

LAWS OF PURIM (5776)

Compiled by Rav Shimon Golan

The days of Purim are unique: according to the *megillah* "These days of Purim should never fail to be celebrated by the Jews—nor should the memory of these days die out among their descendants" and *chazal* in *Midrash Mishlei* (parsha 9) say "All the holidays will be abolished but the days of Purim will never be abolished".

Plausibly, the reason for this is that our ancestors established the holiday of Purim by their own initiative and free will, as it says in Esther 9:27: "The Jews took it on themselves to establish the custom that they and their descendants and all who join them should without fail observe these two days every year, in the way prescribed and at the time appointed." This, in effect, was the first mitzvah that the Jewish people took upon themselves with no directive from "on high".

We will study the laws of Purim in this spirit, so that we may observe the holiday as halachically prescribed.

The Four Parshiyot

- A. The Mishnah Berurah (685:1) states: **"Our Sages instructed that four special portions of the Torah be read every year, between Rosh Hodesh Adar and Rosh Hodesh Nissan, to remind us of four things, and they are:**

First – Parshat Shekalim as a reminder of the mandatory half a shekel contributed towards the Daily Sacrifice (*Korban Tamid*) in the Temple, every year.

Second – Parshat Zakhor as a reminder of Amalek, which we read on the Shabbat preceding Purim, in order for it to be juxtaposed with the act of Haman, who was a descendant of Amalek, and in order that the reminder of our obligation to destroy Amalek should precede our commemoration of its fulfillment, as it is written, "And these days are remembered and fulfilled".

Third – Parshat Parah (Red Heifer), which we read on the Shabbat preceding Parshat Hahodesh as it was burnt in the wilderness immediately before Nissan. This allowed the Israelites to be sprinkled with its ash immediately after the erection of the Mishkan, to purify them and allow them to bring the Korban Pesach on time. We therefore read this portion of the Torah as a prayer to Hashem in the hope that he will soon sprinkle us with purifying water.

Fourth – Parshat Hahodesh, which we read on the Shabbat immediately preceding Rosh Hodesh Nisan, as stated in the Torah: This month shall be the first of your months. But this is not the most important part of sanctifying the month, which is when the new moon can be seen and the Beit Din then sanctifies it. This reading is a rabbinical ordinance only."

- B. This year the Four Parshiot fall as follows:

Parshat Shekalim – on Shabbat Parshat Vayakhel (25 Adar A)

Parshat Zakhor – on Shabbat Parshat Vaikra (9 Adar B).

Parshat Parah – on Shabbat Parshat Shmini (23 Adar B).

Parshat Hahodesh – on Shabbat Parshat Tazria (1 Nissan). Three Torah scrolls will be taken: six people will be called up for Parshat Tazria, the seventh will be called up for the Rosh Hodesh reading, and the Maftir will read Parshat Hahodesh.]

- C. The early commentators were divided as to whether the obligation to read Parshat Zakhor is biblical or rabbinical in origin. The Shulhan Arukh rules that it is "de-oraita" (biblical).

This ruling gives rise to a number of practical ramifications:

1. Both the reader and the listeners must have the intention of fulfilling their obligation to read this portion.
2. The reading must be exact and accurate.
3. The reader must be an "adult" (i.e., past bar-mitzvah age) beyond any doubt (a rabbi should be consulted in the case of a boy who reaches bar mitzvah on this Shabbat).

D. Opinions are similarly divided with respect to a woman's obligation to read Parshat Zakhor. This question is not discussed in the Shulchan Arukh, but it is addressed by later authorities. Wherever possible, a woman should hear someone read Parshat Zakhor in order to fulfill her obligation according to those authorities who maintain that she is so obligated.

E. Someone who did not hear Parshat Zakhor read should have in mind the intention to fulfill this obligation when he hears the Torah reading on Purim (which also has as its theme the war against Amalek), or on the Shabbat when we read the parsha of Ki-Tetze (from which the excerpt of "Parshat Zakhor" is taken).

F. The Shulchan Arukh notes that some rabbinic authorities consider that the reading of Parshat Parah is also biblical, although in practice the same stringencies do not apply as are applied to Parshat Zakhor.

