that it is essentially a mitzvah *kiyumis*, since if one does not see the moon during the prerequisite timeframe he would not be obligated to perform *kiddush levonah*. Consequently, if this classification is accurate, then *kiddush levonah* should not be considered a true *'todir'*, and thus lacking the ability to interrupt *krias HaMegillah*.

[It would also seem from the fact that the Yerushalmi (*Berachos* 65a) and the Rambam (*Hilchos Berachos* 10:16) place the *halachos* of *kiddush levonah* amongst the rest of *Hilchos Birchos HaRe'iyah*, that it is in fact a mitzvah *kiyumis*.]

Although we brought many arguments, it nonetheless seems that practically the common consensus is indeed to follow the *psak* of the *Noda B'Yehuda* in this instance, as holds true in almost every case. Indeed, the majority of *poskim* accepted his *psak* and maintain that a *tzibbur* should interrupt the *krias HaMegillah* to recite *kiddush levonah* if until that point they were unable to perform this mitzvah.

### ***Kiddush levonah during krias shema***

At the end of his *Teshuvah* the *Noda B'Yehuda* adds that the same *din* would apply if one was unable to recite *kiddush levonah* the whole beginning of the month, and then when in the middle of reciting *krias shema* on the last relevant night the moon suddenly put in a surprise shining appearance. Although preferable to finish the paragraph, so the interruption should be *'bein haperokim'*, nonetheless, if not an option due to strong prospect of disappearing moon, he rules that one should still interrupt his *shema* recital for *kiddush levonah*, even though it is certainly not *'todir'* vis-à-vis the twice daily mitzvah *de'oraisa* of *krias shema*.

The *Noda B'Yehuda* contends that this certainly applies if one has not yet started *Maariv* on the last available night and the moon suddenly showed up, that *kiddush levonah* should be recited before *Maariv*. Not one to rest on his laurels and rule exclusively for others, he concludes his *Teshuvah* stating that he personally conducted himself this way many times in such a situation, having *kiddush levonah* precede *Maariv*.

Similar to his ruling regarding *krias HaMegillah*, this *psak* was accepted by virtually all later *poskim*. However, as the *Mishnah Berurah* points out, this allowance for *kiddush levonah* in the middle of *krias shema* is only referring to making the actual *berachah* of *kiddush levonah*, not the additional *tefillos* that are part of *kiddush levonah*.

As Rav Asher Weiss notes (*Minchas Asher al HaTorah, Bo 15:4*) from the wide acceptance of the *Noda B'Yehuda's psak*, as well as the divergence of several important *halachic* nuances in contrast to other *berachos* of *re'iyah*, and the Gemara's unique designation of *kiddush levonah* as comparable to greeting the Presence of the Shechina, in the final analysis, it is clearly evident that *kiddush levonah* is conclusively considered a mitzvah *chiyuvis*, a mandated mitzvah, and not simply a mitzvah *kiyumis*.

R' Asher Weiss gives several examples of *halachic* nuances, which suggest that *kiddush levonah* isn't merely a *birchas re'iyah*, but is rather a mitzvah *chiyuvis*. A normal *birchas re'iyah* requires that one say a *berachah* the first time one sees it, by *kiddush levonah* however, one doesn't have to say it straight away.

Although Rav Moshe Shternbuch (*Shu"t Teshuvos V'Hanhagos 2:208*) mentions that some claim that Rav Chaim Volozhiner and the *Shaagas Aryeh* maintained that one is obligated to perform *kiddush levonah* the very first time one sees the moon in the month (similar to a *birchas hare'iyah*), nonetheless, both Rav Shternbuch and Rav Weiss express astonishment at such an unprecedented idea, and cast aspersions on the *shemua's* authenticity.

A second difference R' Weiss brings is a blind person is obligated *me'ikar hadin* to recite *kiddush levonah* since he still receives benefit from the moon. By other *birchas re'iyah* we don't say a blind person is *mechuyav*, this proves that *kiddush levonah* is not *halachically* classified as a standard mitzvah *kiyumis*, but rather a mitzvah *chiyuvis*.

### **Kiflayim min hakesav**

One of the highlights of *krias haMegillah* is reading about the Aseres Bnei Haman [Ten Sons of Haman] getting hung on the gallows. The Gemara in *Megillah* (16b) explains, that since this passage refers to the downfall of the wicked, it must be written in a manner found in only one other place throughout *Tanach* [regarding the listing of the thirty-one kings of Canaan whom Yehoshua conquered (*Yehoshua 12:9 - 24*)] referred to as '*oriach*

*al gabei oriach and levainoh al gabei levainoh'* (we will explain soon). The *Tur* and *Shulchan Aruch* (*Orach Chaim* 691:3) both write: When writing a *Megillah*, a *sofer* must put in adequate spacing between the words listing the names of the ten sons of Haman. If not, it will invalidate the entire *Megillah*, rendering it unfit for use.

The *Mishnah Berurah*, when explaining this halachah, cryptically states simply three words: כפלים מן הכתב - "double the size of the script". He seems to be saying, that in order for a *Megillah* to be considered kosher, the amount of spacing needed in the column dealing with the Aseres Bnei Haman, is double the size of the print next to it.

Based on the above, how come over 90% of *Megillos* aren't written like this, even many *Megillos* of *gedolei hador* throughout the ages haven't taken the above requirement into account, how come?

### How to write *shirah*

The Gemara in *Megillah* (16b) writes that the *shiros*, songs in the Torah (i.e. *oz yoshir, shiras* Devorah), need to be written '*oriach al gabei levainoh'*, literally a half-brick over a full brick. However, the Aseres Bnei Haman and the Kings of Canaan, which exemplify the downfall of the wicked, need to be written '*oriach al gabei oriach and levainoh al gabei levainoh'*, a half-brick over a half-brick and a full brick over a full brick.

Rashi explains that the term '*oriach'*, half-brick, refers to the actual text, while '*levainoh'*, the full brick, refers to size of the space needed between the words. Therefore, by the Aseres Bnei Haman, if the text is required to be exclusively on top of text and space on top of space, it will appear like a double column. Rashi continues that since the '*levainoh'* is twice the size of an '*oriach'*, the spacing in the *Megillah* will be כפלים מן הכתב, double the size of the text.

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*Rabbeinu Tam* (cited by the *Ran* 4a, as the correct opinion) however, understands the requirement of '*oriach al gabei oriach and levainoh al gabei levainoh'* to be referring to text only, that no matter whether a long word or short word, the text must be symmetrical. Meaning, that although the Aseres Bnei Haman have different amount of letters in their names, still, when the *sofer* writes it he must make their names appear

equal in length, throughout the column. '*Oriach al gabei oriach*' refers to the short words *v'es v'es v'es* and '*levainoh al gabei levainoh*' refers to the longer words, the names.

The *Bach*, *Beis Yosef* and others bring down both Rashi and *Tosfos* and cite no preference. The *Mishnah Berurah* uncharacteristically and without mentioning any precedent from earlier sources seems to side with Rashi. In *Shaar HaTziyon* he brings only Rashi and makes no mention of another *pshat*.

### **Reasons why a *Megillah* which isn't *kiflayim min haksav* is kosher**

However, and although it might seem that most *megillos* might be problematic according to the *Mishnah Berurah*, nevertheless, many contemporary *poskim* explain that even if a *Megillah* is lacking *kiflayim min haksav*, this detail cannot invalidate the *Megillah* due to various reasons, including:

1) The Rambam doesn't make any mention of such a requirement when writing the Aseres Bnei Haman. (See *Maggid Mishnah*, 2:12 who wonders why the Rambam makes no mention of *halachos* pertaining writing the Aseres Bnei Haman. See also *Sefer HaKovetz* who attempts an explanation.)

2) Although the *Tur* and *Shulchan Aruch* imply that they follow Rashi's opinion, they only write that there must be a noticeable space, and make no mention of a double spacing obligation. Additionally, none of the later *poskim* (from the *Chayei Adam* through to the *Kaf HaChaim*) mention such a prerequisite either.

3) Most other *rishonim* seem to follow Rabbeinu Tam's position, and not Rashi's (see for example, *Ran*, *Rashbah* (*Shu"t* 1:435), *Ravya* (*Megillah* pg. 253)).

4) Many *halachos* pertaining to writing *megillos* are gleaned from the *halachos* of writing a *sefer Torah*, and such a clause is not mentioned there. (The *Megillah* itself is referred to as a *sefer* in *Megillas Esther* (9:32)).

5) It is quite possible that Rashi, and therefore the *Mishnah Berurah*, did not truly intend that the spacing needs to be exactly double, rather that it just needs to be noticeably larger than the text.

The *Shach* (*Yoreh Deah* 275:7), when explaining what an '*oriach*' and '*levainoh*' are, writes the '*levainoh*' has to be bigger than an '*oriach*', and not that it needs to actually be double. Similarly, the *Rosh Yosef* (*Megillah* 16b) writes that according to Rashi the space does not have to be actually double the size of the text, rather noticeably larger. Interestingly, the *Tzemech Tzedek* (*Shu"t* 206:3) maintains that Rashi meant to include all blank space of the

entire page of the Aseres Bnei Haman that all accumulate to be at least double the amount of text.

6) Even if we understand Rashi to mean that the space must be double, it's not clear that Rashi meant it should invalidate the *Megillah*, perhaps he only meant it as a mitzvah *min hamuvchar*.

Therefore, many contemporary *poskim*, including the *Netziv*, the *Har Tzvi*, the *Minchas Yitzchok*, the *Shevet HaKehasi*, and Rav Ovadia Yosef all conclude that although it might be considered a mitzvah *min hamuvchar* to obtain a *Megillah* that is written *kiflayim min haksav* - taking Rashi's opinion into account, if a *Megillah* does not, it is still 100% perfectly kosher to be used.

On the other hand, Rav Yisrael Yaakov Fischer maintained that as the majority of *rishonim* argued on the *inyan* of *kiflayim min haksav*, the halachah certainly follows them, therefore, *kiflayim min haksav* is practically deemed unnecessary, and isn't even required to fulfil a mitzvah *min hamuvchar*.

Conversely, several contemporary *poskim*, including Rav Moshe Shternbuch, as well as those mentioned previously, wonder why more *megillos* worldwide are not written to satisfy the *Mishnah Berurah's* opinion *lechatchila*.

Additionally, Rav Yosef Shalom Elyashiv was extremely *makpid* about hearing *krias haMegillah* from one written *kiflayim min haksav*. Moreover, it is rumoured that after Rav Aharon Kotler was *niftar*, his *talmidim* checked his *Megillah* and upon finding that it was not written *kiflayim min haksav*, had it redone to satisfy the *Mishnah Berurah's* opinion *lechatchila*.

[It is known that Rav Yosef Shalom Elyashiv was extremely *makpid* about the *Megillah* being written *kiflayim min haksav*. According to his *talmidim*, Rav Nochum Eisenstein and Rav Dovid Aryeh Morgenstern, Rav Elyashiv held that it would be very *b'dieved* to hear *krias haMegillah* from a *Megillah* that does not take this into account and could possibly even be *me'akev*.]

(Most of the above was taken from a Halachic write-up written by R' Yehudah Spitz)

### **The proper time to eat the Purim seudah**

While some fulfil their *chiyuv* to eat Purim *seudah* with breakfast on Purim morning, others just about wash before *shkiah*. When is the proper time to eat the Purim *seudah*, and why?



## **Rema**

The *Rema* (*Orach Chaim* 695:2) writes that the Purim *seudah* should be eaten after *Mincha* and most of the meal should be eaten during the day, before nightfall. One who wishes to eat it in the morning is permitted to do so.

The *Magen Avraham* explains, since the morning hours are usually devoted to the other *mitzvos* of Purim – hearing the *Megillah* and giving out *matanos l'evyonim*, the *seudah* is postponed until after *Mincha*. The Gaon adds, since most people are not finished their other activities before it is time to *daven Mincha*, and once the time for *Mincha* has arrived one is forbidden to start a long meal before davening, the *seudah* only takes place after *Mincha*.

This explains why the *Rema* permits eating the meal in the morning if one so wishes. If the time for *Mincha* has not yet arrived, one is permitted to wash for a large meal, and he is not obligated to be concerned he might become inebriated and forget to daven *Mincha* (unless it is a high possibility, in which case it is preferable to daven *Mincha* before the *seudah*).

The *Mishnah Berurah* (695:9) quotes the *Shlah* (*Maseches Megillah, Ner Mitzvah, 9*) and *Eliyahu Rabbah* (695:4) who maintain that the preferable time for eating the *seudah* is in the morning.

### **Why is it preferable to eat the *seudah* in the morning?**

The simple answer is *zerizim makdimim l'mitzvos*, those who are alacritous – rush to do *mitzvos*. Extenuating circumstances might arise and the *mitzvah* could then be lost. Therefore, one who loves the *mitzvos* and wishes to display his joy and excitement with them, rushes to perform each *mitzvah* as soon as possible. This is especially true on Purim, when many things can happen, and one might find himself at the end of the day, drunk and sleeping, without having eaten a proper Purim *seudah* of bread, meat and wine.

Another reason is mentioned in the *Shlah* (*Maseches Megillah, Ner Mitzvah, 9*): The *seudah* commemorates the feast Esther served Achashveirosh and Haman, which surely was held during the morning hours, as kings customarily eat in the morning (see *Koheles* 10:16). Haman was hanged during this banquet, therefore the morning hours are the appropriate time for the Purim *seudah*.

The *Kaf HaChaim* (*Orach Chaim* 695:23) quotes the *Siddur HaRashash* that according to *kabolah* one should eat his Purim *seudah* in the morning. The *Shlah* adds, that postponing the *seudah* to the late afternoon results often with missing the *mitzvah* of night time *krias shema* and *Maariv* (due to obvious reasons).

Rabbi Seraya Devlitzky in his *sefer* on Purim Meshulash (see footnotes on first *perek*) offers another reason: The fundamental part of the Purim *seudah* is becoming drunk during the meal to a degree of mixed comprehension — not knowing the difference between “*orur Haman*” and “*boruch Mordechai*”. Today, many people cannot tolerate wine and prefer to follow the *Rema*’s leniency of sleeping instead of drinking to reach the required state of mind, eating the *seudah* late in the day will not allow for enough time to sleep on Purim.

The *poskim* mention the *Terumas HaDeshen* (110); the Gaon (*Maaseh Rav*, Purim 248); *Pri Megadim* (695:5) and others, who were all careful to eat their Purim *seudah* in the morning.

### Eating in the afternoon

Even though we mentioned many sources which say that one should eat his Purim *seudah* in the morning most people eat their Purim *seudah* late in the afternoon. This timing, as we mentioned previously, is cited in the *Rema*.

The *Terumas HaDeshen* was asked about this *minhag*, especially in relation to those who barely wash before *shkiah* and eat most of their *seudah* at night. He responded as follows:

Eating and rejoicing on the 15<sup>th</sup> of Adar is also part of *simchas* Purim. He proves this from a *Riva* who *paskens*: damage caused by pranks that are deemed acceptable by the local authorities are not required to pay for damages starting from the first reading of the *Megillah* (on the night of Adar 14<sup>th</sup>) until the end of the night of the 15<sup>th</sup>, i.e. – two nights and one day. Hence, there seems to be a continuation of *simchas* Purim also on the night of the 15<sup>th</sup> of Adar.

The question, however, still remains: The mitzvah of eating the Purim *seudah* can only be observed during the day. Although rejoicing may pertain to Purim night, why should the main part of the meal not have to be during the day? The *Terumas HaDeshen* answers, because during the day people are busy with the other *mitzvos* and eating early will not allow them to enjoy their meal properly, therefore, people delay the meal until they are finished with their other obligations.

