

Rabbi Wein's Weekly Blog
MY ORCHID PLANT

Among my many failings is the fact that I do not have a green thumb. Plants and I do not agree and, in fact, many times I feel that the plants that I have in my home are just downright hostile to me. The care of these plants and the reason that they have survived so long has always been due to the distaff side of my home. I very much enjoy flowers and plants and I see in them some of the bountiful goodness of the pleasures that the Lord has arranged for humans in this world.

So I persist in watering and caring for the plants in my house in spite of my bumbling efforts to keep them sprightly or at least alive. The only exception to this seemingly endless tale of frustration is the orchid plants that I have in my house. They require very little care and that is what they receive. Their flowers are absolutely magnificent and their presence has a soothing effect on my rabbinic nerves that sometimes become frustrated and jangled.

And the greatest thing about orchid plants is the fact that after they shed their flowers after a month or two they do not die but remain dormant, sometimes for more than a year, and then suddenly revive themselves and begin to produce the bulbs that will then produce their beautiful flowers.

I love to watch this process for it gives me a sense of revival and resilience. There is a great human lesson to be learned from the orchid plant and I am grateful to have that opportunity. The Torah itself indicates that humans have much to learn from nature – both the animal and plant kingdoms – and that only a fool would ignore these lessons built into God's creation.

I have had an orchid plant in my home that has been dormant for well over a year. About a month ago, the person that helps clean and keep my house orderly proposed that I dispose of this plant since it obviously was no longer going to revive itself and produce flowers. I told her that this plant had done so previously and that I would hang onto it, if for no other reason than a sentimental one.

The plant must've heard the warning that it was on a very short leash and, beginning two weeks ago, it began to wake up. It now has suddenly sprouted bulbs and just before Shabbat it gave birth to the first beautiful orchid flower. I was deeply touched by the event for it highlighted to me the continuity of life, which is one of the basic values of Judaism and of its Torah.

We all pass through difficult and sad times. We all, in the words of Proverbs, "fall seven times." But we are commanded to rise again to continue, for the challenges and difficulties of life are inescapable. The strength and resilience that the Lord built into human beings must be exploited by continuing to do acts of kindness, mercy and justice. Watching my orchid plant bloom again brought home to me this attitude... a mere flower served as both a great challenge but also a comfort.

I realize that even orchid plants do not bloom forever. All things in this world are finite and that applies to work with plants as it does to humans and other creatures. This realization however does not dampen my enthusiasm at seeing my orchid plant once again blossom and give forth flowers. The plant does not seem to be overly concerned about its ultimate future and demise. Meanwhile it does what it is supposed to do – produce beautiful flowers so that the human beings can have enjoyment.

That is also a great lesson to humans who are haunted by our sense of mortality and finiteness. In Proverbs again, King Solomon in describing the great woman of valor, states that "she is able to laugh even to the last day." We do not see anything humorous about the last day. But the deeper meaning is that while we have not yet arrived at the last day, we have to pursue our mission and task in life with enthusiasm and joy and not with a sense of doom and foreboding.

The gift of life and resilience that the Lord has planted within us is what makes life magical and gives it a whiff of eternity. I am very grateful to my orchid plant for having taught me so many important lessons.

Shabbat shalom
Berel Wein

Rabbi Wein's Weekly Blog
TETZAVEH

The Torah reading of this week deals with the garments and vestments of the children of Aaron, the priests and High Priest of Israel. At first glance, the garments that these men were to wear present a clash of ideas and a contradiction of policies. On one hand, the garments of the ordinary priests were simple, modest and low key – a hat, a belt in the form of a sash, trousers and the tunic. They were pure white in color and represented purity of body and soul and humility of behavior and attitude.

Even the High Priest of Israel wore these basic, simple garments at all times during his service in the Temple. However, the High Priest wore four additional garments that distinguished him and his office from that of an ordinary priest. These four garments – a golden plate on his forehead, the long outerrobe of blue, a collar decorated with tufts of wool and golden bells, and a multicolored intricately designed printed cloth with shoulder straps which held the golden plate. This chest plate had 12 precious stones and two large diamond-like stones on the shoulder straps – which were surely garments of pride, grandeur and majesty.

The garments that the High Priest wore were in essence self-contradictory, for some of the garments were meant to reflect humility and modesty, simplicity and purity, while the other garments that he wore reflected grandeur, opulence, wealth and power. In this seeming contradiction, in my opinion, lies a deep and important message, which is very relevant to us even today.

A person's basic makeup, represented by the simple garments of the ordinary priest and of the underlying garments of the High Priest himself, must always reflect humility, simplicity and purity. We are told in the Talmud that the Lord, so to speak, abhors self-grandeur and overbearing pride.

Maimonides teaches us that in matters of humility one is allowed to go to an extreme in order to avoid hubris, pride, arrogance and self-interest. Nevertheless the Torah demands of leaders and scholars a certain amount – a one-sixty-fourth measure - of assertiveness and self-pride.

For the High Priest to wear only garments of simplicity would automatically diminish his stature and influence over the people that he is meant to serve and uplift spiritually. So we must add garments of majesty and grandeur in order to allow him to fulfill his role of leadership and influence. But underneath the four garments of grandeur, he still wears the simple white garments that represent humility and purity. Therefore on Yom Kippur, he changes his garments a number of times. Some of the service he conducts wearing only the white simple garments, while at other times he is empowered to wear his magisterial robes.

This is always the balance that the Torah demands from all of us and especially from our leaders... never to fall into the trap of hubris but always to realize that even a costume can influence the public with whose leadership he is charged.