Ta'anit Esther (The Fast of Esther):

- A. Our Sages were divided as to the source of this fast, but all agree that it does not have the same degree of importance as the "four fasts" that commemorate different stages of the destruction of the first and second Temples.
- B. This "leniency" finds expression in the greater number of exemptions from this fast than from the others. Such exemptions include pregnant women and nursing mothers, people who are even slightly ill, the elderly and the frail, and the members of a family who are celebrating a "brit". (Please consult a rabbi with specific questions regarding those participating in a brit.) But anyone who is healthy is obligated to fast. This year the fast begins at 4:11 am and ends at 18:09. pm (according to the Tikochinsky calendar).
- C. Most rabbinic authorities are of the opinion that one should not eat before hearing the megillah. A person for whom fasting proves difficult may, according to the *Shulchan Aruch (Orach Chayim 692:4)* "hear the *megillah* read before sunset, from *plag hamincha* onwards". The *Rema* adds: "However, one should not eat before hearing the *megillah*, even if he has difficulty fasting." The *Mishnah Brurah (4:14)* states: "Eating is prohibited but one may taste something... but even the leniency of tasting is only permitted in a time of great need, i.e. the person feels ill or is finding the fast very difficult. The amount that one may taste is bread the size of an egg, or an "eggs-worth" of drink". Rav Ovadiah Yosef ruled similarly (*Yabiya Omer* Responsa part 9, *Orach Chayim* para 67) "If it is difficult for him to fast he can certainly taste something."

The Half-Shekel:

- A. The Rama (Rav Moshe Isserles) writes, "There are some who say that before Purim a half of whatever is the currency at that time and in that place should be given, in commemoration of the half-shekel that used to be given (in the time of the Temple) in Adar." Sefaradim also follow this custom.
- B. With regard to the time of giving the money, there are several different customs:
 1. According to the Rama: on Erev Purim, prior to mincha.

2. According to the Mishnah Berurah: the custom is really meant to be fulfilled in the morning, prior to the reading of the Megillah, "but nowadays it is customary that the half-shekel is given before mincha and in the morning we give 'ma'ot megillah'."
 3. According to Rav Ovadia Yosef: on Purim night, before the Megillah reading.
- C. From what age does one give a half-shekel? According to the Rama, "only someone aged twenty or above is obligated to give it," but the Mishnah Berurah explains that this reflects only the opinion of Rav Ovadia of Bartanura, whereas the Tosfot Yom-Tov maintains that one is obligated from the age of thirteen (bar-mitzvah), "but the custom is to give even for one's young sons."
- D. Are women also obligated in this regard? According to the Magen Avraham, women are exempt; according to the Hagahot Maimoniot they are obligated.
- E. How much money should be given as a commemorative "half-shekel"? The Rama writes, "One should give three halves of whatever the main currency is in whatever country he lives in, for there is no coin (or denomination) other than this that is called "half". In Austria he should give three half-weiner coins, which are called "half", and so on in each country." This would suggest that we should give according to whatever is called "half" of the currency in the country we live in (half-shekel in Israel). But some people have the custom (based on the Rambam) of giving the equivalent value of the original biblical half-shekel (10 grams of silver).

Special Mitzvot for Purim

There are four special mitzvot that are unique to Purim:

1. Reading of the Megillah
2. Mishloach manot
3. Gifts to the Poor
4. A Purim feast

Reading of the Megillah:

- A. The Megillah is read on Purim night any time from nightfall until sunrise, and in the day any time from sunrise until sunset.
- B. The Megillah may be read by a person in private (including the preceding blessings, and from a proper scroll), but it is preferable that it be read before a LARGE audience, based on the principle that "the King's glory is in the multitude of the nation".
- C. Both men and women are obligated to read the Megillah, but opinions are divided as to whether their obligation is identical in nature. The practical difference that arises between these two opinions pertains to the question of whether a man can fulfill his obligation by listening to a woman read the Megillah. The Shulhan Arukh answers in the affirmative while the Rama answers in the negative. It is clear, in any event, that a woman can certainly fulfill her obligation by hearing another woman read, although some opinions remark that this should not be done "in front of many women".
- D. Small children should also hear the Megillah reading as part of their education, however, this applies to children who are capable of sitting quietly, not to those who will disturb other listeners.