It still remains a question if this is a proper practice. The *Terumas HaDeshen* proves it is permissible, from a *Tosfos* in *Chullin* (83a) which writes that on the first day of Succos people customarily eat a smaller meal than on other Yomim Tovim because they are busy before Yom Tov preparing the *succah* and buying their *arbah minim*. This serves to prove that when busy with a mitzvah, one can make a smaller *seudah* than appropriate.

Although the *Terumas HaDeshen* justifies the *minhag*, he writes that his own Rebbe's, as well as the ancient Jewish communities on the Rhine, would customarily eat Purim *seudah* in the morning.

*L'halachah*, the *Rema* follows the *Sefer HaMinhogim* ruling that the *seudah* should be eaten after *Mincha*, while at the same time ensuring that most of the meal is eaten during the day. (This deviates from *Terumas HaDeshen's* ruling who justifies those who eat most of the meal after nightfall.) The *Magen Avraham* writes that this ruling also follows the *Terumas HaDeshen's* second reasoning – the meal is postponed to enable people to eat it joyfully without other concerns and distractions.

## Summary

Due to various reasons mentioned above, it is preferable to eat the Purim *seudah* before midday. However, since there are many *mitzvos* and people are busy on Purim, if they eat the meal in the morning they will not be able to eat calmly and rejoice properly. Therefore, it has become accepted to eat the *seudah* in the afternoon. Since it is already time for *Mincha*, one must first daven *Mincha* and only then wash to eat. Despite the many obligations and *mitzvos* of Purim, one must make sure to start the meal early enough so most of the *seudah* will be eaten before *shkia*. Postponing the *seudah* until just before *shkia* is improper.

R' Moshe Shternbuch (*Moadim U'Zmanim* 2:190) writes that one must have eaten meat and drunk wine before *shkia* on Purim because that is the core obligation of the mitzvah of *seudas* Purim.

One who is organized enough to sit down to a calm, joyful feast before *chatzos* [noon] merits performing the mitzvah of *seudas* Purim in the ultimate fashion.

In earlier times, when all food preparation had to be done on the same day and the mitzvah of *matonas l'evyonim* and *mishloach manos* was mainly preparing and delivering food to those who lacked it, there was indeed a lot of hassle involved in the *mitzvos* of Purim. Today, however, most things can be prepared ahead of time. The mitzvah of *matonas l'evyonim* is best performed by giving money to the local *tzedakah* funds who deliver it to the poor in an honourable fashion, preferably earlier in the day so they can use the money towards buying food for the Purim *seudah*. *Mishloach manos* can be prepared before Purim, and in general, there is much less work involved in the *mitzvos* than there was in the past. While eating during the morning may not be feasible, after an early *Mincha* it is usually possible to sit down to a leisurely, joyous feast.

Eating earlier in the day is especially recommended for families with young children who often find themselves forced to keep the little ones occupied if mealtime is scheduled for the later part of the day.

### **Waking up early**

The *Magen Avraham* (693:2) and *Mishnah Berurah* add that on Purim one should arise especially early for *Shacharis*. The *Machatzis HaShekel* explains that there are many *mitzvos* on Purim, and *Shacharis* is longer than usual. Therefore, one must rise earlier than usual, to allow enough time for proper mitzvah performance in order that he can perform the *mitzvos* of the day in a calm and joyful manner.

Indeed, many have the *minhag* to arise early and daven *vasikin* on Purim. Immediately after *Shacharis* one can send his *matonas l'evyonim* to the *shul tzedokah* coordinators or send an envelope to a needy acquaintance, and then, after distributing *mishloach manos*, one is free to begin the *seudah* at a decent time, as required by halachah.

### **Purim seudah on Friday**

The above is true on a regular year, when Purim falls in the middle of the week. However this year, when Purim falls on Friday (in walled cities), the *halachos* are different.

The *Rema* (*Orach Chaim* 695:2) writes, when Purim falls on a Friday, the *seudah* must take place in the morning before midday. The *Sefer HaMinhogim* (*Tirnavu*, Purim) explains, that eating the Purim *seudah* after midday on Friday will detract from the honour of Shabbos. Even one who is able eat two meals will not be eating the second with too much enthusiasm. Therefore, one should ensure the Purim *seudah* is eaten early enough to allow him to develop an appetite for the Shabbos *seudah* in the evening.

The *Mishnah Berurah* writes, *lechatchila* the *seudah* should take place in the morning. However, if midday has passed and the *seudah* has not yet been eaten, one can rely upon the *Maharil's* opinion (56) that the meal can be eaten on Friday until the end of the 9<sup>th</sup> hour of the day (a time known as *Mincha ketanah* – the halfway point between noon and sundown). The *Mishnah Berurah* quotes the *Yad Efrayim* who says that before the 10<sup>th</sup> hour it is still preferable to wash and eat bread, rather than fulfilling the obligation of the Purim *seudah* with other foods.

If the 10<sup>th</sup> hour has passed, the *Shulchan Aruch* (*Orach Chaim* 249:2) and *Mishnah Berurah* write that in extenuating circumstances it is permitted to eat a Purim *seudah* of the same amount he would have eaten at that time on a weekday, since it is a *seudas* mitzvah. One should nevertheless be careful not to eat or drink too much so as not to ruin his appetite

for the Friday night *seudah*. An egg-size slice of bread and an olive-size piece of meat will suffice in this case.

### **Purim *seudah* — kiddush – Shabbos meal**

The *Beis Yosef* (695) brings from the *Orchos Chaim* two possible times for the Purim *seudah* when Purim falls on Friday – one possibility is eating the *seudah* on Friday morning as mentioned above. Another option is eating the *seudah* close to Shabbos, and then when Shabbos comes — spreading a tablecloth in honour of Shabbos, reciting kiddush, and continuing the meal. This results in one long meal beginning on Purim and continuing onto Shabbos.

The *Rema* writes (*Darkei Moshe*) that our *minhag* is only to eat the *seudah* on Friday morning. This seems to follow the ruling of the *Maharil* (*Perek* 56). Although it is permitted, we don't usually follow the practice of eating one long meal. Nevertheless, wherever this *minhag* is accepted, one can rely on it. However, where it is not accepted, if one was unable to eat in the morning, he should eat a small amount of bread, meat and wine for the Purim *seudah*, leaving ample appetite for the Shabbos *seudah*. Then, on Friday night, he should recite kiddush and eat a regular Shabbos meal.

### **Children and the mitzvos of Purim**

In general, the halachah is that although girls below the age of twelve and boys below the age of thirteen are exempt from observing *mitzvos* (*Mishnah Avos* 5:21; *Niddah* 52a), there is a *chiyuv de'rabonon* on the father to train his children to perform *mitzvos* (*Chagigah* 4a). This follows the majority of *poskim*. There are those who maintain that the mother is obligated to train her children as well (see *Mishnah Berurah* 343:2). Not only does this responsibility exist in regards to *mitzvos de'O'raisa* such as *shofar*, *succah* and *arbah minim*, it also applies to *mitzvos de'rabonon*. Included in this latter category are all of the *mitzvos* of Purim: *kri'as HaMegillah*, *mishlo'ach manos*, *matonas l'evyonim* and *seudas Purim* (*Pri Megadim* 695, *Eishel Avraham* 14).

The *chiyuv chinuch* begins at “*gil chinuch*” – the “age of training.” Generally speaking, for most *mitzvos* this is when the child is old enough to understand the mitzvah he is performing. This being the case, each child will have his own *gil chinuch* for each mitzvah (*Succah* 42a; *Magen Avraham, Shulchan Aruch* 343:3).

### ***Krias HaMegillah***

The *Shulchan Aruch* (*Orach Chaim* 689:1) *paskens* that everyone, including men and women, are obligated in the mitzvah of reading the *Megillah*, and *מחנכים את הקטנים לקרותה* - “one should train children to read it.” Although the *Mechaber* specifies reading

the *Megillah*, a child, like anyone else, fulfils the mitzvah by listening to the *Megillah* reading (*Biur Halacha*).

This halachah that one must train children to read the *Megillah* creates a difficulty with a subsequent halachah. The *Mechaber* later writes: מנהג טוב להביא קטנים וקטנות לשמוע – “it is a proper custom to bring children to hear the *Megillah* reading” (689:6). If one must train his child to read or listen to the *Megillah*, then why is it merely a מנהג טוב – “proper custom” to bring children to hear the reading?

The Chofetz Chaim explains, that in order to fulfil one’s *chiyuv* of *chinuch*, it is sufficient to read the *Megillah* for him at home. However, in order to publicize the Purim miracle, it is “a proper custom” to bring the children to *shul* in order to hear the *Megillah* publicly (*Biur Halacha* 689).

In order to publicize the miracle and keep the children’s interest in the *leining*, there is a custom for the congregation to read four *pasukim* out loud. These *pasukim* are: “*Ish Yehudi...*” (2:5), “*u’Mordechai yotza...*” (8:15), “*La’Yehudim...*” (8:16), “*Ki Mordechai...*” (10:3). These four *pasukim* were chosen because they signify the beginning and the end of the *nes* (*Levush* 689:3). The *Eliyahu Rabbah* (689:3) adds, that when the child notices that these four *pasukim* are given special significance, it encourages him to ask for the reason, thereby giving the parent the opportunity to relate the miracles that Hashem performed.

The mitzvah of *chinuch* dictates that one should see to it that his child hears the *Megillah* reading, and this should be the reason why the child comes to *shul*. However, there is no mitzvah of *chinuch* or otherwise to bring a child to *shul* in order to bang for Haman. Additionally, if the child is not old enough to sit quietly throughout the reading and he will disturb the other participants, that child has not reached *gil chinuch* and it is best if he stays at home (*Magen Avraham* 689:11; *Mishnah Berurah* 17-18).

### **Who should watch the baby?**

The *poskim* discuss an interesting scenario: A family with two children, ages eleven and two. It is Purim night and time to go hear the *Megillah*. The two year old cannot be brought to *shul* since he will disturb the reading. Where someone will come later to read the *Megillah* for the one who cannot go to *shul*, who should remain home to watch the toddler – the mother or her eleven year old son?

Some *poskim* maintain that the eleven year old should go to *shul* while his mother remains home. In order to understand this, we must point out that there are actually two separate *mitzvos* at work here. There is the mitzvah of hearing the *Megillah* and there is an additional mitzvah of “*b’rov om hadras melech*” – that it is preferable to perform a

mitzvah along with a large group, in this case, to hear the *Megillah* reading in *shul*. With regards to our question, the mother has a greater *chiyuv* to hear the *Megillah* than her eleven-year-old child. This is because, as an adult, she has a mitzvah *derabonon* to hear the *Megillah*, while a child that has reached *gil chinuch* does not. (Although technically speaking, such a child is obligated *mi'd'rabonon* to hear the *Megillah* because of *chinuch*, it is a lower-level *chiyuv* than an adult's. An adult has a first-level responsibility to perform the mitzvah *derabonon*, while a child has a mitzvah *derabonon* to perform another mitzvah *derabonon*).

On the other hand, when it comes to the mitzvah of "*b'rov om hadras melech*," the eleven-year-old boy has a greater *chiyuv* than his mother. The reason is, since he will be obligated to perform *mitzvos "b'rov om"* when he becomes an adult, he is also obligated now because of *chinuch* reasons. However, a woman is exempt from the mitzvah of *b'rov om hadras melech*. This is because of the concept of "*kol kevudah bas melech penimah*," that the most honourable place for a *bas melech*, a Jewish woman, is indoors, away from the public eye (*Shu"t Chelkas Yaakov* 3:144).

Others contend that the mother should go to *shul* and the eleven-year-old boy should baby-sit his younger sibling. The reason for this is that there are opinions amongst the *poskim* that *lechatchilah*, a woman should not read the *Megillah* herself, rather she should hear it from a man. (See *Rema* 689:2 and *Magen Avraham* 6 in the name of *Medrash HaNe'elam*.) Regarding a child, on the other hand, we quoted the *Shulchan Aruch* earlier as saying that a child should be trained to read it. Therefore, a woman has a greater *chiyuv* to hear the *Megillah* than a child. Since this is true, it is the woman who should go hear the *Megillah* reading in *shul*, while the eleven year old stays home (*Shu"t Mishneh Halachos* 4:82).

### ***Mishloach manos and matonas l'evyonim***

Regarding the *mitzvos* of *mishloach manos* and *matonas l'evyonim* we will broaden our discussion to include other household members aside from children under the age of bar or bas mitzvah. The reason for this is because the halachah in many places is the same for both groups. Let us discuss the following household members: 1) The head of the household (if not the man, then the woman); 2) the wife; 3) household members over the age of bar or bas mitzvah who earn their own money; 4) those that do not; and 5) minor children.

The head of the household, whether a man or a woman, is obligated in the *mitzvos* of *mishloach manos* and *matonas l'evyonim* (*Shulchan Aruch* and *Rema* 695:4). If the husband is the head of the house, there is a *machlokes haposkim* whether the wife is obligated in these *mitzvos*. Some maintain that she is because women were included in

the miraculous salvation. Others hold that anyone who is dependent on someone else for his or her sustenance is exempt from these *mitzvos*. Generally speaking, most wives are included in this category, even if they are breadwinners. However, it is actually a moot point, since most *poskim* anyway contend every woman should be stringent and perform these *mitzvos* (*Magen Avraham* 695:12).

The third type of household member, those over the age of bar or bas mitzvah who earn their own money, are certainly obligated in these *mitzvos*. Since the money they have is their own, there is no reason to exempt them and they must use these funds for the *mitzvos* (*Shu"t Kinyan Torah*, 1:132).

People of the fourth category, adult household members who do not earn their own money, are very similar to the second category, wives. On the one hand, they are adults and *mechuyav b'mitzvos* [obligated in *mitzvos*], but at the same time they have nothing of their own and how can we obligate them? Here also there is a *machlokes haposkim*, but it is proper that they be stringent and perform these *mitzvos* regardless (*Magen Avraham* 695:12 and *Chayei Adam* 155:33).

### **Supplying the goods**

Before turning to the last category, let us briefly discuss how one should assist his wife and adult household members in performing their obligations. As we mentioned, *lechatchilah*, a wife and adult household members should send *mishloach manos* and *matonas l'evyonim*. The question is, how should they go about this? Technically speaking, according to halachah, most items in the house belong to the husband. May one take foodstuffs and money from the head of the house in order to perform the *mitzvos*?

Some maintain that although the head of the house doesn't mind if food and money are taken for these purposes, nevertheless, before sending the *mishloach manos* or *matonas l'evyonim*, one should *lechatchilah* perform a *kinyan*, an act of acquisition on the item he wishes to use. This is accomplished by raising it a height of three *tefachim*. If one sent the *manos* or the *matanos* without having done so, he has fulfilled his obligation (Rav Chaim Kanievsky, quoted in *Kitzer Dinei Purim* pg. 40 #1 and Rav Yosef Shalom Elyashiv, quoted in *Toras HaMoadim* pg. 21 #8).

Others contend that unlike the mitzvah of *lulav* where there is a concept of "*lochem*" – that the item must be owned by the one performing the mitzvah, there is no such requirement with *mishloach manos* and *matonas l'evyonim*. Since the head of the house does not mind, the household members may merely take what they need in order to perform the *mitzvos* (Rav Shlomo Zalman Auerbach, quoted in *Sefer Yismach Yisrael*, pg. 87, footnote #38; *Shu"t Shevet HaLevi*, 9:147).



## **Minors and *mishloach manos***

The last category of household members left to discuss is that of children under the age of bar or bas mitzvah. Although it would seem that they should be no different from the previous category of those who are over bar or bas mitzvah and have no money of their own, there is a very crucial distinction. When it comes to children over the age of bar or bas mitzvah, they are basically “on their own” in regards to mitzvah observance. Aside from the concept of “*tochacha*,” where one is commanded to rebuke any Jew who is not performing *mitzvos*, the father has no halachic responsibility to see to it that they perform the *mitzvos*. However, when it comes to children under bar or bas mitzvah, the father has a mitzvah *derabonon* to train them to perform *mitzvos*. Therefore, a father must see to it that his minor children send *mishloach manos* and give *matonas l’evyonim* (*Pri Megadim* 695, *Eishel Avraham* 14).