Shabbat shalom
Rabbi Berel Wein

Parshat Tetzaveh (Exodus 27:20 – 30:10)
Rabbi Shlomo Riskin

Efrat, Israel – "You shall blot out the remembrance of Amalek from under Heaven; do not forget!" [Deut. 25:19].

Parshat Zachor – Deuteronomy 25:17-19

Each year on Shabbat Zachor, the Sabbath that precedes the festival of Purim, we read from a selection in the Book of Deuteronomy about the need to remember the vicious attack on the most vulnerable of the Jews by the nation of Amalek. Interestingly, however, there is another record of the battle that appears elsewhere in the Torah, containing additional elements of the incident.

That account is in the Book of Exodus, which we read on Purim morning prior to the Megillah: "And then came Amalek and fought with Israel in Refidim...And God said to Moses, '...I will blot out ("emche") the remembrance of Amalek from under heaven!" [Ex. 17:8-16]. It is important to note that this section appears in its historical context, following the exodus and prior to the giving of the Torah.

This is not so in Deuteronomy, where the reference to Amalek appears without warning and is out of historical context. "Remember what Amalek did to you by the way, when you were coming out of Egypt; how he met you by the way,

and smote your hindmost: all that were feeble in the rear, when you were faint and weary; and they did not fear God. Therefore it shall be, when the Lord your God has given you rest from all your surrounding enemies, in the land that the Lord your God gives you for an inheritance, to possess it, you shall blot out (“timche”) the remembrance of Amalek from under Heaven; do not forget!’ [Deut. 25:17-19].

A number of questions arise from these passages. First, the account in Deuteronomy provides many more details about the attack in question, greatly enriching our understanding of the contemporaneous account in Exodus. Why separate the dissemination of details into two sections?

Second, since the commandment is to blot out the memory of Amalek, what do its two different verb forms signify? In Exodus, God informs Moses, “I will blot out (“emche”) the memory of Amalek”, whereas in Deuteronomy, Moses tells the people, “YOU shall blot out (“timche”) the memory of Amalek”. Who is to actually do the job?

Finally, why is there a need for a special Sabbath dedicated to remembering Amalek’s genocide attempt, when only several days later, we will celebrate Purim, which records the destruction of Amalek’s infamous descendant, Haman?

To answer these questions, we turn to Maimonides’ Laws of Kings, where he codifies the commandment regarding the destruction of the seven indigenous nations in the land of Canaan. He concludes that this directive is no longer feasible, as “their identity and memory have been lost,” due to a policy of mass population transfer ordered by King Sancherib of Assyria, which “mixed the nations” that he conquered [BT, Brachot 28a]. However, in the following paragraph, as Maimonides codifies the mandate to destroy Amalek, he omits mention of its identity having been lost [Laws of Kings, 5:4-5].

On this basis of this critical difference, my revered mentor, Rabbi Joseph Soloveitchik, z”l, cited his grandfather, Rav Chaim of Brisk, who distinguished between the physical nation of Amalek and the ideology of Amalek. The former once lived near Canaan (and which has since been rendered indistinguishable by Sancherib’s population transfer), while the latter’s goal is to destroy Israel and our unique message of compassionate righteousness and moral justice for the world.

Indeed, the ideology of Amalek exists in every generation, with many different identities, from Sparta-Rome, to the Ottoman Empire, to Nazi Germany, to ISIS and to modern-day Iran. They each believed that to the powerful victor belong the spoils; they each maintain that might makes right!

With this in mind, our two passages can be better understood. The verses in Exodus describe the nation of Amalek attacking the Jewish People with the aim of nothing less than total genocide. Even as we took up arms in self-defense, the Almighty promises that He will finish the job for us (“I will blot out Amalek”).

But Amalek is not merely a specific nation at a specific moment of Jewish history. It is an ideology, Amalek-ism, if you will: the denial of the Israelite mission promised to Abraham the first Hebrew, that we will eventually teach all the families of the earth God’s without design of a world of peace and universal love.

From this perspective, the passage in Deuteronomy that we read on the Sabbath before Purim deals with the larger issue of Amalek-ism, not simply with the ancient nation of Amalek. It is no wonder, then, that this command to destroy Amalek is not within the historical context of the exodus from Egypt. Rather, it is in the context of commandments, the means by which we are distinct and through which we will ultimately become a light unto all the nations, when everyone will accept at least the moral commands of our holy Torah, when all peoples will beat their swords into ploughshares and will make love instead of war [Is. 2].

Therefore, it is specifically on Shabbat – a taste of the idyllic World to Come – before the holiday when we bested the original Amalek, that we are commanded to “blot out” not only Amalek but Amalek-ism, by eventually converting all nations to the acceptance of Jewish morality, at the very least! Shabbat Shalom

Tetzaveh: The Sanctity of the Temple Mount

Rav Kook Torah

With the Jewish people’s return to the Land of Israel, the question of the Halakhic status of Har HaBayit - the plot of land where the Temple once stood in Jerusalem – became a hot topic. Does it still have the unique sanctity that it acquired when Solomon consecrated the First Temple? Does a person who enters the area of the Temple courtyard (the azarah) while ritually impure (tamei) transgress a serious offence, incurring the penalty of karet?!

Or did the Temple Mount lose its special status after the Temple’s destruction?

This issue was the subject of a major dispute some 900 years ago. Maimonides noted that the status of Har HaBayit is not connected to the question about whether the Land of Israel in general retained its sanctity after the first exile to Babylonia. The sanctity of the place of

the Temple is based on a unique source - the Divine Presence in that location – and that, Maimonides argued, has not changed. “The Shekhinah can never be nullified.”²

Maimonides buttressed his position by quoting the Mishnah in Megillah3:4: “Even when [your sanctuaries] are in ruins, their holiness remains.