- E. Prior to the reading **in the evening** according to all opinions three blessings are recited: "al mikra megillah", "she-asah nisim" and "shehehiyanu". These are recited even if the reader is reading for himself alone. Following the reading we recite the blessing "ha-rav et rivenu" - this blessing is recited only after a public reading.
- F. Prior to the reading **in the day** according to all opinions we recite the blessings "al mikra megillah" and "she-asah nisim". According to Sefardi custom, based on the Rambam, the "shehehiyanu" blessing is not recited in the day; Ashkenazi custom - based on Rabbeinu Tam - is to recite it.
- G. When reciting the "shehehiyanu" blessing one should have in mind that it applies also to the mishloah manot and the se'udah (feast).
- H. Where the reading is done by a woman, the Rama writes: "There are those who say that if the woman reads for herself, she recites the blessing "lishmo'a megillah", since she is not obligated to read. But many authorities (including Ashkenazi) do not make this distinction, and in most places it is customary that a woman who reads - or a man who reads in order for a woman to hear the reading - recites the regular blessing "al mikra megillah".
- I. If the Megillah is read for a group of ten women or more, the blessing following the reading - "ha-rav et riveinu" - is also recited (there are those who dispute this).
- J. One should not speak at all during the reading of the Megillah, from the beginning of the first blessing until the end of the final one. When the reader recites the blessings one should not answer "barukh hu u-varukh shemo"; one should answer only "amen" at the end.
- K. It is customary that the entire congregation recites four "pesukim of redemption" in the Megillah aloud. Each one is then repeated by the reader. In many places it is also customary that the names of the ten sons of Haman are read aloud by the entire congregation and then repeated by the reader.
- L. There are two pesukim from the megillah concerning which there is some controversy as to their proper formulation. They are 8:11 and 9:2. Some readers read each of them twice, with both possible formulations.

Mishloah Manot:

- A. Every man and woman is obligated to send at least two food portions (i.e., two different portions of ready-to-eat food) to someone else. Since we usually send "family portions" it is desirable that a couple decides and intends that one of the mishloah manot is being sent from the husband while a different parcel is being sent from the wife.
- B. Drinks (wine, juice) are also considered "portions".
- C. A "portion" should be of respectable size; one does not fulfill one's obligation by sending a "kezayit".
- D. An important comment regarding mishloah manot: in many cases cakes baked at home are exempt from the requirement of separating hallah since the amount of flour used is less than the minimum for this mitzvah. However, there is a principle in the laws of hallah that states that

"the basket joins them all in the matter of hallah" - i.e., if a number of baked goods are all placed in the same basket or other vessel, their joint volume makes them subject to the requirement of hallah. Therefore if one saves all one's baked mishloah manot in one container (or even one tray, or perhaps even in one freezer unit), it would seem that the obligation to separate hallah would apply. In such a case one should separate but without a berakha.

Gifts to the Poor (Matanot Le-evyonim):

- A. Every man and woman is obligated to give two gifts on the day of Purim, to two poor people (i.e., one gift to each of them). One may fulfill this obligation according to the letter of the law by giving even the smallest coin to the poor, but the Rambam writes: "It is better that a person spend more on gifts to the poor than that he spend more on the feast and on mishloah manot to his friends, for someone who brings joy to the hearts of these unfortunate people is compared to the Shekhinah, as it is written: "to revive the spirit of the downcast and to revive the hearts of the downtrodden."
- B. "Gifts to the poor" can take the form of money or food, but it is important that the poor people receive the gifts on the day of Purim itself. Towards Purim notices will be placed in the shuls in Efrat regarding the possibility of arranging the delivery of gifts to the poor on the actual day.

Purim Feast:

- A. It is a mitzvah to hold a great feast (Seudah) on Purim, and this mitzvah applies only during the day of the 14th of Adar, not on the preceding night. Under normal circumstances, it is customary that the feast is held in the afternoon, following mincha.
- B. This year, due to the fact that Purim falls on Friday, the Rama (in 695:2) ruled: "The Seuda should take place in the morning out of respect for Shabbat", and the Mishna Berurah (695:10) added: "That is, before *hatzot hayom*, at the outset". In principle, the Seuda may also be held during the afternoon, and when Shabbat begins, the table should be covered with a white cloth, we make Kiddush and continue to eat a *kezayit* of bread (some opinions say *kebeytza* – an egg-sized portion of bread). In my opinion however, this presents several technical problems (that of the evening prayer and *Kabbalat Shabbat*), and I therefore believe that the Rama's suggestion is preferable.
- C. There is some debate as to whether one is obligated to eat bread at this meal (like on Shabbat).
- D. With regard to drinking wine, the Gemara teaches: "A person should drink on Purim until he cannot distinguish between the cursed Haman and the blessed Mordechai." But opinions are divided as to whether this is to be understood literally. The Shulhan Arukh would seem to suggest that it should, but the Rama rules: "Some say that one need not become completely drunk, but rather that he should merely drink more than usual."