This produces a halachic oddity. According to some *poskim*, a father does not have to provide his adult children, who are *mechuyav* in *mitzvos*, with the wherewithal to perform them. On the other hand, for his minor children, who are technically exempt from the *mitzvos*, he does.

### **Sending *mishloach manos***

Many people fulfil the mitzvah of *mishloach manos* by sending food packages with an agent. This is done in order to fulfil the literal reading of the *pasuk*, ומשלוח מנות – “and sending portions.” However, the *poskim* discuss whether sending them with an agent is required or simply a custom (*Mishnah Berurah* 695:18). The consensus of the *poskim* is that it is preferable, but not required to use an agent (*Hilchos Chag B’Chag* 13:8).

### ***Shlichus* and a minor**

One of the rules of *shlichus* is that a minor does not have the capability to appoint someone as his *shliach*, nor may he function as the *shliach* for someone else. For example, one may not appoint a minor as an agent to separate *terumah* and *ma’aser* from his produce.

The *poskim* discuss, if one may send a child under the age of bar or bas mitzvah to deliver the food package. As we mentioned, according to some opinions, one fulfils the mitzvah of *mishloach manos* by sending food packages to a friend or neighbour. If so, perhaps one may not appoint a child to do this task, since a child cannot become a *shliach*.

However, the consensus of all the *poskim* is that one may appoint a child to deliver *mishloach manos*. If the mitzvah of *mishloach manos* would have obligated a person to actually give food packages himself, then it could be argued that one’s agent would have

to meet all the prerequisites of *shlichus*, thereby disqualifying minors. But since the mitzvah of *mishloach manos* is to send packages through a third party, it makes no difference how it is sent (*Chiddushei Chasam Sofer, Gittin 21b; Mekor HaChaim [Chavos Yo'ir] end of chap. 692; Da'as Torah 695*).

### **The Purim seudah**

On Purim there is a mitzvah to eat a festive meal in order to commemorate the miracle that took place. This mitzvah applies to both men and women. Is there a *chiyuv chinuch* on this mitzvah?

Based on a comment of the Vilna Gaon on a *pasuk* in *Megillas Esther* (9:28), some contend that perhaps not. The *pasuk* says: וימי פורים האלה לא יעברו מתוך היהודים וזכרם לא יסוף - מזרעם - "and these days of Purim shall not be revoked from amidst the Jews, and their memory shall not cease from their seed." The Gaon is troubled by two points: 1) What is the difference between the phrase וימי פורים האלה - "these days of Purim," and the phrase, וזכרם - "their memory"?; 2) Additionally, why in the first part of the quote does the *pasuk* refer to היהודים - "the Jews," while the later part speaks of מזרעם - "their seed"?

To reconcile these difficulties he explains that, "these days of Purim" refer specifically to the Purim *seudah*, while "their memory" hints to the reading of the *Megillah*. Also, the phrase "the Jews" refers to adults, whereas "their seed" refers to children under the age of bar or bas mitzvah. Therefore, the *pasuk* is to be understood as follows: "And these days of Purim," i.e., *simchas Purim* and *seudas Purim*, "shall not be revoked from amidst the" adult "Jews," i.e., over the age of bar or bas mitzvah, "and their memory," the *Megillah* reading, "shall not cease from their seed," i.e., those who are minors (see section on *Megillas Esther* for a fascinating *pshat* in the Gaon).

This indicates that underage children are only obligated to hear the *Megillah* reading and they do not need to participate in the Purim *seudah*. Rav Moshe Shternbuch (*Moadim U'Zemanim*, 2:190 in a footnote) explains that a father is only obligated to train his children to perform *mitzvos* that are action-oriented, e.g., **sit** in a *succah*, **shake** a *lulav*, **eat matzah**. However, regarding *mitzvos* that are dependent on thoughts or emotions such as *simchas Purim*, remembering the miracles and thanking Hashem for His salvation, a father does not have to train his child. This is because a child does not have the emotional maturity required for such *mitzvos*.

Other *poskim* do not differentiate between action-oriented and thought-related *mitzvos* and maintain that a father must train his children in the mitzvah of Purim *seudah* just as he must train them to do other *mitzvos*. This is especially true, since "they were also included in the miracle" (*Yismach Yisrael* 28:8).

## Costumes

A common type of Purim costume, especially for children, is to dress girls as boys and boys as girls, either partially or completely. The question that needs to be discussed is whether this is permitted.

This is not a new issue, but is something that had already been debated by the *rishonim*, as this custom existed even then. One *rishon* writes that: “*Gedolim* and *chasidei olam* saw their sons, daughters, sons-in-law and daughters-in-law... change their clothing from men’s clothes to women’s and vice versa. And if there would have been the slightest sin involved, *cholilah* that they should be silent and not protest” (*Shu”t Mahari Mintz*, #15).

The Torah warns (*Devorim* 22:5): אשה ולא ילבש גבר שמלת אשה - “A man’s attire shall not be on a woman, nor may a man wear a woman’s garment.” Although this would indicate that one may never wear any garment belonging to the opposite gender, some *rishonim* maintain that it all depends on one’s intent. It is only forbidden if one does it in order to sit among members of the opposite gender or if one’s intention is to commit a sin. Being that when one dresses this way on Purim his intention is for *simchas* Purim, it is permitted (*Mahari Mintz*).

Another reason to be lenient is based on what was an accepted practice during the time of the *rishonim*. During that era they had an interesting method of entertaining the *chosan* and *kallah* at their wedding: young men riding horses would have a jousting match! The halachah is that if they tore each other’s clothing while doing so, they are exempt from paying damages, since they were doing so because of *simchas chosan*. Based on this, the *rishonim* maintain that if someone damages someone else’s property due to *simchas* Purim, he is likewise exempt (see section “Is one obligated to pay for damage caused on Purim”).

With regards to wearing clothing of the opposite gender, some *rishonim* rule leniently with the contention that if we “permit” one to transgress the Torah prohibition of stealing because of *simchas chosan* or *simchas* Purim, i.e., damaging someone’s property, as mentioned previously, we should likewise allow one to be lenient with the prohibition of men wearing women’s clothing.

Other *rishonim* however, disagree, and contend that *simchas* Purim is not a sufficient reason to relax prohibitions (See *Darkei Moshe*, *Orach Chaim* 696). The *Rema* quotes both opinions and concludes that the *minhag* is to follow the lenient opinion. This is also the view of many of the *poskim* (*Levush* 696; *Mateh Moshe* 1014).

However, other *achronim* disagree with the *Rema* and the basis for the lenient ruling. They quote other *rishonim* who forbid the practice of wearing clothing of the opposite

gender in order to entertain the *chosan* and *kallah* during a *chasunah*. Thus we see that even for the purposes of *simcha* one may not be lenient in this prohibition.

Additionally, the fact that one is not liable for damaging someone's clothing during *simchas chosan* or *simchas Purim* is not a reason to permit other prohibitions. When it comes to monetary claims, there is a concept called, "*hefker beis din, hefker*" – *beis din* has the authority to declare someone's property ownerless. Therefore, if someone damages property during *simchas chosan*, the property owner cannot claim damages because *beis din* has in effect declared that item ownerless before it was damaged. With regards to other prohibitions however, there are no such dispensation (*Bach, Orach Chaim* 696, quoting Rabbeinu Eliezer mei'Mitz; *Taz, Yoreh De'ah* 182:4).

The *Mishnah Berurah* (696:30) quotes the stringent opinion and writes that one should abolish the *minhag* of wearing clothing of the opposite gender. However, he quotes the ruling of the *Pri Megodim* that one should not protest upon seeing a person who is otherwise properly attired but he is also wearing one article of clothing of the opposite gender. Yet, he concludes with the words of the *Shlah HaKodosh*, that one should distance oneself from such things.

There is a disagreement among contemporary *poskim* whether one may dress a child under the age of bar or bas mitzvah in clothing of the opposite gender. Some maintain that it is forbidden because of the mitzvah of *chinuch* and one may not put his child in a position where he will transgress an *issur* (*Dinim v'Hanhagos l'Chazon Ish* 21:10; *Shu"t Yechave Da'as* 5:50; *Shu"t Mishneh Halachos*, 3:148).

Others contend that since the *Rema* holds that the *minhag* follows the lenient opinion, there is no prohibition in dressing children in this manner (*Sefer HaKotah v'Hilchosov* 34:10).

### **Purim and chinuch**

What was the situation of the Jews during the time of Mordechai and Esther? They all went to Achashveirosh's feast. A feast whose purpose was to celebrate the fact that, according to their reckoning, the Jews would no longer leave *golus*. A feast where the utensils of the *Beis HaMikdash* were used with impunity. A feast during which Achashveirosh donned the garments of the Kohen Gadol. Additionally, the Jews of that generation were guilty of *avodah zorah*, and Haman accused them of "sleeping" in their mitzvah observance (*Yalkut Shimoni* Esther 1056).

However, during this dark and confusing period there was one household that stood out: the home of Mordechai HaYehudi! He took in his orphaned niece and raised her as his own. He succeeding in training her to such a degree that even after she became the ruler

of one hundred and twenty-seven countries, nevertheless she remained faithful to everything Mordechai commanded her to the same degree as when she was in his home. It was through this *chinuch* that the salvation came to Klal Yisroel (*Sefer Divrei Agadah* [Rav Yosef Shalom Elyashiv] pg. 474).

We discussed above the parent's obligation to train his child in the *mitzvos* of Purim. However, one must keep in mind that a parent's role in *chinuch* goes well beyond the actual *mitzvos* that the child does. Parents must also see to it that their children keep the "fifth portion of the *Shulchan Aruch*" – how a Jew must appear and act in public. This is all the more so true on Purim. *Chazal* tell us that whenever there is a great amount of *kedusha*, the *yetzer horah's* powers also increase. Purim is a day saturated in *kedushah*. We must be vigilant that our children not only have a Purim that is *somayach*, but that they should also have a Purim that is kosher!

### **Sending *mishloach manos* which in your opinion is not a reliable *hechsher* to someone who holds it is, or vice versa**

A very common Purim scenario is: One may receive an elaborate *mishloach manos* on Purim that contains an item or two that has a *hechsher* the recipient doesn't wish to rely on. Then someone unexpected knocks on the door and gives you a *mishloach manos*. He wasn't on your list and you feel the need to reciprocate, so you quickly put a *mishloach manos* together from the one you just received (make sure to take out the note!). The second person eats the *hechsher* that you don't hold of, can you give him these food items or is it considered *lifnei iver* [placing a stumbling block in front of a blind man] as you personally hold these items are not kosher. This *shailah* is especially particularly *nogea* [applicable] this year in Eretz Yisroel during *shemittah*. Where there are many things which some people are particular about and some people are not, such as *yevul nachri*, produce from *aravah tzefonit*, produce with *kedushas sheviis* and produce grown using *heter mechira*. What's the halachah if someone receives something with a *hechsher* from a Rov who holds of something, which he personally doesn't agree with, can he give away the food item to his friend who he knows does hold of it?

Similarly the *shailah* goes the other way round as well. Can a person use in his *mishloach manos* something that he holds is good if he knows his friend holds it's not. For example, Reuven holds that it's ok to use flour made from produce that comes from *aravah tzefonit*, however, his friend Shimon is very *makpid*. Is Reuven allowed to bake cakes using such flour and then send them to his friend Shimon for *mishloach manos*? or is it considered *lifnei iver*, since his friend holds it's not good?

## Gemara in Succah

We will discuss the second *shailah* first. The case where Reuven holds it's good, whereas his friend Shimon holds it's not. There is a Gemara in *Succah* (10b) which says as follows: אתמר נויי סוכה המופלגין ממנה ארבעה רב נחמן אמר כשרה רב חסדא ורבה בר רב הונא אמרי פסולה רב חסדא ורבה בר רב הונא איקלעו לבי ריש גלותא אגנינהו רב נחמן בסוכה שנוייה מופלגין ממנה ארבעה טפחים אשתיקו ולא אמרו ליה ולא מידי אמר להו הדור בהו רבנן משמעתייהו אמרו – There is a *machlokes* if decorations that hang more than four *amos* from the *sechach* disqualify a *succah* or not. R' Nachman holds they don't and R' Chisda and Rabbah bar Rav Channah both hold that they do. R' Chisda and Rabbah bar Rav Channah went to visit the Reish Galusa, R' Nachman seated R' Chisda and Rabbah bar Rav Channah in a *succah* where the decorations were hanging more than 4 *tefochim* away from the *sechach* and R' Chisda and Rabbah Bar Rav Channah were quiet and didn't say anything. R' Nachman then said: "Can I imply that you have retracted your original positions?" They responded: "We are exempt from *succah* as we are busy with a *mitzvah*. If however we would be obligated in *succah* we wouldn't be sitting here."

The question is how could R' Nachman sit R' Chisda and Rabbah bar Rav Channah in a *succah* which according to what they held was disqualified. R' Nachman never knew they were *shaluchay* mitzvah [busy with a mitzvah], he thought they were obligated in *succah*, so how was he allowed to sit them in such a *succah*? Not only would he be causing them to eat outside the *succah* (according to what they held), he is even causing them to make a *berachah* of '*leishev*' *levatolah* [in vain]?

The *Ritva* says: יש אומר דמהא שמעינן שהמאכיל לחברו מה שהוא מותר לו לפי דעתו ומאכילו אין בזה משום לפני עור לא תתן מכשול ואע"פ שידוע בחברו שהוא אסור לו לפי דעתו וחברו בעל הוראה – "some say that from here we see, someone who feeds his friend something that he holds is permitted has no *issur* of *lifnei iver*, even if he knows that his friend holds it's forbidden, and his friend is a *baal horah* [legitimate *posek*]. The reason it's allowed is because the person giving the food is also a *baal horah* and he can rely on his own opinion".

According to the above there would be no problem for Reuven to give to Shimon a food item for *mishloach manos*, if Reuven holds it's a 100% kosher even if he knows his friend doesn't hold of the *hechsher*.

The *Ritva* himself however argues on the above. He says the case in *Succah* was different: אתמר נויי סוכה המופלגין ממנה ארבעה רב נחמן אמר כשרה רב חסדא ורבה בר רב הונא אמרי פסולה רב חסדא ורבה בר רב הונא איקלעו לבי ריש גלותא אגנינהו רב נחמן בסוכה שנוייה מופלגין ממנה ארבעה טפחים אשתיקו ולא אמרו ליה ולא מידי אמר להו הדור בהו רבנן משמעתייהו אמרו – "the decorations were low down and were hanging in the faces of R' Chisda and Rabbah Bar Rav Channah". They could see clearly that the decorations were hanging more than four *tefochim* from the *sechach*. Since they saw it and didn't make a fuss it must be they were ok with it. Since they weren't being misled, it was ok. But for

Reuven to mislead Shimon, even if Reuven holds it's a 100% kosher would be a problem. According to the *Ritva* it comes out, if it's recognisable, i.e. Reuven gives a food package with clear *hechsher* on, then it would be ok. If however Reuven gives Shimon something that's not easy recognisable e.g. he bakes bread with *aravah tzefonit* flour then it would be a problem.

Halachah *lemaseh* the *Pri Chodosh* (*Orach Chaim* 496) argues on the *Ritva* and sides with the *yesh omrim* (the first opinion of the *Ritva*). He *paskens* that one can give for *mishloach manos* something which he holds is kosher even if his friend doesn't. However, he concludes, that although there is no problem of *lifnei iver* it's still better not to.

### **The other way round**

What's the halachah in regard to the first *shailah*, when Reuven receives *mishloach manos* and doesn't trust the *hechsher* but knows that his friend Shimon does, is he allowed to give it to Shimon. Reuven holds it forbidden but his friend Shimon holds it's ok, is there any problem of *lifnei iver*?