However, Maimonides’ famous adversary, Rabbi Abraham ben David (Ra’avad), disagreed vehemently. This ruling, Ra’avad wrote, is Maimonides’ own opinion; it is not based on the rulings of the Talmud. After the Temple’s destruction, the Temple Mount no longer retains its special sanctity. A ritually-impure individual who enters the place of the Temple courtyard in our days does not incur the penalty of karet.

Rav Kook noted that even Ra’avad agrees that it is forbidden nowadays to enter the Temple area while impure. It is not, however, the serious offence that it was when the Temple stood.³

What is the source of this disagreement?

Like a Tallit or Tefillin? In Halakhah there are two paradigms for physical objects that contain holiness. The lower level is called tashmish mitzvah. These are objects like a garment used for a Tallit, a ram’s horn used for a Shofar, or a palm branch used for a Lulav. All of these objects must be treated respectfully when they are used for a mitzvah. But afterwards, they may be freely disposed of (covered and then thrown in the garbage). Their holiness is only in force when they are a vehicle for a mitzvah. The holiness of a tashmish mitzvah is out of respect for the mitzvah that was performed with it.⁴

But there is a second, higher level, called tashmish kedushah. These are objects which have an intrinsic holiness, as they are vessels for holy writings. This category includes Tefillin, Sifrei Torah, and Mezuzot. It also includes articles that protect them, such as covers for Sifrei Torah and Tefillin boxes. Unlike tashmish mitzvah, these objects may not be simply disposed of when no longer used. They must be set aside (genizah) and subsequently buried.

For Ra’avad, the land under the Temple falls under the category of tashmish mitzvah. It facilitated the many mitzvot that were performed in the Temple. Without the Temple, however, the area no longer retained its special kedushah. It became like an old Tallit, no longer used to bear tzitzit.

Maimonides, on the other hand, categorized the Temple Mount as a tashmish kedushah. This area was the location of the unique holiness of the Shekhinah, an eternal holiness. Like a leather box that once contained Tefillin scrolls, even without the Temple this area retains its special level of kedushah.

“Sanctified by My Honor”

All this, Rav Kook suggested, boils down to how to interpret the words “וְקִדְּשׁוּ בְּקִבְיִי” - “sanctified by My Honor” (Exod. 29:43). The Torah describes the holiness of the Tabernacle - and later the Temple: “There I will meet with the Israelites, and [that place] will be sanctified by My Honor (Kevodi).”

What does the word Kevodi mean?

We could interpret Kevodi as referring to the honor (kavod) and reverence that we give this special place. The Tabernacle and Temple were deserving of special respect (like the mitzvah of mora Mikdash). But without the Temple functioning, it no longer retains its former kedushah - like the opinion of Ra’avad.

On the other hand, the word Kevodi could be understood as referring to Kevod Hashem - the Shekhinah, God’s Divine Presence in the Temple (see Rashi ad loc.). As the verse begins, “There I will meet with the Israelites.” This would indicate an intrinsic holiness which is never lost - like the opinion of Maimonides.

In his Halakhic work Mishpat Kohan, Rav Kook explained our relationship to the place where the Temple once stood:

“The Temple is the place of revelation of the Shekhinah, the place of our encounter with God. We do not mention God’s holy Name outside the Temple due to the profound holiness of His Name; so, too, we do not ascend the Mount nor approach the Holy until we will be qualified to do so. And just as we draw closer to God by recognizing the magnitude of our inability to grasp Him, so too, we draw closer to the Mount precisely by distancing ourselves from it, in our awareness of its great holiness.” (p. 204)

(Adapted from Igrot HaRe’iyah vol. III, letter 926)

1 Karet, literally “cutting off,” is a spiritual punishment for serious transgressions. Karet can mean premature death, dying without children, or a spiritual severing of the soul’s connection with God after death.² Mishneh Torah, Laws of the Temple, 6:16³ What would Ra’avad do with the Mishnah in Megillah that Maimonides quoted? He could explain that this homiletic interpretation is only an *asmakhta*, and reflects a prohibition of the Sages. Or the Mishnah could be referring to other laws, such as the *mitzvah* of *mora Mikdash* - the obligation to show respect and reverence to the Temple area by not entering the Temple Mount with one’s staff, shoes, or money belt; by not sitting in the Temple courtyard; and so on. (See Berakhot 54a; Mishneh Torah, Laws of the Temple, chapter 7).

We might have expected a reversal of positions - that Ra’avad would argue for its eternal sanctity, given that Ra’avad was a Kabbalist, unlike Maimonides the rationalist. Especially considering that Ra’avad explicitly notes that his position is informed by inspired wisdom - “God confides in those who fear Him” (Psalms 25:14).

In fact, it could well be that Ra’avad’s opinion is based on his understanding of the distinct spiritual status of each Temple. Solomon foresaw the higher spiritual state of the Third Temple, so he intentionally limited the sanctity of the First Temple. He conditioned its sanctity to expire with the Temple’s destruction, in order to enable the future Temple to be established on a higher state of *kedushah*.

4 This is the explanation of Nachmanides, quoted by the Ran in Megillah, chapter 3.

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Parshas Tetzaveh

The Spiritual Link / Mordechai's Powerful Concern

The Linkage Between the Choshen and the Ephod

The Torah teaches in this week’s parsha “...And the choshen shall not be detached from upon the ephod” [Shemos 28:28]. Two of the eight garments worn daily by the *kohen gadol* in the *Beis HaMikdash* were the *choshen* [breastplate] (which was worn over the chest of the *kohen gadol*) and the *ephod* [apron]. The *choshen* was attached to the *ephod*, and there is a Biblical prohibition to remove the *choshen* from being upon the *ephod*. The Talmud [Yoma 72] specifies that anyone who removes the *choshen* from the *ephod* receives lashes.