Mourning on Purim:

- A. A mourner who is sitting "shiva" on Purim does not show his mourning in public (and he may therefore wear leather shoes and sit on a regular chair); the laws of mourning apply to him only in private.
- B. With regard to leaving his house to go to shul: on Purim evening he should preferably not leave (unless he cannot arrange for a minyan to gather at his house), while in the day it is permissible for him to go out.

- C. A mourner (even during "shiva", or during "shloshim" or during the 12 months following the death of a parent) is still required to send mishloah manot (he should send the minimum necessary to fulfill this mitzvah). But one does not send mishloah manot to a mourner (although one may certainly send to the members of his family).
- D. A mourner is obligated to partake of a Purim feast, but it is preferable that this meal be held for family members only.

A RESIDENT OF AN UNWALLED CITY AND A RESIDENT OF A WALLED CITY

- A. Most of the residents of the country live in cities without walls (including the residents of Efrat) and therefore they celebrate Purim on the 14th of Adar, whereas residents of cities that were walled from the time of Yehoshua Ben Nun celebrate Purim on the 15th. This din is in fact practiced only in Jerusalem. In ancient cities where there is doubt such as Hebron and Tiberias, it is the custom to read the megillah on the 14th with a blessing and on the 15th without a blessing. (The other mitzvot of the day – on both days.)
- B. The frequently posed question of when to celebrate Purim in Efrat has been given much consideration since the Old City of Jerusalem and Har Habayit are discernible from certain vantage points within Efrat. The *Shulchan Aruch (Orach Chayim 688:2)* rules: "This includes small towns that are visible from the walled cities, even if they are not close by – e.g. if they are located on a mountain. If they are close by but not visible – like in a valley – they are likewise included, as long as they are located within a *mil* (around one kilometer) of the city." The distance between Efrat and Jerusalem obviously exceeds a *mil* and therefore the *megillah* is read here on the 14th of Adar, as is the rule in a city without a wall. Rav Moshe Sternbuch in *Teshuvos VeHanhagos (vol. 3, siman 234)* writes: "It is difficult to rely on a heter by dint of the visibility factor. The Reishit Da'at, the Pri Chadash and the Birkei Yosef all agreed that if there is visibility but the distance exceeds one mil then the megillah is read on the 14th of Adar. The Vilna Gaon also tends to this view, since it is clear from the Gemara that visibility is specifically limited to the distance of one mil, as they contended. However, even if we were to say that the 'visibility ruling' also applies when distances exceed one mil, they were referring to clear visibility, as explained by the Meiri, whereas in the case under discussion, visibility is transitory and restricted. Moreover the opinion of the holy Tzitz zts"l and of the book *Ir Hakodesh V'Hamikdash* was that the entire city should be visible." This is not the case concerning Efrat and Jerusalem.
- C. The governing principle is based on where you are at the break of dawn on the same day.
- D. A resident of an unwallled city who travels from his city to Jerusalem on Thursday, the 14th of Adar, after sunrise, even if he has in mind to sleep in Jerusalem on the night of the 15th, is obligated to keep all of the mitzvot of Purim on the 14th (including the Purim feast and is exempt on the 15th).
- E. If he travels to Jerusalem on the evening of the 14th of Adar (and will be in Jerusalem at sunrise of the 14th and also of the 15th, he is obligated to keep all the laws of Purim only on the 15th of Adar (as would a Jerusalemite).
- F. If he returns from Jerusalem to his city on the 14th (which means that at sunrise of the 14th he was in Jerusalem and on the 15th he will be in his city) it is unclear what he should do and therefore it is advisable to remain in Jerusalem on the 15th in order that he'll be obligated only on the 15th (as is the law of a walled city). If nevertheless he returns on the evening of the 15th – he reads on both days without a blessing.