The *Shaar HaMelech* (*Hilchos Ishus, Perek* 9) *paskens* that the above is *lifnei iver*. If Reuven holds something is forbidden then he can't give it to his friend Shimon who holds it's kosher. If someone is *makpid* on *cholav akum* and he receives *cholav akum* in his *mishloach manos*, and his friend Shimon holds it's ok to eat *cholav akum*, Reuven isn't allowed to give it to his friend Shimon. Since Reuven holds it's forbidden, it's *lifnei iver* for him give to his friend Shimon even if Shimon holds it's permissible.

There is a *machlokes* if it's permissible to smoke on Yom Tov, there is a *machlokes* if smoking is called *דבר השווה לכל נפש* – “something beneficial for all” or not. Some people hold it is, and therefore allow smoking on Yom Tov and others hold it's not and therefore forbid smoking on Yom Tov. If Reuven holds it is forbidden to smoke, is he allowed to give a cigarette to his friend Shimon? According to Reuven its *chillul* Yom Tov therefore it would be forbidden for him to give his friend a cigarette (see *Shaar HaMelech* who discusses a similar case).

The *K'Sav Sofer* (*Yoreh Deah* 77) argues on the above. He says, even if Reuven holds it's forbidden, since his friend Shimon holds it's ok, it can't be considered *lifnei iver*.

### **A rayah to the K'Sav Sofer**

R' Shlomo Zalman brings a *rayah* to the *K'Sav Sofer*, that if the receiver holds it's permissible there is no problem of *lifnei iver*, even if the giver holds it's forbidden.

The Gemara in *Bava Basra* (26a) brings down a story: רבא בר רב חנן הוו ליה הנהו דיקלי: רבא בר רב חנן הוו אתו צפורי יתבי בדיקלי ונחתי בפרדיסא ומפסדי ליה אמר ליה זיל אמיצרא דפרדיסא דרב יוסף הוו אתו צפורי יתבי בדיקלי ונחתי בפרדיסא ומפסדי ליה אמר ליה זיל קוץ – “Rava bar Rav Chanan had date trees bordering on Rav Yosef’s vineyard. Birds came to the trees and descended to the vines, and damaged them. Rav Yosef told Rava bar Rav Chanan to cut down the trees.” Then they argued if the distance one has to plant his vine from his friend’s border is the same as other fruit trees. Rava Bar Rav Chanan finally says: אמר ליה אנא לא קייצנא דאמר רב האי דיקלא דטעין קבא אסור למקצייה ואמר ר’ חנינא לא שכיב – “I will not cut them down”, as Rav said: “This palm tree that produces one *kav* is forbidden to be cut down”. And Rabbi Chaninah said: “My son Shichvas died only because he cut down a fig tree before it’s time”. Rava bar Rav Chanan continued: “If you (Rav Yosef) want to cut it down yourself then ok, but I will not do it.”

Asks, R’ Shlomo Zalman: What does Rava bar Rav Chanan mean, if he was scared to cut it down because of *sakonah*, how could he tell someone else to do it? We see from the above, that if Reuven holds something is forbidden, and his friend Shimon holds it permitted, Reuven can tell Shimon to do it. Since Shimon holds it permitted there is no *lifnei iver*. We see like the *K’Sav Sofer*, that if Reuven holds something is forbidden, however Shimon holds it’s permitted there is no *lifnei iver* to tell him to do it.

Therefore it comes out, if someone receives *mishloach manos* and doesn’t like the *hechsher* he may give it to his friend who does hold of the *hechsher*. According to the *Shaar HaMelech* one can’t, but according to the *K’Sav Sofer* and R’ Shlomo Zalman one can.

### **Giving *mishloach manos* from *shemittah* produce**

On Purim there is a requirement to give two food items to a friend, may one use *shemittah* produce to fulfil his obligation?

Several *poskim*, including the Ben Ish Chai, Rav Vosner, Rav Chaim Kanievsky, and the *Mishnas Yosef* maintain, since the mitzvah of *mishloach manos* is obligatory, sending *shemittah* produce for *mishloach manos* is akin to using *shemittah* produce to pay a debt, an action which should be prohibited under the rule of ולא לשכורה – “for you to eat and not for merchandise or commercial use”. This restriction includes paying a debt.

On the other hand, it is reported that the Steipler Gaon would send *mishloach manos* consisting of *shemittah* produce, as we may perform *mitzvos* with *shemittah* fruits. Other *poskim* who ruled this way include Rav Elazar Menachem Mann Shach, Rav Shlomo Zalman Auerbach, Rav Elyashiv, the Minchas Yitzchok, and Rav Nissim Karelitz. They



maintain that the obligation of a mitzvah, although binding, is nevertheless not considered akin to monetary debt to be excluded from proper *shemittah* uses.

It is important to note however, that even the *machmirim* agree that their proscription only applies to the first *mishloach manos* one gives/sends, as one is only truly obligated in giving just one set of foods to one person. After that first package, they allow giving all additional customary *mishloach manos* to others with *shemittah* produce, as the actual requirement has already been fulfilled.

It goes without saying that if one chooses to use *shemittah* produce as part of one's *mishloach manos*, one should always notify the recipient that the gift contains *shemittah* produce so they will know to treat it accordingly. Certainly while fulfilling a mitzvah, one would not want to *chas vesholam* be the cause of another's transgression.

## *Divrei Torah on Megillas Esther*

### The Special Kedusha of Purim and Megillas Esther

The Chasam Sofer (*Derashos*, Vol. 1, p. 164) says something so amazing about *Megillas Esther* that we can only believe it because someone as holy as the Chasam Sofer said it!. He says that the *Megillah*, because the Jews accepted it willingly, has so much *kedusha* that it is in some respect greater than the holy Torah itself, which was accepted with an aspect of force. This is despite the fact the Hashem's name doesn't appear in the *Megillah* even once. What could possibly be the meaning of such a shocking statement? What *kedusha* in *Megillas Esther* is the Chasam Sofer referring to?

Actually the Arizal (in his *sefer Pri Eitz Chaim*) says something equally amazing. He says that during the time of the Purim story, the Jews were privileged to *oiros* [spiritual lights] that the world had never seen before. Imagine! Throughout Klal Yisroel's entire history, they never experienced spirituality the likes of Purim. Not at *krias yam suf*, when even a maidservant saw more than the great *novi* Yechezkel. Not at *matan Torah*, when the sky opened for them. Nor during the first *Beis HaMikdash*, when there were constant miracles. The world never experienced *oiros of kedusha* as powerful as those felt at the time of Purim.

The Arizal adds that we were not only *zoche* to these *oiros of kedusha* when the miracle of Purim occurred, these *oiros* reoccur every year when Purim comes. This means that every year, if a person really tries to be worthy, he can be granted tremendous levels of *kedusha*, just as Klal Yisroel was granted through the Purim miracles.

## What is the special greatness of the Yom Tov of Purim and of *Megillas Esther*?

In the *Megillah* it speaks about how Zeresh advised Haman to hang Mordechai on a wooden gallows fifty *amos* high. *Chazal* praise the great wisdom of her advice. *Chazal* say that Zeresh told Haman that throughout history, Hashem saved *tzaddikim* from many different vehicles of destruction. Noah was saved from the waters of the *mabul*; Avrohom Avinu, as well as Chananya, Misha'el and Azarya, were saved from a burning furnace. Throughout history, Hakodosh Boruch Hu had already proven that he could save Mordechai from almost any punishment Haman could devise. So Zeresh said, we must devise a new plan in order to be able to successfully kill him. Hang him! Hashem has not yet saved anyone from hanging. Hanging him will work. Brilliant advice!

Many *meforshim* struggle to understand this Medrash. If Hashem can save someone from a *mabul* and from a burning fire, surely He can save someone from any type of danger! What is so special about hanging that Hashem can't thwart it as well?

Rav Yehudah Modemi (in his *sefer Pri Ha'eitz, Parshas Tetzaveh*) explains as follows: The Gemara in Rosh Hashanah (21b) says, that fifty levels of wisdom – and *kedusha* – were created in the world, and Moshe Rabbeinu attained all of them, except one. Moshe possessed forty-nine levels of wisdom.

ים האלקים זה לעומת זה עשה האלקים – “this opposite this, Hashem created” (*Koheles* 7:14). Everything Hashem created in this world has a parallel. The world is a perfect balance. If there are fifty levels of *kedusha*, then there are fifty levels of *tumah*.

Zeresh was suggesting that Haman sink down to the lowest depths of *tumah*, to the fiftieth level, the fiftieth *amah*. He should build the fifty *amah* gallows with the fifty levels of *tumah*. At that level, he would be able to defeat Mordechai, who was certainly not greater than Moshe Rabbeinu, who had only attained the forty-ninth level of *kedusha*.

Until now, Hashem saved various Jews from many different means of death because they always had *kedusha* to save them. But if Haman would plunge down to the fiftieth level of *tumah*, it would surely countermand whatever levels of *kedusha* Mordechai has (which can't be more than Moshe's forty-nine), and there Haman will be able to destroy him.

This was her brilliant plan to defeat Mordechai.

What needs to be understood is how indeed Mordechai overcame the power of Haman? Where did he get the strength to fight the fiftieth level of *tumah*? For this, we must understand the power of Moshe Rabbeinu. Firstly, according to the Arizal and the *Megaleh Amukos*, Moshe Rabbeinu had forty-nine levels of wisdom during his lifetime, but before his death, Hashem granted him the highest level, the fiftieth level.

Secondly, the Gemara (*Megillah* 13b) tells us that Haman was overjoyed when the *goral* [lot] came out in the month of Adar, because this is the month in which Moshe Rabbeinu died. However, he did not know that “On the seventh of Adar Moshe died, and on the seventh of Adar Moshe was born”. Haman didn’t know that Moshe Rabbeinu is reincarnated in every generation. He didn’t know that after his death, Moshe is constantly reborn.

This is explained by Rav Yonasan Eibshutz who asks (in his *sefer Ya’aros Devash*) on the above Gemara: first a person is born and then he dies, so why does the Gemara reverse it, mentioning his death first? He answers that the power of Moshe is passed down to the *gadol hador* of each generation. The Gemara often refers to a *talmid chocham* as Moshe, even if his name isn’t Moshe. The reason for this is because there is a spark of Moshe within him. Even though Moshe Rabbeinu passed away, he is reborn in future *gedolim*. They all have a spark of Moshe inside them. Haman didn’t know that “On the seventh of Adar Moshe died, and on the seventh of Adar Moshe was born”, “he was born” refers to Moshe’s rebirth into *tzadikkim*, which began on the seventh, immediately when he died.

And at what level does that spark enter them? At the level that Moshe was on when he died, which was the fiftieth level of wisdom. Every *gadol hador* has within him the potential to reach that level. Mordechai, as the *gadol hador* of his generation, had this power of Moshe within him. He had the power of the fiftieth level of *kedusha*, with which he could defeat Haman. This was the power of Mordechai.

היה בירא – איש יהודי היה בשושן הבירה – “There was a Jewish man (*ish*) in Shushan Habirah” (Esther 2:6). Mordechai is described as “*ish*”. The Medrash (*Esther* 2:6) points out that Moshe Rabbeinu is also described as “*ish*”: והאיש משה ענו מאד – “And the man (*ish*) Moshe was very humble” (*Bamidbar* 12:3). This teaches us, explains the Medrash, that Mordechai in his generation was equal to Moshe in his generation. Mordechai actually reached the highest level of *kedusha*, the fiftieth level.

### **The secrets within the *Megillah***

When Mordechai HaTzadik wrote the *Megillah*, all his levels of wisdom and *kedusha* went into it. Of course, most people can’t see it, it is well hidden. But the *Megillah* was written with the fiftieth level of *kedusha*. It was actually, in some respect, on a higher level than the Torah, because Moshe Rabbeinu received the Torah before he had attained the fiftieth level of wisdom. He has only forty-nine levels at that time. Perhaps this is what the Chasam Sofer implies when he says that the *oiros* found in *Megillah* are greater than that of the Torah.

Of course, the Torah that Hashem has in Heaven is on a higher level. However, it was given to Moshe only at the forty-ninth level, and that's how it was passed down to Klal Yisroel.

Now we see why there is such a tremendous power of *kedusha* in the *Megillah*. Purim is the day that we can tap in to some of that *kedusha*. May the Ribbono Shel Olam give us the wisdom to use the holy day of Purim properly so that we can absorb all that it has to offer. (HaRav Noach Issac Oelbaum, a Rov in Queens)

### True Honour and Splendour (כבוד ותפארת)

**בהראתו את עשר כבוד מלכותו ואת יקר תפארת גדולתו – “Where he showed the great wealth of his kingship and the honour of the splendour of his greatness” (Esther 1:4).**

The Gemara in *Megillah* (12a) explains that Achashveirosh at his feast wore the *bigdei kehuna* [garments of the Kohanim]. This is inferred from the *Megillah's* description of Achashveirosh displaying at his feast: יקר תפארת גדולתו – “the honour of the splendour of his greatness”, which resembles the Torah's description in *Parshas Tetzaveh* of the *bigdei kehunah* as being made לכבוד ולתפארת – “for honour and splendour” (*Shemos* 28:2). Rashi comments that the Gemara refers here to the garments of the Kohen Gadol, which had been brought from Yerusholayim.

The *Imrei Emes (Michtevai Torah 2)*, writes that he was asked a question about Rashi's comment by his brother-in-law, Rav Chanoch Tzvi Levin of Bendin. He asked, how did Rashi conclude on the basis of the phrase, יקר תפארת גדולתו, that Achashveirosh wore specifically the garments of the kohen gadol? The parallel phrase in *Parshas Tetzaveh* – לכבוד ולתפארת – was written in reference to all the *bigdei kehuna*, and not only to the special garments of the kohen gadol. Why, then, did Rashi assume that the Gemara speaks here specifically of the kohen gadol's garments?

The *Imrei Emes* presented an answer to this question which he described as, טוב ומטיב, – “Exceedingly good, because it is according to the simple meaning.” He explained: במה שיראה לאומות העולם יקר תפארת בבגדי הדייט אפילו בגדי לבן גם כן לא יראו – “By showing the nations of the world the honour and glory of the garments of ordinary kohanim, even the white garments, they would not see the splendour; only in the golden head plate, breastplate, *ephod* and robe with the bells”. Meaning, Achashveirosh's objective was to display his wealth and splendour before the dignitaries of foreign countries. This objective would not have been achieved by wearing the plain white garments of the ordinary Kohanim. To the contrary, if he would have worn these garments, he would have been ridiculed. In order to impress the dignitaries, he had to wear the golden garments of the kohen gadol.

The Tolner Rebbe speaks out, that from these comments of the *Imrei Emes* we learn that our conception of כבוד ותפארת – “honour and splendour”, differs fundamentally from that of the other nations. We understand that true beauty is inner beauty, the beauty of *avodas Hashem* and fulfilling Hashem’s will. Anything that is done for His honour and to fulfil His will is beautiful and glorious, whereas anything that is not done for His sake has neither beauty nor glory.

Indeed, we have always known how to show honour and glory to matters of *kedusha*. For example, we dress in special clothing for Shabbos, even though the *goyim* don’t see any beauty or glory in these clothes. We can see the beauty in our special Shabbos clothes, just as we can see the beauty in the plain clothing of the ordinary kohanim, which could not possibly be appreciated by members of other nations. We see them as garments made in accordance with Hakodosh Boruch Hu’s command for the purpose of serving Him in the *Beis HaMikdosh*, and there is nothing more glorious and beautiful.

This message needs to be reinforced in our generation. Unfortunately, many among us have been attracted to the כבוד ותפארת of the foreign nations, and they dress their children in clothing that is deemed beautiful and honourable by non-Jews. On Purim, they dress their children in costumes that originate from non-Jewish culture, something our predecessors would never have countenanced, and this can cause grave spiritual destruction, *chas vesholam*.