Rav Moshe Feinstein, zt”l and Rav Yaakov Kamenetsky, zt”l ask the same question, but they give different answers. The question is as follows: The Talmud in *Zevachim* teaches that each of the eight garments the *kohen gadol* wore atones for a specific *aveyra* [sin]. For instance, Chazal say that the *ephod* atoned for idolatry. On the other hand, the *Gemara* says that the *choshen* atoned for judicial corruption. Both Rav Moshe and Rav Yaakov ask that these two *aveyros* [sins] seem to be very disparate matters. *Avodah zarah* has seemingly nothing to do with the corruption of the judicial system. Yet, the fact that the Torah says the *choshen* cannot be separated from the *ephod* apparently implies a strong connection between these two items.

In his *sefer Darash Moshe*, Rav Feinstein explains the connection as follows: *Avodah zarah* is an *aveyra* involving lack of proper belief in the Master of the Universe. An idol worshipper obviously does not believe in the basic principle of monotheism: “*Hashem Elokeinu, Hashem Echad*.” A person who corrupts judgment and manipulates the *halachos* regarding proper judicial decisions in monetary cases is obviously doing this because he feels he needs to win the case because he needs the money. He will stop at nothing to win the case. Why does that happen? It is because he is not a real believer. A true believer would not have the mentality “I need the money, so I must disregard the principles of proper Jewish jurisprudence.” The true believer knows that “one’s sustenance is allocated for him on a fixed basis from one *Rosh Hashannah* until the next *Rosh Hashannah*.” No matter what a person tries to do in the course of the year, he will receive this set amount, and he certainly will not be able to make more money by violating the laws of *halachik* judicial process. If I win my case, I win; if I lose I lose — but in either case, the *Ribono shel Olam* will give me what I deserve, no more and no less.

That is why, says Rav Moshe, the *choshen* may not be removed from the *ephod*. There is a connection between *avodah zarah* and corruption of the law. Both of them indicate a lack of *emunah*.

Rav Yaakov Kamenetsky takes a different approach. Rav Yaakov quotes Rav Nissim Gaon’s introduction to *Shas*: *Avodah zarah* is an *aveyra* involving *eevus ha’yashrus* [corruption of integrity]. As Rav Nissim Gaon writes, *avodah zarah* is a logical command (*mitzvah sichlee*). If a person looks at the world “straight,” he will come to the incontrovertible conclusion that the sun, the moon, the stars, the silver, and the gold cannot be in charge. Anyone who is enamored with the idea that such items can be “in charge” of the world has, by definition, a deficiency in his power of reasoning. A logical mind must come to the conclusion that the philosophy behind idolatry is faulty.

On the other hand, Chazal say that Aharon was awarded the privilege of wearing the *choshen* on his heart because when Moshe was afraid to become the leader of the Jewish people (and thus possibly offend his older brother), G-d told Moshe, “Do not worry. Your brother Aharon will greet you and be glad in his heart.” Aharon did not have a scintilla of jealousy in his heart. He was sincerely overjoyed at the fact that his younger brother was chosen for this leadership role. As a reward for the genuine happiness in his heart, Aharon was given the privilege of wearing the *choshen* on his heart. So, Rav Yaakov explains, the *choshen* represents *middos tovos* [good character traits]. This, then, is the connection between *avodah zarah* and *middos tovos*. *Avodah zarah* represents a crooked thought process, which many times is a function of not having good *middos*. When a person has poor character traits and has to reconcile and rationalize his behavior, he will think in a crooked fashion in order to rationalize his actions. The person with a pure heart and good character traits will not be “crooked” (*krum* in Yiddish). *Midos tovos* will protect a person from going astray and thinking *krum*. Therefore, the *choshen* worn over the heart (representing *midos tovos*) should not be removed from the *ephod* (representing correct judicial rulings).

Rav Yaakov concludes with the words, “Take careful note of this for this is a great principle in the service of G-d.” *Middos tovos* will keep a person “straight” and bad *middos* will allow a person to pervert that which straight logic would tell him is correct.

What is the Lesson of the Megilla’s Last Pasuk?

The very last *pasuk* [verse] of *Megillas Esther* says, “For Mordechai the Jew was viceroy to King Ahasuerus; he was a great man among the Jews, and found favor with the multitude of his brethren; he sought the good of his people, and spoke for the welfare of all his seed.” [Esther 10:3] Rav Shlomo Alkabetz (author of the *Lecha Dodi*) wrote a *sefer* on *Megillas Esther*, called *Manos haLevi*. (In fact, Rav Shlomo Alkabetz distributed the *Manos HaLevi* to his friends together with his “*shalach manos*“.) In the *Manos HaLevi*, Rav Alkabetz asks why the aforementioned *pasuk* is the last *pasuk* in the *Megillah*. After listening to the ten *perakim* [chapters] of the *Megillah* for 45 minutes, why is this *pasuk* the fitting conclusion of the whole story of the *Megilla*?

More pointedly, what is the expression “*ki Mordechai haYehudi*?” Under normal circumstances, “*ki*” means “because,” which implies that what follows is the answer to a question. The *Manos HaLevi* wants to know what question is being answered. He explains that this *pasuk* is indeed the “answer” to the entire *Megilla* that was just read. What is the question that this is coming to answer? There is a big question that we can ask about the story of the *Megilla*. If we would have been in *Shushan* at the time of the story, I really doubt whether we would have listened to what Mordechai had to say. If we analyze the story, the person who seemingly caused all the problems that threatened the Jewish community was none other than Mordechai *haYehudi*!

Picture it in our day and time. There is this powerful fellow, Haman, who wants everyone to bow down to him or else..., but the *gadol ha’dor* insists, “I am not going to bow down to him.”

As a result of the refusal of this one person to bow down, the whole decree of *Achashverosh* to exterminate the Jewish community, from young to old, was triggered. In fact, Chazal say that the Jews of the time criticized Mordechai, telling him, “You are sending us before the sword of the wicked Haman because of this unbending, obstinate,

irrational, fanatic behavior of yours. You are going to get us all killed." That is, in fact, what almost happened.

So, when Mordechai later comes and rallies the people to be strong in the face of the decree, why do they listen to him? Did he not lose all credibility as a trusted leader? Would the people not be inclined to tell him, "We told you so! It is your fault that we find ourselves in this predicament in the first place!" Would we not expect the masses to send him off to some corner of the country, and leave them alone to somehow try to dig themselves out of the mess he created? Why did they listen to him? Would we listen to such a person nowadays, under similar circumstances?

The answer is introduced with one word – the word that introduces the last pasuk of the Megilla: "Ki..." (Because...)

This can be explained by an insight of the Ponnivizher Rav in Parshas Vayeitzei: When Yaakov came to the well at that fateful meeting with Rochel, the pasuk says, "The shepherds came to the well and rolled the stone off the opening of the well..." Yaakov confronted them and asked them, "My brothers, what are you doing over here? It is not the time of day when you should be bringing in the flocks. Why are you quitting work in the middle of the day?" [Bereshis 29:2-7]

The next time you drive by a construction site and you see a whole bunch of workers looking at the hole in the ground, doing nothing, smoking and schmoozing, try pulling over your car and rolling down the window and saying to them, "Hey guys, listen, you are on tax payers' money. You should be working now. What are you doing over here?" You had better not stick around for the answer.

And yet, Yaakov Avinu gives these herdsmen mussar, and they respond politely to him. They explain their circumstances to him. What is the explanation? The Ponnivizher Rav explains, it is because Yaakov used one word "achai" [my brothers]. This word was not rhetoric. It was not just a figure of speech. They sensed Yaakov Avinu's concern for them. He is a stranger giving them mussar, but they felt this kinship and closeness to him, such that they were willing to accept his chastisement.

That was Mordechai's secret as well. He stood on his feet in the midst of the community and said, "My dear brethren, all the gates are closed, except the Gate of Tears. Look at the people of Ninveh. Let us take them as our example, and let us fast and repent." Mordechai rallied them, but he rallied them with words of endearment, calling them "My brethren," and showing his concern for them.

Perhaps the people felt that Mordechai made a mistake originally. Maybe they did not understand what he did or why he did it, but they knew that it must have been for their benefit. When you have a sense of closeness with someone, when you feel that he loves you and is interested in your welfare, you cut him slack.

This is what the climax of the Megilla is teaching. Do you want to understand the whole story here? How could it be that if they believed that Mordechai got them into the trouble they were facing, they still listened to him? The answer is "BECAUSE Mordechai haYehudi, the viceroy to King Achashverosh, and the leader of the Jewish people, was beloved by all; he sought the welfare of his nation and spoke peace to all his descendants." Because he was beloved by all, and they knew that he was always seeking their welfare — that is why they listened to him, despite his having potentially been the source of their problem. When such a relationship exists, the person is cut a lot of slack. That is what the last pasuk of the Megilla is coming to explain.

Rav Shlomo Aviner

Ha-Rav answers hundreds of text message questions a day. Here's a sample:

Contagious Virus Q: Is a person who has a contagious virus obligated to remain at home and not go shopping so he doesn't infect others? A: He should ask a doctor.

Factory in Eretz Yisrael Q: Is a factory in Eretz Yisrael considered holy? A: It is not holy but a Mitzvah. The Mitzvah of settling the Land of Israel. Obviously, every Mitzvah makes one holy, as the blessing says: Blessed is Hashem... who has made us holy with His Mitzvot".

New Ketubah Following Name Change Q: If a married person changes his/her name, must one write a new Ketubah? A: No, since it

was correct at the time of its writing. Furthermore, during our time it is possible to identify to whom it refers. Shut Shevet Ha-Levi (8:286 #3) and Shut Minchat Yitzchak (7:117).

Mercatz Ha-Rav Break-Away Q: What is Ha-Rav's opinion about the Mercatz Ha-Rav break-away that began Yeshivat Har Ha-Mor about 20 years ago? A: My opinion is that one should learn Chumash with Rashi instead of placing your head between great mountains so that your skull doesn't get crushed.

Mentioning Person who Showed You a Source Q: Quoting a teaching one heard from another person brings the Redemption (Pirkei Avot 6:6. Megilah 16a). If someone showed me a source and I quoted it, am I obligated to mention the person's name or do I just mention the source? A: Just the Source (Ha-Rav David Cohen, Ra"m in our Yeshiva Ateret Yerushalayim, told me that Ha-Rav Shlomo Fisher, Rosh Yeshivat Itri and Av Beit Din in Yerushalayim, told him that if one shows you a source, perhaps you should give him a gift but there is no need to mention his name).

Child Not Speaking Nicely Q: If a young child is speaking inappropriately what should we do – become angry or ignore it? A: Neither.. Educate him.