The Tolner Rebbe then relates what he heard his grandfather say about the time he moved to Eretz Yisroel and saw the way the impoverished Jews of Eretz Yisroel, who barely had any money, prepared themselves and their homes for Shabbos. They spread white sand on the floor of their homes in honour of Shabbos, the food for Shabbos was scarce, and they lit the candles in crevices in the stone walls. His grandfather remarked that although he had seen lavish Shabbos festivities in Tulchyn, Russia, and in America, nevertheless, he never saw as beautiful a Shabbos as what he witnessed in Yerusholayim. Indeed, this is a kind of splendour that no non-Jew can appreciate.

On Shabbos *Parshas Tetzaveh*, when we read about the garments of the ordinary Kohanim, which, like the golden garments of the kohen gadol, are described with the phrase לכתב ולתפארת, we must reinforce this awareness of the distinction between Jewish beauty, which is true, inner beauty, and the external beauty which is appreciated by other nations. We must distance ourselves from all forms of כבוד ותפארת which originate from impure sources and ensure to give honour and respect only to matters of *kedusha*, and we will then be worthy of true splendour and glory, אמן כן יהי רצון.

## False Impressions

**בהראתו את עשר כבוד מלכותו ואת יקר תפארת גדולתו – “When he displayed the riches of his glorious kingdom and the honour of his splendid majestic” (Esther 1:4).**

During the era of Purim, there was a terrible decree to destroy the Jews. The decree was not only in this world, but was a heavenly decree as well. *Chazal* (*Megillah* 12a) teach us that the cause of this decree was because: **נהנה מסעודתו של אחשורוש** – “they took pleasure in the feast of Achashveirosh”. But what was so terrible about enjoying a party that it warranted such a devastating decree?

Perhaps the food wasn't kosher. But we know that this was not the case. The *pasuk* says: **לעשות כרצון איש ואיש** – “to do the will of each man” (Esther 1:8). The Gemara explains this to mean: “Like the will of Mordechai and Haman”. So Mordechai made sure that all the food was kosher *l'mehadrin*. One might suggest that at the *seudah* there was *pritzus* – men and women mingling together, or women dressed improperly, etc. No, on the contrary, this *seudah* was as *tznua'dik* as possible. The men and women were completely separate; the men were outside the palace: **בחצר גנת בית המלך** – “in the courtyard of the garden of the king's palace” (Esther 1:5), and the women were inside the palace, as it says: **גם ושתי המלכה עשתה משתה נשים בית המלכות** – “Also queen Vashti made a feast for the women in the palace” (1:9). They weren't even in the building together, so how could there have been *pritzus*?

Perhaps they served *avodah zarah*? But again we find nothing like that mentioned in any *Chazal*. So why did Klal Yisroel deserve to be annihilated?

However, we do find that Achashveirosh had the *keilim* [vessels] of the *Beis HaMikdash* displayed at the party. When the Jews at the party saw the *keilim* being used by the *goyim* they should have cried and ripped their clothing. The *yidden* may have deserved to be punished for not showing emotion upon seeing the *keilim* being desecrated, but this does not seem to be the reason for the decree to destroy them. The Gemara's words: **נהנה מסעודתו** – “enjoying the *seudah*”, does not seem to be referring to their lack of emotion upon seeing the display of the *keilim*. So what does **נהנה מסעודתו** mean?

### **The awesome display**

It is very important to take note of the *Megillah's* description of *seudas* Achashveirosh. **בהראתו את עשר כבוד מלכותו ואת יקר תפארת גדולתו** – “when he displayed the riches of his glorious kingdom and the honour of his splendid majestic” (Esther 1:4). Achashveirosh's party was a very grand, glamorous affair. The *Megillah* even gives a detailed description of its splendour. **חור כרפס ותכלת אחוז בחבלי בוץ וארגמן על גלילי כסף**

ועמודי שש מטות זהב וכסף על רצפת בהט ושש ודר וסחרת – “There were hangings of white cotton and blue wool, caught up by cords of fine linen and purple wool to silver rods and alabaster columns; and there were couches of gold and silver on a pavement of marble, alabaster, mother-of-pearl, and mosaics” (Esther 1:6). This feast was a grand display of wealth, power, and beauty.

Now imagine how this looked to the people who attended the *seudah*. When the Jews walked into this grandiose affair, they were most likely awestruck by all the glitz and glitter, enamoured and entranced by the grandeur they saw around them. That is what it means when it says they were **נהנה מסעודתו של אחשורוש**.

Throughout the ages, many of the terrible tragedies that have befallen Klal Yisroel have been caused by this same behaviour. We look at the external world and we chap *hispeilus* [are awestruck]. We are captivated by the brilliance, wealth and beauty of the culture around us. It seems to beckon *yidden* with a message that there is a “real world” out there that is better than ours.

### **The Big City**

R' Yisroel Belsky relates that he once heard a *ba'al mussar* speak about the *tefillah* of *al chet* that we say on Yom Kippur. The last one is: **על חטא שחטאנו לפניך בתמהון לבב** – “On the sin that we committed with a heart full of wonder”. What does **לבב בתמהון** mean?

Suppose a *yeshiva bochur* must go to Manhattan. He goes on the subway, taking a Gemara along with him, and he doesn't lift his eyes from the Gemara during the entire trip. All he is thinking about is how the entire universe was created for Torah, and how that nothing that happens in the world has any real importance outside of Torah. All the movements of empires, politicians, the wealthy, and the power structures – everything takes place only to serve Torah. The world, the universe, the galaxies - **בשביל ישראל** – it was all created for Klal Yisroel and the Torah.

Then the *bochur* steps out of the subway and looks around. He sees huge buildings stretching to the sky. He sees crowds of people, some in elegant clothing, some carrying attaché cases, all looking very important, very busy, and very wealthy. Not one person takes notice of him, standing there with his Gemara in his hand. He looks around, and suddenly a thought begins to creep into his mind: “Maybe there is a bigger world out there. Maybe I'm just a small person, with a Gemara, who isn't really important.” He becomes *botul* in his own eyes. **ונהי בעינינו כחגבים וכן היינו בעיניהם** – “and we were like grasshoppers in our eyes and so we were in their eyes” (*Bamidbar* 13:33).

That's the *אחשורוש של מסעודתו של*. That's what happens to Klal Yisroel when they take in this extremely impressive world: they begin to feel small in their own eyes. They feel the need to acknowledge the culture of the external world. They start to wonder: How can we say the whole world out there is: *בטל והפקר כעפר האדמה* – “nullified and worthless like dirt of the ground”? How can we say it doesn't exist?

The Jews of the Purim era were awestruck by the world, and they began to think of themselves as part of the world. They took pride in considering themselves as part of the *goyish* culture. They believed that they were important because that world was so important and not because the Torah, Klal Yisroel, and *ma'amad* Har Sinai were important. For thoughts like these we say *על חטא שחטאנו לפניך בתמהון לבב*.

Unfortunately, in today's generation as well many people also feel this displaced sense of pride.

### **True importance**

We sometimes fail to realize that every word of Torah, each *pasuk*, every Mishnah and Gemara, all the wonderful teaching of the holy *rishonim* and *achronim* who explain the Torah *hakedosha*, is so much more important than everything else in this world. All those massive buildings are actually there to serve us. They were created – the entire world was *נברא כדי לשמשני* – “created to serve me”.

When the Ribbono Shel Olam saw how Klal Yisroel was reacting to the splendour of the Persian culture, He had to show them what this glamorous world is really all about: It's a world of filth and murder. It's a world that showed tremendous excitement when a decree to wipe out the Jews was passed. The *goyim* gloated as they prepared themselves for that tremendous opportunity. This is the real world that the Jews who attended the party admire so much! And the glorious king who hosted the party is nothing but a drunkard! And in his drunken state, he killed his queen. This is who you are awed by.

Their world is not at all beautiful, it is ugly. But they have a knack for dressing up this ugliness in a very impressive way.

New York City once had a campaign to beautify Fifth Avenue. This is the area where all the luxurious stores and hotels are located, one after another – impressive buildings, everything is so imposing and majestic. It was decided that the one thing that was ruining its beauty were the garbage cans on every street corner. So they replace the old garbage cans with elaborate new ones, with special designs and colours to fit perfectly with the decor of Fifth Avenue. Rav Yisroel Belsky relates how he remembers looking at one of them and thinking, “Look at this beautiful shell. It's just rotting food and garbage, all dressed up in a glamorous can. This is the perfect *moshul* for *seudas* Achashveirosh. The



king and his ministers, dressed in royal robes encrusted with diamonds and gold, sat in a totally drunken state. The king even killed his wife!". Then he relates, he then thought to himself "It's not just *seudas* Achashveirosh, it's our entire civilization. Their culture is nothing more than a dressed- up garbage can".

Is there anything in their world that should really impress us? Do they anything to compare to the Torah *hakedoshah* and to the relationship Klal Yisroel has with the Ribbono Shel Olam? What in their life compares to a simple Shabbos that we experience every single week? Do they have anything as impressive as *simcha shel mitzvah* [the joy of doing a mitzvah]? No. There's nothing out there that compares. It's all just emptiness. בטליון וקיימין – "null and void, and non-existent".

The world exists only on account of the Torah. It exists only on account of Klal Yisroel. Purim is a time when we must take a very special look at Klal Yisroel and recharge ourselves with protective immunity from the *goyim* who surround us in *golus*. That is the lesson that we should all take from Purim and carry with us throughout the year. (R' Yisroel Belsky)

### **Learning From Charvona to Always "Speak Beneficially About The King"**

**ביום השביעי כטוב לב המלך בין אמר למהומן בזתא חרבונה – "On the seventh day, when the King's heart was happy with wine, he said to Mehumon, Bizsoh and Charvona..." (Esther 1:10)**

**ויאמר חרבונה אחד מן הסריסים לפני המלך גם הנה העץ אשר עשה המן למרדכי אשר דיבר טוב עליו – על המלך עמד בבית המן גבה חמשים אמה ויאמר המלך תלהו עליו – "Then Charvona, one of the chamberlains in attendance before the king, said 'Furthermore, the gallows which Haman made for Mordechai – who spoke beneficially about the king – is standing in Haman's house; it is fifty cubits high.' And the king said 'Hang him on it.'" (Esther 7:9)**

**וגם חרבונה זכור לטוב – "And also Charvona, let him be remembered for good." (Piyut Shoshanas Yaakov)**

Charvona is mentioned twice in the *Megillah*. The first time he is mentioned is at the beginning of the first *Perek*. He is listed as one of the seven advisors of Achashveirosh listed in the *pasuk* (Esther 1:10). The second time Charvona is mentioned is when Haman finally met his downfall. ויאמר חרבונה אחד מן הסריסים לפני המלך גם הנה העץ אשר עשה המן – למרדכי אשר דיבר טוב עליו – על המלך עמד בבית המן גבה חמשים אמה ויאמר המלך תלהו עליו – "Then Charvona, one of the chamberlains in attendance before the king, said 'Furthermore, the gallows which Haman made for Mordechai – who spoke beneficially about the king – is

standing in Haman's house; it is fifty cubits high.' And the king said 'Hang him on it.'" (Esther 7:9)

Charvona is mentioned a third time in the *piyut* of *Shoshanas Yaakov* that we recite after the conclusion of the *Megillah* reading. We say there: וגם חרבונה זכור לטוב - "And also Charvona, let him be remembered for good."

The *Pirkei D'Rabi Eliezer* notes that the first time he appears in the *Megillah*, Charvona's name is spelled with an *aleph* at the end and the second time he appears his name is spelled with a *hay* at the end. Therefore, the *Pirkei D'Rabi Eliezer* claims they are **not** the same person! The real Charvona is the one mentioned in the first *Perek*. The "second Charvona" was really Eliyohu HaNovi impersonating Charvona! Interestingly, the name Charvona in the *Shoshanas Yaakov piyut* is immediately followed by the expression זכור לטוב - "let him be remembered for good". About whom else do we find this expression זכור לטוב? It is none other than Eliyohu HaNovi.

Rav Ephraim Waxman offers a beautiful explanation in above: He explains that the above emphasizes how and why the redemption occurred. The *pasuk* states "And Charvona, one of the officers before the king, said 'Also, behold here is the gallows that Haman made **for Mordechai who spoke beneficially about the King** standing in Haman's courtyard 50 cubits high.'" The *geulah* came because Mordechai never spoke ill of the Ribbono Shel Olam. *Chazal* say that every time it says the word "*HaMelech*" in the *Megillah* it is referring to the King of kings. So too, in the expression למרדכי אשר דיבר טוב על המלך, it is referring to the Ribbono Shel Olam!

The Jews of that time, could very well have fallen into the trap of saying "What is Hashem doing to us!" Haman came close to executing his plan to exterminate all the Jews – men, women, and children. The Jews could very well have despaired and begin questioning the Justice of Hashem. "Excuse me! What did we do? Why do we deserve this?" Complaints against Hashem were very likely being murmured. But Mordechai – who spoke good about the King – never complained and never questioned Hashem's Justice. He never doubted that what was happening was fair and just. He was always דיבר טוב על המלך – "spoke good about the King". He accepted "that whatever Hashem does is for the best" (*Berachos* 60b).

The message is that Purim, which is the paradigm of our hope for redemption, foreshadows the way it is going to happen for us again. To ensure the speedy coming of this redemption, we must remember to always be דיבר טוב על המלך. After thousands of years of Jewish history and thousands of years of suffering – both on a national scale and on a personal scale – the key is to speak positively about the King and not to question and not to complain "Why is Hashem doing this to us!"

This is sometimes very difficult, especially for people that lived through national trials and tribulations, lived through the Holocaust, *lo aleinu*. It is very hard for people who unfortunately have suffered tragedy and *tzoros*. It is a difficult *nisoyan*. But the *Pirkei D'Rabi Eliezer* is telling us, Charvona is telling us, and Eliyahu HaNovi – who is going to usher in and announce the future redemption – is telling us: The key is to act like Mordechai המלך טוב על היהודים. If we continue to do that, then just as they merited: ליהודים ויקר היתה אורה ושמחה וששון ויקר - “For the Jews there was Light, Gladness, Joy and Honour” (Esther 8:16) – so too will it be for us, *Im Yirtzeh Hashem*.

## Some Important Lessons in Tefillah, We Need To Take From the Purim

### Story

**איש יהודי היה בשושן הבירה ושמו מרדכי בן יאיר בן שמעי בן קיש איש ימיני – “There was a Jew who lived in Shushan, who went by the name of Mordechai, who was the son of Yoir, the son of Shimi, the son of Kish, from the tribe of Binyomin” (Esther 2:5).**

It is well known that Mordechai HaTzaddik was the *amud hatefillah*, he was the prime example of the power of *tefillah*. *Chazal darshen* (Megillah 12b) the *pasuk*: איש יהודי היה בשושן הבירה ושמו מרדכי בן יאיר בן שמעי בן קיש איש ימיני – “the one who enlightened the eyes of Klal Yisroel with *tefillah*”, בן שמעי – “the son who Hashem listened to his *tefillas*”, בן קיש – “the one who banged on the gates of mercy and they were opened for him”.

We see from the above Gemara that the *tefillas* of Mordechai is what brought the salvation for Klal Yisroel.

There is an additional Gemara however, which also talks about Mordechai HaTzaddik. The Gemara in *Chullin* (139b) asks, “where is a *mekor* [source] for Mordechai in the Torah?” and the Gemara answers: מר דרור ומתרגמינן מירא דכיא – it writes in regards to the spices taken to make the anointing oil, flowing myrrh and we translate *mor deror* into Aramaic as: *mira dachya*, which resembles the name Mordechai.

The above Gemara needs explanation, what is *mira dachya*? And where is the name of Mordechai hinted at in the words *mor deror*?