Mistaken Tzedaka Q: I slept in a public park with a friend and someone put Tzedaka in my shoe. What should I do? A: Give it to Tzedaka. Praiseworthy are you Israel, merciful ones the children of merciful ones.

Temple Mount?! Q: What is Ha-Rav's opinion regarding ascending on to Har Ha-Bayit? A: My personal opinion does not matter after the Chief Rabbinate of Israel prohibited going onto the Temple Mount, as indicated on the signs it posted there. Maran Ha-Rav Kook and Rabbenu Ha-Rav Tzvi Yehudah also forbade it, as have all Gedolei Yisrael. And one who desires to ascend to the Temple Mount based on the claim that there is no holiness in those areas, recalls the following famous difficulty: The Gemara in Kiddushin (31a) states that if both one's father and mother ask him to bring them water, his father's request comes first because he and his mother are commanded to honor his father. The Gemara in Chullin (11b), however, states that the honor to one's mother is a certain obligation while the honor to one's father is based on a doubt, because perhaps the man is not his father. If so, should his mother's honor take precedence? Answer: What kind of honor is it to one's mother to honor her based on the claim that the man she claims to be his father is a question of doubt?! If so, what kind of honor is it to the Temple Mount to ascend upon it by claiming that it is not holy?! And the only thing to add are the words of Maran Ha-Rav Kook, that one infringement on the holiness of the Temple Mount undoes all of the merit of building millions of Yishuvim in Eretz Yisrael (Igrot Ha-Re'eiyah Volume 2, p. 285).

Taken Before His Time Q: Is it permissible to say about someone who died young: He was taken before his time? A: Everything which happened is by Divine providence and everyone is taken at his exact time (Yevamot 50a). We obviously still mourn over our loss.

Charedim and Soldier Q: I serve in Tzahal and returned home from the army after a long time. I passed a protest of Charedim against being drafted into the army. They pushed me and insulted me, and I am full of anger. A: 1. This is an extremely rare occurrence. 2. May Hashem have mercy on them. 3. There is great merit for one who is insulted and does not insult (Shabbat 88b).

Drasha

By Rabbi Mordechai Kamenetzky

Parshas Tetzaveh

Case Clothed "Clothes," they say, "make the man." But did you ever wonder about the man who makes the clothes?

This week's portion discusses the priestly vestments worn by both the common kohen (priest) and the Kohen Gadol (High Priest). The common kohen wore four garments while the High Priest wore eight.

The garments of the High Priest were ornate and complex. They needed highly skilled artisans to embroider and fashion them. They included, among others, a jewel-studded breastplate, a honeycomb-woven tunic, an apron-like garment and a specially designed garment that was adorned with gold bells and woven pomegranates.

To weave these garments was quite a complex task, and Moshe had to direct the craftsmen with the particulars of the difficult sartorial laws.

Yet when Hashem charges Moshe He described the function of the garments much differently than He did in telling Moshe to command the tailors.

Moshe himself was told by Hashem that the objective of the garments was for glory and splendor — surely wonderful, but very physical attributes. Yet when he is told to command the artisans, the message he is told to impart was quite different. “You shall speak to the wise-hearted people whom I have invested with a spirit of wisdom, as they shall make holy vestments to sanctify and minister for me.” (Exodus 28:1-3) “The clothes,” Moshe tells the tailors, “were not meant for glory or splendor; they were to sanctify and to minister.” Why the change in stated purpose?

A Long Island rabbi attended a taharah (ritual ceremony to prepare a deceased Jew for burial) for an individual whose background was rooted in a Chasidic community. Chevra Kadishas (burial societies) are often immune to the emotions, trauma and dread that would normally accompany a dead soul on a table.

The Chevra did their job almost perfunctorily, with hardly a word spoken, and that did not strike the rabbi as strange. Years of working with cadavers can numb the senses of even the toughest men. All of a sudden, a murmur bounced back and forth between Chasidic members of the Chevra. “Er hut a visa? (He has a visa?)” they queried. Then the conversation took a stranger turn. They began to mumble about a first class ticket.

The rabbi became concerned. Why was anyone talking about travel plans during this most sacred of rituals? That was not the time nor place. It just did not make sense. Immediately the room became silent, it was now filled with awe and a sense of reverence. “Er hut a visa!” exclaimed the senior member of the group. The entire Chevra nodded and the atmosphere suddenly transformed.

They continued to prepare for the funeral as if the deceased had been a great sage or Chasidic Rebbe. The rabbi was unable to understand the sudden change in atmosphere until the eldest man beckoned him. “Come here,” he said. “I’ll show you something. The old man lifted the arm of the deceased to reveal seven numbers crudely tattooed on the dead man’s forearm. “Do you know what they are?”

“Of course,” replied the Rabbi. “They are the numbers that the Nazi’s tattooed on every prisoner in the concentration camps.”

“No,” the old man said. “These numbers are the first-class ticket to Gan Eden. They are the visa and they are the tickets. Period.”

The badges we wear have different meanings to every individual. Moshe, the man of G-d who saw the world with a profound vision of spirituality, was told about the more mundane aspect of the priestly garments. “They are for glory and honor.” But he is told to charge the artisans, who often see only the splendor and glory of the corporeal world, with the true purpose of the garments — “to sanctify and minister.” Often we see numbers, events, and even garments as the mere manifestation of natural events whose memories impart us with only of a sense of awe for the history or beauty within. Sometimes we mortals must be reminded of a sense even greater than glory and splendor — ministration and sanctification of G-d’s name.

Crushed for the Light

Tetzaveh 5778 – Rabbi Jonathan Sacks

There are lives that are lessons. The late Henry Knobil’s was one. He was born in Vienna in 1932. His father had come there in the 1920s to escape the rising tide of antisemitism in Poland, but like Jacob fleeing from Esau to Laban, he found that he had fled one danger only to arrive at another.

After the Anschluss and Kristallnacht it became clear that, if the family were to survive, they had to leave. They arrived in Britain in 1939, just weeks before their fate would have been sealed had they stayed. Henry grew up in Nottingham, in the Midlands. There he studied textiles, and after his army service went to work for one of the great British companies, eventually starting his own highly successful textile business.

He was a passionate, believing Jew and loved everything about Judaism. He and his wife Renata were a model couple, active in synagogue life, always inviting guests to their home for Shabbat or the festivals. I came to know Henry because he believed in giving back to the community, not only in money but also in time and energy and

leadership. He became the chairperson of many Jewish organisations including the national Israel (UJIA) appeal, British Friends of Bar Ilan University, the Jewish Marriage Council, the British-Israel Chamber of Commerce and the Western Marble Arch Synagogue.

He loved learning and teaching Torah. He was a fine raconteur with an endless supply of jokes, and regularly used his humour to bring “laughter therapy” to cancer patients, Holocaust survivors and the residents of Jewish Care homes. Blessed with three children and many grandchildren, he had retired and was looking forward, with Renata, to a serene last chapter in a long and good life.

Then, seven years ago, he came back from morning service in the synagogue to find that Renata had suffered a devastating stroke. For a while her life hung in the balance. She survived, but their whole life now had to change. They gave up their magnificent apartment in the centre of town to a place with easier wheelchair access. Henry became Renata’s constant carer and life support. He was with her day and night, attentive to her every need.

The transformation was astonishing. Before, he had been a strong-willed businessman and communal leader. Now he became a nurse, radiating gentleness and concern. His love for Renata and hers for him bathed the two of them in a kind of radiance that was moving and humbling. And though he might, like Job, have stormed the gates of heaven to know why this had happened to them, he did the opposite. He thanked God daily for all the blessings they had enjoyed. He never complained, never doubted, never wavered in his faith.

Then, a year ago, he was diagnosed with an inoperable condition. He had, and knew he had, only a short time to live. What he did then was a supreme act of will. He sought one thing: to be given the grace to live as long as Renata did, so that she would never find herself alone. Three months ago, as I write these words, Renata died. Shortly thereafter, Henry joined her. “Beloved and pleasant in their lives, and in their death undivided.”[1] Rarely have I seen such love in adversity. In an earlier Covenant and Conversation, I wrote about the power of art to turn pain into beauty. Henry taught us about the power of faith to turn pain into chessed, loving-kindness. Faith was at the very heart of what he stood for. He believed that God had spared him from Hitler for a purpose. He had given Henry business success for a purpose also. I never heard him attribute any of his achievements to himself. For whatever went well, he thanked God. For whatever did not go well, the question he asked was simply: what does God want me to learn from this? What, now that this has happened, does He want me to do? That mindset had carried him through the good years with humility. Now it carried him through the painful years with courage.

Our parsha begins with the words: “Command the Israelites to bring you clear olive oil, crushed for the light, so that the lamp may always burn” (Ex. 27:20). The sages drew a comparison between the olive and the Jewish people. “Rabbi Joshua ben Levi asked, why is Israel compared to an olive? Just as an olive is first bitter, then sweet, so Israel suffers in the present but great good is stored up for them in the time to come. And just as the olive only yields its oil by being crushed — as it is written, ‘clear olive oil, crushed for the light’ — so Israel fulfils [its full potential in] the Torah only when it is pressed by suffering.”[2]

The oil was, of course, for the menorah, whose perpetual light – first in the Sanctuary, then in the Temple, and now that we have no Temple, the more mystical light that shines from every holy place, life and deed – symbolises the Divine light that floods the universe for those who see it through the eyes of faith. To produce this light, something has to be crushed. And here lies the life-changing lesson.

Suffering is bad. Judaism makes no attempt to hide this fact. The Talmud gives an account of various sages who fell ill. When asked, “Are your sufferings precious to you?” they replied, “Neither they nor their reward.”[3] When they befall us or someone close to us, they can lead us to despair. Alternatively, we can respond stoically. We can practice the attribute of gevurah, strength in adversity. But there is a third possibility. We can respond as Henry responded, with compassion, kindness and love. We can become like the olive which, when crushed, produces the pure oil that fuels the light of holiness.

When bad things happen to good people, our faith is challenged. That is a natural response, not a heretical one. Abraham asked, “Shall the Judge of all the earth not do justice?” Moses asked, “Why have You done harm to this people?” Yet in the end, the wrong question to ask

is, “Why has this happened?” We will never know. We are not God, nor should we aspire to be. The right question is, “Given that this has happened, what then shall I do?” To this, the answer is not a thought but a deed. It is to heal what can be healed, medically in the case of the body, psychologically in the case of the mind, spiritually in the case of the soul. Our task is to bring light to the dark places of our and other peoples’ lives.

That is what Henry did. Renata still suffered. So did he. But their spirit prevailed over their body. Crushed, they radiated light. Let no one imagine this is easy. It takes a supreme act of faith. Yet it is precisely here that we feel faith’s power to change lives. Just as great art can turn pain into beauty, so great faith can turn pain into love and holy light.

Shabbat Shalom,

Hilchos Adar & Purim

7883. Ta’anis Esther is a fast day for men and women. The fast day is to remember that Hashem listens when one is in a time of danger and need, as he did at the time of Purim. The fast is also a segulah to prevent the Satan from prosecuting an inadvertent sin done on Purim.