The Chasam Sofer has around twenty different *p’shotim* explaining the above Gemara. However, I would like to bring a novel explanation that I saw brought down from R’ Naftali Kopshitz.

It’s well known, that the *gematria* of the word עמלק is the same *gematria* as the word רם which means exalted. This teaches us, that the *yesod* of Amalek’s *tumah*, which represents the *yetser horah*, is haughtiness.

Haughtiness, and the feeling that one is able to achieve what he wants without needing to come on to help from the Ribbono Shel Olam is what Amalek stood for. When one feels the above very strongly, he is being influenced directly by his *yetzer horah*. However, even if one only feels this on a very slight level, he is still being influenced by his *yetzer horah*.

The word **רם**, which means exalted is made up of the same letters as **מר** which means bitter.

One who feels that he is exalted and suffers from haughtiness will in the end, end up being **מר**, feeling very bitter. Someone who doesn't subjugate himself to the Ribbono Shel Olam, will end up feeling very bitter. **רם** brings one to the feeling of **מר**. Haughtiness and bitterness go hand in hand, where there is one normally the other one can also be found.

Mordechai was the exact opposite of the above.

The biggest opposition to Haman was Mordechai. The **זה לעומת זה** – the thing that Hashem created to stand in opposition to Haman was Mordechai. If Haman stood for the ultimate haughtiness and in turn the ultimate bitterness, then Mordechai who stood in opposition to Haman, stood for the ultimate humility and happiness.

**מר דרור**, which can be translated as free from bitterness, refers to Mordechai who was the exact opposite of Haman.

This is also *pschat* in the Targum of **מר דרור**, which was **מירא דכיא**. The expression of **דכיא** is an expression of purity, this represents Mordechai who was pure from any bitterness.

The *yesod* of Mordechai, the *tefillos* of Mordechai, which as we explained above brought the salvation, were able to achieve what they did, because they were said with complete subjugation (*hachnoh*) to the Ribbono Shel Olam. Mordechai subjugated himself completely to the Ribbono Shel Olam and didn't take credit for anything, the complete opposite of what Amalek stood for, as a result, he merited that his *tefillos* were answered.

**One who davens needs to be *boiteach* (have faith) that Hashem will answer his requests**

There is another important aspect of *tefillah* that we can learn from the miracle of Purim, a very *yesoidosdika* lesson in *tefillah*.

When one davens, besides for completely subjugating oneself to the Ribbono Shel Olam, one has to have complete *emunah* and *bitochan* that Hashem will answer his *tefillos*.

If one davens and believes in his *tefillos*, his *tefillos* will be much more powerful. When a person believes that his *tefillos* have a *koach* [strength] to go to *Shomayim* and change his *matzov* [status], then it is much more likely that his *tefillos* will in fact be able to do so. If

however, when one davens he thinks to himself, who says my *tefillos* will be answered, who says I am worthy, I have so many *aveiros* why should Hashem answer me, etc., etc., then it will be much harder for him to get his *tefillos* answered.

If however, one davens and believes 100% that even though he is not worthy his *tefillos* will be answered, his *tefillos* will be answered much quicker.

Subjugation together with complete *bitochan* that ones *tefillos* will be answered, are two things which will ensure that ones *tefillos* will be answered.

A person who lives with the understanding that even the *tefillah* of a lowly *baal aveirah* has the possibility of being answered, is much more likely to have his *tefillos* answered. If one doesn't believe in the power of *tefillah*, and one is in doubt if his *tefillah* has any weight behind it, it he will find it much harder to get his *tefillos* answered.

We find the above *yesod* in the Gaon's *pirush* on the siddur (*Avnei Eliyohu*) where he explains something very strange that happened in *Megillas Esther*.

We say in *shemonah esrei* three times a day the words: משען ומבטח לצדיקים – “Support and trust of the righteous”. The Gaon explains on a deeper level the meaning behind the above. He explains, that even though Hashem is trustworthy with those *tzaddikim* who trust in him and he always answers their *tefillos*, sometimes before they even have to ask for things, Hashem drops a hint that He is there waiting to help them, and reminds them that they shouldn't lose trust in Him.

The Gaon brings two examples, one of the examples he brings is, that before Haman was hung on the gallows Hashem arranged that Haman led Mordechai through the streets and proclaimed “So shall be done to the man who the king wants to honour”. Why did Hashem do this, surely he could have saved them without? The Gaon explains, the reason Hashem did this was to help Klal Yisroel strengthen their *bitochan* and trust in Him before he ultimately redeemed them.

When a person davens to Hashem and doesn't have *bitochan* that his *tefillos* will be answered, his *tefillos* aren't so powerful and are very likely to go unanswered. Therefore, sometimes Hashem gives a person a *mishon* - something to lean on, some support, something to show the person that Hashem wants and desires him and that He is prepared to listen to his *tefillos*, and through this reminder Hashem wants the person to trust in him, and ultimately Hashem will be able to redeem him.

This is what happened, explains the Gaon, in the Purim story. The entire story of Haman leading Mordechai around on a horse and proclaiming “So shall be done to the man the king wants to honour” didn't need to happen in order to annul Haman's decree. In fact,

the decree was annulled because of Esther, so why did Hashem cause the above episode to happen, why did Hashem want Haman to lead Mordechai around on a horse?

Hashem orchestrated the entire sequence of events to give Klal Yisroel a boost in *bitochan*, and remind them that they have hope and that they should trust in Him.

משען ומבטח לצדיקים. Through Hashem showing himself, he is reminding and giving Klal Yisroel *chizuk* that they should trust in him. Achashveirosh ruled over the entire world, Haman was second in command to the king, there was a decree to destroy all the Jews, there was no where to run to, and what happened next? Mordechai sits on the back of a horse and Haman leads him through the streets. This gave Klal Yisroel some hope, this reminded them that there is light at the end of the tunnel, and it helped them see that Hashem was with them, even in these dark times. This gave them a *mishon*, something to lean on. As a result, they strengthened in their *bitochan* in Hashem, which helped them to daven better, as a result their *tefillas* were answered, and consequently the *gezeirah* was annulled.

Without this complete *bitochan* in Hashem the *gezeirah* would have remained in place, only because Hashem gave them this *mishon*, and arranged that Haman lead Mordechai through the streets, were they able to remain strong in their *bitochan* and were able to daven and consequently annul the decree.

Based on the above *yesod* R' Itzelah Blazer explains a difficult Gemara in Rosh Hashanah. The Gemara in Rosh Hashanah (18a) writes, that there can be two people that go to *beis din* to be judged if they deserve the death penalty or not, and it can be that they both have done the same crime and this one survives and this one doesn't. Asks the Gemara: "How can it be that this one survives and this one doesn't?" Answers the Gemara: "Because this one davened and was answered and this one davened and wasn't answered". Asks the Gemara: "Why was this one's *tefillah* answered and this one's not?" Answers the Gemara: *זו התפלל תפילה שלמה נענה וזה לא התפלל תפלה שלמה לא נענה* – "This one davened a complete heartfelt *tefillah* and so was answered, whereas this one didn't daven a complete heartfelt *tefillah* and so wasn't answered".

Asks R' Itzelah, surely if one is standing in *beis din*, and is being judged if he should live or die, and his life depends on the outcome, he davens a complete *tefillah*, what does the Gemara mean "this one didn't daven a complete heartfelt *tefillah* and so wasn't answered"?

R' Itzelah explains, true that both of them of course davened from the bottom of their hearts to Hashem. However, one of them davened to Hashem with complete *bitochan* that Hashem will listen to his *tefillah* and believed that his *tefillah* has power. The other

one however, davened to Hashem because he thought, “maybe my *tefillah* will work maybe not, I have no other option so I might as well daven” however, he doesn’t believe so strongly in the power of *tefillah*. Since he davened without complete *bitochan* that Hashem answers all *tefillos* however bad a person may be, Hashem didn’t accept his *tefillah*.

### Keeping Secrets is a Form of Modesty

**איך אסתר מגדת מולדתה ואת עמה כאשר צוה עליה מרדכי – “Esther refused to disclose her nationality or her lineage, as Mordechai had commanded her” (Esther 2:20).**

When Esther was initially brought to the royal palace under the charge of Hegai, she found favour in his eyes, yet the *Megillah* records (2:10) that she refused to disclose her nationality or her lineage, as she had been commanded by Mordechai. A short while later, after Achashveirosh selected her as Vashti’s replacement, the *Megillah* again emphasizes that Esther would not reveal her people or her background. As this information was already conveyed a mere 10 *pasukim* earlier, why does the *Megillah* repeat this point, and why would we think that her conduct would change in such a short period of time?

The Vilna Gaon explains that the reason Mordechai told Esther not to reveal her identity was because he was afraid that he and all of the Jews would be killed for attempting to hide her instead of willingly turning her over like loyal subjects of the king. At this point, Esther had now been selected as queen and there had not been any backlash. In fact, the king was so infatuated with her that he threw extra parties and gave tax cuts to show his love for her. Seeing this, Esther could have easily concluded that Mordechai’s concern was misplaced, and if she told Achashveirosh that she was a Jew, not only would he not hold it against her people, but he would shower them with favourable decrees. Nevertheless, Esther decided that if Mordechai instructed her not to divulge this information, she would follow his orders with complete faith.

The Gemara in *Megillah* (13b) teaches that due to Rochel’s *tznius* [modesty], she merited having the modest King Shaul descend from her, and in the merit of Shaul’s *tznius*, he was rewarded with the modest queen Esther being descended from him. The Gemara explains that Rochel’s *tznius* was that she gave over the *simonim* [signs] to her sister Leah and did not reveal Lavan’s trickery, and Shaul’s modesty was that he did not tell anybody that he had been chosen by Shmuel as the first Jewish king (Shmuel 1 10:16). As for Esther’s *tznius*, the Gemara cites the fact that she did not reveal her nation or her lineage. In what way do these three episodes demonstrate the attribute of *tznius*?

Although today *tznius* has become associated with clothing, the *Maharal* explains (*Nesivos Olam, Nesiv HaTznius* 1) that the quality of keeping something hidden within oneself

instead of publicly sharing it with others is also considered a form of modesty. Since the Gemara teaches that the trait of *tznius* is passed on to one's descendants, he adds that somebody who can keep a secret and knows when to keep quiet is revealing himself to be *meyuchas* (of distinguished lineage).

Taking this one step further, the *Maharal* writes: *ולא תמצא בכל המדות שהדומה יוליד הדומה* – “You will not find in any character trait that a person gives birth to somebody similar to him with regards to that trait, as you find regarding the attribute of *tznius*”. One who learns biology will learn that certain genes are dominant, while other genes are recessive. The *Maharal* teaches us that the most dominant gene of all, and the gene which is most likely to be given over to our children is that of modesty, a lesson that we learn from Rochel, Shaul, and Esther.

### A Valid Request

**ויאמר המלך לאסתר במשתה היין מה שאלתך וינתן לך ומה בקשתך עד חצי המלכות ותעש** – “At the wine feast, the king asked Esther, “What is your wish? It shall be granted you. And what is your request? Even to half the kingdom, it shall be fulfilled” (Esther 5:6).

On the above *pasuk* there is a famous *Maharal* which explains what the difference between *she'eila* and a *bakosha* is. *She'eila* is when we ask for something as a means to a greater goal, while a *bakosha* is a request for the end goal itself. To ask for tranquillity as a means to serve Hashem better is a great request, and if it's good for us, Hashem will grant it. But to ask for tranquillity just for tranquillity's sake is not a valid request.

Based on the above *yesod* R' Avrohom Schlesinger explains a difficult Rashi at the beginning of *Parshas Vayeishev*. Rashi writes: ...ביקש יעקב בישב בשלווה... – “Yaakov wanted to live in peace and tranquillity. And immediately afterward, his sorrows with Yosef began. Hashem said, It's not enough that I'm giving the *tzaddikim* eternal tranquillity in the next world? They want it in this world as well?”. On the surface level, this statement is very hard to comprehend. We know Hashem created us just to give us, and He wants us to be happy in both this world and the next. So what's wrong with having tranquillity in both worlds?

R' Avrohom Schlesinger explains, here it says *ביקש יעקב*, Yaakov made a *bakosha* – and that is why Hashem responded the way He did. Of course, Yaakov wanted tranquillity to serve Hashem better, but on his very lofty level, if there was even a 0.0001% of that request to experience peace and tranquillity for their own sake, he was held accountable for it.



The lesson is for us on our level. We want tranquillity so that we can focus on Hashem more and that's a good request, but we have to make sure we're sincere with it. How can we tell?

The Medrash on the *pasuk* in *lyov*, *מי הקדימני ואשלם*, says: Hashem tells us that if we want to do a mitzvah badly enough and we do it before we technically have the means to, He is going to give us the ability and the means to perform it going forward. For example, if somebody really wants to give a lot of *tzedokah*, he needs to prove it first by giving as much *tzedokah* as he could before he's blessed with a lot. The Medrash gives another example, if someone really wants a child in order to raise the child in the ways of Hashem then if they don't yet have that ability yet, they should help raise someone else's child in the ways of Hashem by paying for that child's Torah education. Our actions can prove if we are really sincere with our requests.

R' Dovid Ashear related the following two stories:

A rabbi who heads a *shul* as well as a *yeshiva* day school told me, some years back, one of his congregants came into *shul* one day looking very depressed. He asked the young man what was wrong, to which he replied that the day before he went with his wife to the doctor, and they were told it would be impossible for her to ever have children. She was just turning twenty and they had been married for less than a year. The rabbi told him he had just learned this Medrash about if a person really wants a child for the right reasons, they could prove it by paying for another child's education and then Hashem would give them an opportunity to do it with their own child. He then told the young man there was a child in his school whose parents could not afford to pay for tuition, and asked him if he wanted to sponsor that child. The young man happily made a 12 month payment plan and made the first payment on the spot. It was not too long afterward that he discovered his wife was expecting a baby. And *boruch* Hashem, today they have six children.

On another occasion, a different congregant in this man's *shul* came to him saying his wife had five miscarriages in a row after they had one healthy baby. The doctor told them there's an issue with their genes and the odds of them having a healthy baby with a normal pregnancy were astronomical. The fact that they had one was already a miracle. The rabbi told him of the *segulah* mentioned in the Medrash and asked him if he wanted to sponsor a child's Torah education. At first he was sceptical but then he came back and did it. The next time he and his wife went to the doctor, they were told she was expecting, but since there was no chance that a healthy baby would be born, the doctor told them to terminate the pregnancy. The man went to ask one of the *gedolei hador* what to do and the rabbi told him to move forward and daven that all will be well. *Boruch* Hashem, against all odds,

a healthy baby was born to them. And then, *boruch* Hashem, they had another one after that.

If we truly want things in this world to serve Hashem better and we are truly sincere about it, then if it's good for us, Hashem will give us that ability and enable us to serve Him the way we hope to.

### **The Significance of בלילה הוא – “That Night”?**

**בלילה הוא נדדה שנת המלך – “On that night, the sleep of the king was disturbed” (6:1).**

The Gemara in *Megillah* (19a) quotes the opinion of Rav Shimon bar Yochai, who maintains that when we publicly read the *Megillah* on Purim, we should begin from the *pasuk* that records Achashveirosh's inability to sleep on one fateful night, as this represents is the turning point of the *Megillah*, when Mordechai and Esther's fortunes begin to overtake Haman's.

The *Megillah* records that Achashveirosh's sleepless night occurred בלילה הוא – “on **that** night” – which implies that it happened on some well-known night. Rashi writes (*Megillah* 16a) that this night was the 16<sup>th</sup> Nissan, the second night of Pesach. Why did the turning point of the *Megillah* specifically take place at this time? Pesach is a time of redemption for the Jewish people. The night of the 15<sup>th</sup> Nissan is well-known as a time when numerous miracles happened throughout Jewish history, as recorded in the *piyut* זבח פסח ואמרתם that we say at the end of the *seder*. If so, why didn't the critical miracle of Purim also happen on the 15<sup>th</sup> of Nissan instead of on the following night?

Rav Dovid Feinstein explains that the 16<sup>th</sup> of Nissan is not Yom Tov in Eretz Yisroel. Only outside the land of Eretz Yisroel, in *Chutz La'aretz* where Jews in exile observe two days of Yom Tov, is this day also considered Yom Tov. In essence, the second day of Yom Tov perfectly symbolizes the concept of Hashem appearing to hide His face from us by reminding us that we are in exile. Because one of the central themes of the *Megillah* is *hester ponim* [Hashem's concealed face], the most appropriate time for the pivotal miracle to occur is on the “hidden” night of Pesach: the 16<sup>th</sup> of Nissan, which is only a Yom Tov for a person who is in exile and unable to experience Hashem's revealed *hashgochah* [divine providence].

### **Understanding why the sending out of the second letter was delayed**

**בויקראו ספרי המלך בעת ההיא בחדש השלישי הוא חדש סיון בשלושה ועשרים בו – “So the king's scribes were summoned at that time, on the twenty-third day of the third month, that is, the month of Sivan” (Esther 8:9).**

The events described at the beginning of the eighth *perek* of the *Megillah* took place on the 13<sup>th</sup> of Nissan. The letters that were sent out to rescind the original decree to destroy the Yidden were not dispatched until the 23<sup>rd</sup> of Sivan. They had to wait over two months with the threat of annihilation still hovering over their heads. One reason for the delay is explained by the *Yosef Lekach*. He says that Mordechai was waiting for Haman's original couriers to return to Shushan. He felt it was essential to use the same messengers as this would add legitimacy to the contents of the second letters despite their apparent contradiction to the intent of the original royal decree sent by Haman.

Another *pshat* can be found in the Medrash Rabbah (*Bereishis* 100:6) at the end of *Parshas Vayechi*.

אותן שבעים יום שבין אגרת לאגרת כנגד שבעים יום שעשו מצרים חסד עם אבינו יעקב – “The seventy days that Klal Yisroel had to wait before the sending out of the second letter, was because of the *chesed* that the Egyptians did with Yaakov Avinu”.

The Torah records that the Egyptians showed tremendous respect in observing a seventy day period of mourning when Yaakov Avinu died. In contrast, the Yidden at the time of the Purim story failed to show appropriate honour to Mordechai HaTzaddik as they failed to heed his warnings not to attend the king's feast. As a result, they were punished by having to continue to live in fear of their lives for a further seventy days until the second letters were sent out.

The *meforshim* point out that the expression: אבל כבוד למצרים – “A heavy mourning for the Egyptians” which is used by Yaakov's death is paralleled with the phrase: אבל גדול ליהודים – “a heavy mourning for the Yidden” which we find in the *Megillah*.

(R' Chaim Kaufman related that he said the following *pshat* in the above Medrash in the presence of Rav Leib Gurwicz who very much enjoyed this *vort*.)

## **The Connection Between ליהודים היתה אורה ושמחה וששון ויקר and Hadvolah**

**ליהודים היתה אורה ושמחה וששון ויקר - “For the Jews there was light, gladness, joy and honour” (Esther 8:16).**

After Haman was killed, Mordechai went out wearing royal garments, which caused the Jews in Shushan to rejoice. The *Megillah* records that they had light, gladness, joy, and honour, a well-known *pasuk* that is said each week as part of *havdolah* on *motzei* Shabbos. However, its inclusion is difficult to understand, for this *pasuk* does not appear to have any connection to Shabbos or *havdolah*.

Rav Zelik Epstein notes that the Gemara in *Megillah* (16b) interprets each of these four expressions as a reference to a mitzvah that the Jewish people were now able to safely observe. אורה – “light” refers to Torah, שמחה – “happiness” describes Yom Tov, ששון – “joy” corresponds to *bris milah*, and ויקר – “honour” represents *tefillin*. The common thread linking these four *mitzvos* is that they all serve to separate the Jewish people from the other nations of the world.

The Gemara in *Sanhedrin* (59a) rules that non-Jews are forbidden to engage in learning Torah (except for the laws pertaining to the *sheveh mitzvos bnei Noach*). Similarly, non-Jews are proscribed from observing Shabbos (*Sanhedrin* 58b), and the Yomim Tovim that commemorate the *yetsiyas Mitzrayim* are even more unique to the Jews. *Bris milah* represents a covenant between Hashem and the Jewish people (*Bereishis* 17:10-11). Lastly, the Gemara in *Megillah* (16b) says that when the nations of the world see us wearing *tefillin*, it inspires fear among them as they recognize that the name of Hashem is proclaimed on us.

Because each of the four *mitzvos* referenced in this *pasuk* act to differentiate Klal Yisroel, it is quite understandable and appropriate to say it in *havdolah*, in which we thank Hashem for dividing between ישראל לעמים – “the Jewish people and the nations of the world”.

### The influence of *yiras shomayim*

**ורבים מעמי הארץ מתייהדים כי נפל פחד היהודים עליהם – “And many of the people in the land became Jews, because the fear of the Jews befell them” (Esther 8:17).**

Rashi explains this to mean that many people converted and became *gerim*. At first glance, this seems very difficult to understand. The Rambam (*Hilchos Issurei Bi'a* 13:14) writes, that when a gentile expresses interest in converting, בודקין אחריו שמא מפני הפחד בא, להכנס לדת – “an inquiry is made to determine if perhaps he wishes to convert because of fear.” Which *Beis Din* would have accepted these gentiles who sought to become Jews because נפל פחד היהודים עליהם – “they were afraid”?

Additionally, the *Megillah* tells us that when the Jews fought to defend themselves, they killed 75,000 people throughout the kingdom (9:16) and 500 people in Shushan (9:12), and then another 300 in Shushan the next day (9:15). Quite obviously, the Jews did not kill those who converted, and so all these many thousands were those who did not convert. We must ask, then, why did they not also convert out of fear of the Jews?

The Tolner Rebbe suggests an answer based on a precious teaching from his illustrious ancestor, Rav Yitzchak Isaac of Ziditchov, to explain the Mishnah’s instruction that מורא שמייים – רבך כמורא שמייים – “the fear of your rabbi shall be like the fear of Heaven” (*Avos* 4:12). The

simple meaning of the Mishnah is that one's fear of his rebbe should resemble his fear of Hakodosh Boruch Hu. But Rav Yitzchak Isaac of Ziditchov explained that one's fear of his rebbe is proportional to his rebbe's fear of Hakodosh Boruch Hu. The greater the rebbe's fear of Hakodosh Boruch Hu, the more the *talmid* will fear the rebbe. Indeed, those who had the privilege of basking in the sacred shadow of the Beis Yisroel can testify to the genuine fear they felt in his presence. In light of the words of the Rebbe of Ziditchov, the reason is clear – the Beis Yisroel generated fear upon those around him because of the great fear of Hakodosh Boruch Hu that he himself felt, which had a profound impact upon his surroundings.

The Tolner Rebbe suggests that this is the deeper meaning of the *pasuk*, רבים מעמי הארץ מתיהדים כי נפל פחד היהודים עליהם. The Jews of that time achieved an exceptionally high level of *yiras shomayim*, and therefore, those souls whose essence were souls of converts experienced a great fear when they saw the Jews, due to the influence of the Jews' fear of Hakodosh Boruch Hu. This led them to truly wish to convert. The others, however, who were not worthy of this level, did not experience this fear, and so when they expressed interest in converting, they were not accepted.

### **The Connection Between Megillah and Hakhel**

**ימי פורים האלה לא יעברו מתוך היהודים וזכרם לא יסוף מזרעם - "And these days of Purim shall not be revoked from amidst the Jews, and their memory shall not cease from their seed" (Esther 9:28).**

On the aforementioned *pasuk* the Gaon is troubled by two points: 1) What is the difference between the phrase פורים האלה - "these days of Purim," and the phrase, וזכרם - "their memory"? 2) Additionally, why in the first part of the quote does the *pasuk* refer to היהודים - "the Jews," while the later part speaks of מזרעם - "their seed"?

To reconcile these difficulties he explains that, "these days of Purim" refer specifically to the Purim *seudah*, while "their memory" hints to the reading of the *Megillah*. Also, the phrase "the Jews" refers to adults, whereas "their seed" refers to children under the age of bar or bas mitzvah. Therefore, the *pasuk* is to be understood as follows: "And these days of Purim," i.e., *simchas Purim* and *seudas Purim*, "shall not be revoked from amidst the" adult "Jews," i.e., over the age of bar or bas mitzvah, "and their memory," the *Megillah* reading, "shall not cease from their seed," i.e., those who are minors.

We see from the Gaon a big *chiddush*, we see that there is a *chiyuv* even on *ketanim* [children] to hear *Megillah*. The question is, which *ketanim* is the Gaon talking about? On children that have reached the age of *chinuch*, or even children that haven't yet reached the age of *chinuch*?

The truth is, there may be a *mekor* to the Gaon from the Yerushalmi. The Yerushalmi (2:5) says: בר קפרא אומר צריך לקרותה לפני נשים ולפני קטנים שאף הן באותו ספק – “Bar Kapora said: One needs to read *Megillah* in front of women and **young children**, as they were also at risk of being wiped out”.

There are in fact those who hold that there is a *chiyuv* to bring children that haven't yet reached the age of *chinuch* to *shul* to hear *krias haMegillah* (see *Leket Yosher, Orach Chaim* page 153, and *Rokeach* 236).

We can bring a *rayah* to the above from the *Shulchan Aruch*. The *Shulchan Aruch* brings the *din* of reading *Megillah* to children twice. Once in *siman* 689 where he writes: הכל חייבים בקריאתה אנשים ונשים וגרים ועבדים משוחררים ומחנכים את הקטנים לקרותה – “Everyone is obligated to read *Megillah*, men, women, converts, freed slaves, **and we even educate children in the mitzvah.**”

And again at the end of the *siman* the *Shulchan Aruch* writes: מנהג טוב להביא קטנים – “it's a good custom, to bring **young boys and girls** to hear *Megillah*”.

The question is, why does the *Shulchan Aruch* mention the *din* that one should bring children to hear *Megillah* twice?

The *Biur Halachah* explains, that the second *din* the *Shulchan Aruch* brings is referring to children who have reached the age of *chinuch*. However, this doesn't answer the question because at the beginning of the *siman* the *Mechaber* writes, that children are *mechuyav*, so why does he need to repeat it again. The *Biur Halachah* suggests another *pshat*, that the second *din* is because of *b'rov om hadras melech* – that it is preferable to perform a mitzvah along with a large group.

However, if the *Biur Halachah* is correct, that the *minhag tov* to bring children is just to fulfil *b'rov om hadras melech*, it doesn't fit well with the continuation of the Yerushalmi. The *mekor* that there is a *chiyuv* on children to hear *Megillah* is the Yerushalmi, and in the continuation of the Yerushalmi it says: ר' יהושע בן לוי עבד כן מכנש בנו ובני בייתיה וקרי לה – “R' Yehoshua ben Levi did the above, and he gathered, his sons and his household and read in front of them the *Megillah*”. If *pshat* is like the *Biur Halachah*, that the reason is because of *b'rov om hadras melech*, then R' Yehoshua ben Levi should have taken them to *shul*, a place where there is lots of people and not merely gather them together at home. We see from the Yerushalmi that bringing children isn't because of *b'rov om hadras melech*, if so, what is the *Shulchan Aruch* adding when he says: מנהג טוב להביא קטנים – “it's a good custom, to bring young boys and girls to hear *Megillah*”?

Some *rishonim* learn (see *Ravyah, Megillah* 569) that even children that haven't yet reached the age of *chinuch*, have a mitzvah of *chinuch* to hear the *Megillah*.

It would seem that this is what the Gaon intends to say by saying: זכרם לא יסוף מזרעם – “and their memory,” the *Megillah* reading, לא יסוף – “shall not cease from their seed,” even from children that haven't yet reached the age of *chinuch*. The question is, what is this *din*? and what is the difference between *Megillah* reading and the *mishteh v'simcha* of Purim, that by *Megillah* there is a mitzvah to read in front of young children, whereas by *mishteh v'simcha* there is no such mitzvah? What is *pshat* in the Goan?

There is one other mitzvah, where we find that there is a mitzvah to perform it in front of young children - the mitzvah of *hakhel*. The *pasuk* says: והטף והנשים והנשים והטף – “Gather together the people – men, women and children” (*Devorim* 31:12).

The Gemara in *Chagigah* (3a) *darshens*: טף למה הם באים כדי ליתן שכר למביאייהו – “Children for what reason do they come? To give reward to those who bring them”. We see from here, that by the mitzvah of *hakhel* there was a mitzvah to bring even children that hadn't yet reached the age of *chinuch*.

The Rambam in *Hilchos Chagigah* (3:1) explains the *yesod* behind the mitzvah of *hakhel*. From the Rambam we can see why there is a *chiyuv* to bring children, and from there we will be able to understand why there would be a mitzvah to bring young children to *Megillah* reading.

The Rambam writes: מצות עשה להקהיל כל ישראל אנשים ונשים וטף בכל מוצאי שמטה בעלותם - לרגל ולקרות באזניהם מן התורה פרשיות שהן מזרזות אותן במצות ומחזקות ידיהם בדת האמת - “It is a *mitzvas aseh* to assemble all Yisroel, men, women, and children, after the close of every *shemittah* year, when they go up to make the pilgrimage, and recite to them sections from the Torah which will urge them to perform the precepts and encourage them to cling to the true religion.”

In Halachah 6, the Rambam adds: גרים שאינן מכירין חיבין להכין לבם ולהקשיב אזנם לשמע באימה ויראה וגילה ברעדה כיום שנתנה בו בסיני אפלו חכמים גדולים שיודעים כל התורה כלה חיבין לשמע בכונה גדולה יתרה ומי שאינו יכול לשמע מכון לבו לקריאה זו שלא קבעה הכתוב אלא לחזק דת האמת ויראה עצמו כאלו עתה נצטוו בה ומפי הגבורה שומעה שהמלך שליח הוא להשמיע דברי האל - האל - “Proselytes who did not know Hebrew were required to direct their hearts and listen with utmost awe and reverence, as on the day the Torah was given at Har Sinai. Even great *talmiday chachomim* who knew the entire Torah were required to listen with utmost attention. If there was a person who could not hear, he had to direct his heart to this reading, which Scripture has instituted only for the purpose of strengthening the true faith. Each had to regard himself as if he had been charged with the Torah now for the

first time, and as though he had heard it from the mouth of Hashem, for the king was an ambassador proclaiming the words of Hashem.”

The mitzvah of *hakhel* needed to be done in the same way it was done at Har Sinai and one had to picture as if he was standing at Har Sinai.

The Rambam is teaching us, that the mitzvah of *hakhel* was like a re-enactment of *matan* Torah, like we find the Torah says many times in *Devorim* that the Torah was given ביום הקהל, i.e. ויתן ה' אלי את שני לוחות האבנים וכו' ככל אשר דבר ה' עמכם בהר מתוך האש ביום הקהל (9:10).

יום הקהל in the *pasuk* refers to the day that Klal Yisroel were gathered around Har Sinai, men, women and children and just like on the יום הקהל everyone was there, so too by *hakhel* everyone needed to be there, as *hakhel* needed to be similar to how *matan* Torah was, and by *matan* Torah, the men, women and children were all there.

Perhaps we can compare the mitzvah of *Megillah* reading to *hakhel*, and say, just like by *hakhel* there was a mitzvah for everyone to be there, men, women and children, so too by *Megillah* reading there is a mitzvah for everyone to be there, even young children who haven't yet reached the age of *chinuch*.

The question is, what should be the connection between the mitzvah of *hakhel* and *Megillah*?

In regards to the mitzvah of Purim it says in the *Megillah*: וקיבלו היהודים עליהם ועל זרעם – “The Jews accepted upon themselves and on their children” (9:27). The Gemara in Shabbos (88a) *darshens*, that Klal Yisroel reaccepted upon themselves the Torah with great love. We see that during the time of the Purim story Klal Yisroel reaccepted the Torah.

Just like at the time of the miracles of the Purim story Klal Yisroel reaccepted upon themselves the Torah with renewed love, so too every year on Purim we accept the Torah again with great love. Every year when we read the *Megillah* and want to fulfil the *pasuk* of וקיבלו היהודים, we undergo another *Mamad* Har Sinai, since we are re-enacting *Mamad* Har Sinai, we need to do it the way it was done the first time, and the way that the mitzvah of *hakhel* is done, therefore we need to bring gather together the men, women and children.

### **A sharp response from R' Yonason Eibeshutz**

לעשות אותם ימי משתה ושמחה – “To make them days of feasting and happiness” (Esther 9:22).



The *Rema* rules (*Orach Chaim* 695:2) that most of the festive Purim meal must be eaten before sundown, while it is still Purim. A priest once challenged R' Yonason Eibeshutz to explain why the custom of so many Jewish families is to start the Purim meal just before sundown and to conduct the bulk of the meal during the night, after the holiday has already ended.

Rav Yonason sharply responded with a question of his own. The most popular holiday in the priest's religion falls on December 25<sup>th</sup>. If the non-Jewish day begins at midnight, why is it so prevalent among his coreligionists to begin their festivities the night before?

Having turned the tables and with the priest now on the defensive, R' Yonason proceeded to brilliantly answer both questions. The holiday that the non-Jews are observing on December 25<sup>th</sup> is really the commemoration of the birth of a Jew. As such, it is only proper to celebrate it using the Jewish day and to begin at sundown on the evening before. Purim, on the other hand, commemorates the death of the non-Jewish Haman, and it is therefore fitting for our festive meal to be based on the non-Jewish day and continue into the night.

### **Why Megillas Esther is Referred to as “Words of Peace and Truth”**

**דברי שלום ואמת - “Words of peace and truth” (Esther 9:30).**

In *Megillas Esther*, the *Megillah* is referred to as: דברי שלום ואמת – “Words of peace and truth” (Esther 9:30). This is an unusual description. Most people if asked to describe the *Megillah* would likely call it the book of *pirsumay nissim* [publicizing the miracles]. Why is the *Megillah* called “words of peace and truth”? How do these words personify the entire *Megillah*?

According to the Gaon only the first description – “words of peace” – is referring to the *Megillah*. “Truth” refers to the Torah. The Gemara in *Shabbos* (88a) teaches that at the time of Purim, the Jews renewed their acceptance of the Torah. So “words of truth” refers to the Torah they accepted.

But why is the *Megillah* called “words of peace”, and why is this description put together with the acceptance of the Torah? What is the connection between these two themes? Clearly there is a message here?

#### **The *Megillah*'s Message**

Rav Yerucham (*Da'as Chochmah U'mussar* vol.1 pg.77) writes that one can come to appreciate the vast contrast between the behaviour of the *yidden* and of the *umos ha'olam*, by analysing the people who represented each of them in the *Megillah*.

The *Megillah* gives a lengthy, detailed description of Haman's and Achashveirosh's behaviour. Look at how the foolish king made a ridiculously extravagant party to show off his riches, only to get so drunk that he killed his own wife. See how Haman, his prime minister, a man who had the greatest riches in the world, couldn't handle when one person didn't bow down to him. In his rage, he ordered the murder of an entire nation.

Why does the *Megillah* give such detailed descriptions of their actions? So that we will see the evil *middos* the *umos ha'olam* exhibit and how they lead a person to act in such a horrific manner. We should be repulsed by their behaviour and learn how not to conduct ourselves.

### **The Middos of Mordechai and Esther**

By the same token, there is much detail describing the behaviour of Mordechai and Esther, two righteous people, each of them the epitome of a *yid*. Through them, the *Megillah* teaches us how a person with exemplary *middos* behaves. It teaches us how a Jew is expected to conduct himself.

For example, the *Megillah* tells us that when Esther was brought to Achashveirosh: **לא בקשה דבר** – “she did not request anything” (Esther 2:15). She had no ambition to be queen of the entire world, even with all the wealth and power and honour it would bring her. She understood that these things have no real importance. She was the exact opposite of Haman and Achashveirosh. They needed everything. She needed nothing.

Another example of Esther's remarkable *middos tovos* is shown when Mordechai told her to warn the king about the plot to kill him. She made Achashveirosh aware that it was actually Mordechai who deserved the credit for saving him. She could have easily taken credit for saving the king and earned great honour, but she didn't, because being honest was of prime importance to her, more than all the honour in the world.

Similarly, we learn in the *Megillah* of Mordechai's *middos*. **ויהי אמן את הדסה היא אסתר בת דדו כי אין לה אב ואם** – “And he raised Hadassah, she is Esther, his uncle's daughter, for she had no father or mother” (Esther 2:7). The first thing we hear about Mordechai is his tremendous act of *chesed* – raising someone else's child. And when Esther was taken away to the palace: **ובכל יום ויום מרדכי מתהלך לפני חצר בית הנשים לדעת את שלום אסתר** – “And each and every day, Mordechai would pace in front of the courtyard of the house of the women to know Esther's wellbeing” (Esther 2:11). That's caring for another person.

The *Sefas Emes* (Purim 5637) points out that it was a span of four or five years from the time that Esther was taken to the palace until the Purim miracle occurred. And every single day, Mordechai would go to check on her, because she was an orphan. He writes that this deed alone was enough of a merit for Klal Yisroel to merit the Purim miracle.

## “Words of Peace”

If we focus on the different people presented in the *Megillah*, we see two contrasting personalities – Mordechai and Esther with their stellar *middos* representing the *yidden*, and Achashveirosh and Haman with their evil *middos* representing the *umos ha’olam*. We must learn the proper behaviour by analysing both types – how to behave and how not to behave.

With this, we can explain why the *Megillah* is referred to as “words of peace”. Refined character traits are the root of peace between people. People with proper *middos* do not harbour hatred, nor do they quarrel. They are people of peace. The *Megillah*, which teaches us how to behave properly, is appropriately called “words of peace”.

### **Mordechai HaYehudi**

After reading the *Megillah*, we recite *Shoshanas Yaakov*. In it, we curse Haman who, as it says, “attempted to destroy us”. We describe the evil that he did. We then bless Mordechai HaYehudi, but we make no mention of how he saved Klal Yisroel. We simply refer to him as the Yehudi. Why is that?

Based on the above, we can answer that Mordechai merited saving Klal Yisroel simply because he acted as a Yehudi. He was the epitome of how a Jew is supposed to behave, and that is why he merited to be Klal Yisroel’s saviour. There is indeed the perfect description for him – a Yehudi.

### **That’s a Yid**

A non-*frum kibbutznik*, a man who did not even know *krias shema*, travelled with his wife to England for an operation. When he returned to Eretz Yisroel after the surgery, people who were acquainted with him noticed that he had begun moving towards *teshuvah*.

“What happened?” asked his friends. “Why the newfound interest in Judaism?”

“I’ll tell you,” he answered. “When I was in the hospital in England, a man with a long beard came around every single morning to see what we needed. He took care of all of our needs. Growing up on a kibbutz, I never got to know ‘a *yid*.’ Now that I’ve seen what a *yid* is, I would like to be one as well.”

That is the definition of a Yehudi: someone with exemplary *middos*, someone who cares for others. This is the lesson we learn from Mordechai HaYehudi.

## **Middos before Torah**

HaRav Chaim Vital writes that the Torah never discusses good *middos*, because *middos* come before the Torah. Only with proper *middos* can one receive the Torah. This explains why the *Megillah* is called *דברי שלום ואמת* – “words of peace and truth”, with “peace” coming before “truth”. Before mentioning the reacceptance of Torah, it stresses the *middos tovos*, because they are a prerequisite to Torah. At the time of Purim, before Klal Yisroel reaccepted the Torah, they had to purify their *middos*; they had to learn the lessons from their leaders, Mordechai and Esther.

## **The Megillah and the Mezuzah**

The Gemara in *Megillah* states that the *Megillah* needs to be written with *sirtut* [lines below the words] just as is needed in the *אמיתה של תורה* – “the truth of the Torah”. *Tosfos* in *Gittin* 6b explains that “the truth of Torah” refers to the *mezuzah*. The *Megillah* requires *sirtut* just as a *mezuzah* does.

The Chasam Sofer (*Drashos* vol.1, p.246) asks, “Why is the *mezuzah* described as *אמיתה של תורה* more than any other part of the Torah? Also, what is the connection between the *Megillah* and the *mezuzah*?”

He explains that the *mezuzah* represents Hashem’s loving kindness to His children: He stands outside our homes, guarding us inside, despite this being below the dignity of a king, certainly for the King of kings. The *mezuzah*, therefore, demonstrates to us the extant one must go to do kindness for others. We must do for others, despite all of our reasons why it may not be in our own best interest. This, says the Chasam Sofer, is the meaning of *אמיתה של תורה*. The *emes* and *chesed* of the Torah is the most apparent in the *mezuzah*.

Similarly, says the Chasam Sofer, the details of the miracle of Purim are based on the *chesed* Mordechai did for Esther the orphan. Despite being the *gadol hador*, he went to the gates of the palace every day to see how she was faring. He paid no attention to his own honour; he focused solely on helping another *yid*. It was in the merit of this *chesed* that both he and Esther became Hashem’s messengers to rid the world of the evil of Amalek.

The *middah tovah* of kindness demonstrated in the *Megillah*, which was the prerequisite to the reacceptance the Torah, is similar to the *אמיתה של תורה* of the *mezuzah*. It is the lesson we learn from Purim, so we too can be worthy of accepting and learning the Torah. (HaRav Yerucham Olshin)

## The Message of Techeiles

**יחד תכלת מרדכי – שושנת יעקב צהלה ושמחה בראותם יחד תכלת מרדכי Yaakov, was cheerful and glad when they saw together the royal blue robes of Mordechai” (Shoshanas Yaakov Piyut).**

After we finished reading the *Megillah* we sing a song called *Shoshanas Yaakov*, which begins by expressing the tremendous joy the Jewish people felt when they saw Mordechai wearing turquoise garments. Although these words are well known, they are difficult to understand. Why was the colour of Mordechai’s clothing a cause for *simcha*?

Rav Chaim Zvi Senter points out that the Torah (*Bamidbar* 15:38) instructs us to place *techeiles* threads on our *tzitzis*. The Gemara (*Menachos* 43b) explains that when a person sees the turquoise threads, they should remind him of his spiritual obligations, for *techeiles* is similar in colour to the sea, which in turn resembles the appearance of the sky, which is comparable to Hashem’s *Kisay HaKovad* [Throne of Glory]. Why did Hashem command us to apply a dye that is so many steps removed from its ultimate purpose instead of requiring the use of a different colour that is directly like the *Kisay HaKovad*?

Rav Senter suggests that the indirect chain is intended to teach us that even when Hashem’s Providence is not clearly visible, it is nevertheless present, even though the passage of a lengthy period of time is sometimes necessary for it to become revealed. As the *Megillah* unfolds, the veil of confusion is slowly lifted, and by the end, it has become clear that the entire series of events was Divinely orchestrated. Accordingly, the *techeiles* robes that Mordechai wore symbolized the awareness of Hashem’s involvement and protection, even when it seems hidden, and it was this appreciation of Hashem’s master plan that generated such happiness and celebration.

Like the Jews in Shushan, we also experience moments of doubt in our lives and dark periods that can feel insurmountable. At such times, it behoves us to remember the message of the *techeiles*, that even when there is no salvation in sight, Hashem is hiding just beyond the curtain, guiding every second of our lives with absolute precision.

## From Up High Everything Looks Different

ארור המן אשר בקש לאבדי ברוך מרדכי היהודי ארורה זרש אשת מפחידי ברוכה אסתר בעדי – “Cursed be Haman who sought to destroy me, blessed be Mordechai the Jew. Cursed be Zeresh the wife of my terrorizer, bless be Esther who shielded me” (*Shoshanas Yaakov Piyut*).

After we finish reading the *Megillah*, we sing the *piyut* known as *Shoshanas Yaakov*, in which we proclaim that Haman and his wife Zeresh are cursed, while Mordechai and Esther are blessed. At that point, we have already finished reading the *Megillah*, and it is quite clear that Mordechai and Esther had much happier endings than Haman and Zeresh, so why is it necessary to reiterate this self-evident point, and what lesson is it coming to teach us?

The Vilna Gaon explains that the term ברוך – “blessed” refers to a person who may have endured terrible suffering, but eventually comes out happy. On the other hand, somebody who is ארור – “cursed” might enjoy lengthy periods of great success and joy, but ultimately his end will be bitter. The *Lekach Tov* explains that in the *Megillah*, Mordechai experienced tremendous anguish: He was exiled from Israel, Esther was forcibly taken away from him and given to Achashveirosh, and he was challenged and threatened by Haman. However, in the end, Mordechai ultimately enjoyed success, as he wore royal clothing, received Haman’s estate, and his name and reputation were respected throughout the land.

Haman, on the other hand, initially achieved unparalleled bounty and blessing. He had wealth, honour, children, and power. As a result of his anger at one individual, he had the ability to issue a decree to destroy an entire nation. However, although Haman seemingly had it all, his end was one of disgrace and humiliation, as everything he knew and had was reversed in a matter of hours.

This is the lesson of the *Megillah*. Many times in life, we see people around us who seem to have it all, yet no matter how hard we try to perform Hashem’s will, nothing ever seems to go our way. Since *Chazal* would not have included *Megillas Esther* in *Tanach* unless it had a relevant message for every generation, it is insufficient for us to view it as a one-time historical event, for its message is eternal and relevant to each of us. We therefore reiterate in *Shoshanas Yaakov* the triumph of Mordechai and Esther over Haman and Zeresh to help us internalize the recognition that if we follow in the spiritual paths of Mordechai and Esther, the time will ultimately come when we will merit following in the footsteps of their success and happiness as well, and

indeed, many have the custom to add: ברוכים כל הצדיקים ארורים כל הרשעים – “Blessed are all the righteous, and cursed are all the wicked”.

As we learn from the *Megillah*, there is often much more going on beneath the surface than meets the eye. Although Hashem seems even more hidden today than in Mordechai and Esther’s era of *hester ponim*, that just means that our job is that much harder to look behind the veil and discover the hidden miracles that are still taking place for anybody who wants to find them.

There is a well-known *tzaddik* in Yerushalayim named Rav Gamliel Rabinovitch, to whom people turn for *berachos* and advice with all types of problems. He once related that he once took a trip to some *kevorim* in the North of Eretz Yisroel. Along the way, he noticed a tall office building that had just been built and was advertising for tenants. There was a large banner near the top of the building that said מלמעלה הכל נראה אחרת – from up high, everything looks different. He pulled over and took a picture of the sign, and when he returned home, he had it blown up and taped to the inside of one of his closet doors. He explained that often, when people open up and share their pain, they express it in a way that seems to question Hashem’s treatment of them. When that happens, he opens the door and shows them the sign with the message: מלמעלה הכל נראה אחרת – from up High with a capital H, there is another perspective, and the situation may appear quite different.

Even in the *Megillah* itself, where Hashem’s name is not mentioned a single time and He appears to have abandoned us, He is still there protecting us through Mordechai and Esther. (R’ Ozer Alport)

**For many more exciting *halachic* topics related to Purim and the *Daled Parshiyos* and more *divrei Torah* on *Megillas Esther* please email me on [limudaymoshe@gmail.com](mailto:limudaymoshe@gmail.com) and I will happily send you the *Kuntros* I put together last year on entirely different topics to this year’s one.**