7884. Finally, many Mikubalim write that the decree against us from Haman has a potential recurrence each year and the fast day is a defense against the decree. Shulchan Aruch w/Mishnah Brurah 686:1, Magid Maysharim par. Vayakhel, S’V Shevet Hakahasi 1:203

In honor of Parshas Zochor, we will be discussing:

Purim Mishaps

By Rabbi Yirmiyohu Kaganoff

Question #1: Stole a Brocha?

Someone walked into our Purim seudah, helped himself to some kreplach, recited a loud brocha and then disappeared. Should we have answered “amen” to his brocha?

Question #2: Purim Damage

An inebriated Purim drop-in damaged some property in our house. May we collect damages?

Question #3: Hurt at a Wedding

At a wedding, two people collided, causing one of them to break a leg and lose work time. Is the person who hurt him liable?

Introduction:

Although we certainly hope that our Purim celebrations do not result in anyone getting hurt, the topic of this week’s article is whether someone is required to pay compensation, should he cause damage in the course of festivities. As we will discover, this is an old question, with sources dating back to the time of the Beis Hamikdash! As always, our discussion is not meant for halachic conclusion – for that we refer the reader to his own rav, dayan or posek. The purpose of our article is to provide educational background.

Early sources in the Mishnah and Gemara discuss whether one is required to pay for harm that transpired in the course of a celebration. Let us begin with an anecdote mentioned in the Mishnah (Sukkah 45a), which states, according to Rashi’s interpretation, that after the completion of the hakafos in the Beis Hamikdash on Hoshanah Rabbah, the adults would grab the lulavim and esrogim from the children and eat the esrogim. Rashi explains that there was no prohibition involved because this was part of the holiday festivities. To quote Rashi’s actual words, Ve’ ein badavar lo mishum gezel velo mishum darchei shalom shekein nohagu machmas simcha, “there is no violation of the laws of theft or of darchei shalom, because this practice was part of the celebration.” Rashi’s unusual reference to “theft or darchei shalom” is presumably based on the fact that children who were underage could have acquired their esrogim in one of two ways:

(1) Their fathers could have purchased them, in which case the lulavim and esrogim belong to the children min haTorah, and one would have thought that taking them violates stealing.

(2) The children found the lulavim and esrogim, in which case the violation is because of darchei shalom. (See Mishnah, Gittin 59b, for further discussion on this last point.)

(Those who would like to research this subtopic in more detail should note that the approach is based on the comments of the Kapos Temarim, who disagrees with the view of the Tosafos Yom Tov.

The Kapos Temarim was authored by Rav Moshe ibn Chabib, a distant cousin of the author of the Ein Yaakov [both of them were descendants of the Nimukei Yosef]. Rav Moshe ibn Chabib was born in Salonica about the year 1654, attended yeshivah in Istanbul and was sent to Yerushalayim by Rav Moshe Ya’ish, a businessman in Istanbul, to become a magid shiur of the yeshivah there that Rav Ya’ish supported. As hakaras hatov to his benefactor, for the first three years after his arrival in Yerushalayim, Rav Moshe ibn Chabib sent back to Rav Ya’ish notes from his shiurim in the yeshivah, which he developed into seforim on mesechtos Rosh Hashanah, Yoma, and Sukkah. Rav Ya’ish arranged for these chiddushim to be published in Istanbul.

After three years in Yerushalayim, Rav Moshe Galanti, the first to hold the position called rishon letziyon, passed on, and Rav Moshe ibn Chabib, then only about thirty-five years old, was appointed as his replacement to be the rishon letziyon. This is quite astounding, since there were approximately one hundred great talmidei chachamin at the time in the very small community of Yerushalayim, many of them decades older than he. This underscores his tremendous status as a gaon in learning.

Unfortunately for us, his responsibilities as rishon letziyon apparently precluded his continuing his series on Shas. We do have scattered responsa from him and a monumental work on the laws of gittin. Rav Moshe ibn Chabib served as rishon letziyon until his premature passing at the age of 47.)

Wedding jousting

Tosafos notes that, according to Rashi, the following halacha would result. “We can learn from here that young men who ride on their horses to greet a chosson and they fight together (probably a jousting match or something similar, performed to entertain the celebrants) – if one of them tears the other’s clothing or injures his horse, they are not liable, because this is the minhag established because of simcha.” In other words, when people are involved in celebration, even should it get somewhat rowdy, the established practice exempts a person from paying damages that may result.

We should note that Tosafos mentions that one young man tore another’s clothing or injured his mount, both of which are instances of property damage – but Tosafos does not discuss whether there is liability in the event of physical injury. We will discuss more on this point shortly.

Tosafos then suggests an alternative way to explain the Mishnah: After the last of the hakafos, the children removed their own lulavim from the hadasim and aravos and began to play with their lulavim and eat their own esrogim (and not that the adults grabbed the children’s lulavim and esrogim). According to this approach, the Mishnah contains no reference to someone taking another person’s property as part of the celebration, and it therefore provides no source that a celebration exempts liability should one damage someone else’s property. However, although the second approach does not provide a source exempting a simcha situation from liability, this does not necessarily mean that those who understand the Mishnah this way require that a celebrant pay damages. It simply means that there is no source from the Mishnah regarding this law.

It is interesting to note that Rashi on the Gemara (46b) cites Tosafos’ approach in explaining the Gemara and disagrees with it on the basis of a Midrash Rabbah that he quotes. This leads to an interesting discussion among the early acharonim.

The Maharam notes that Tosafos does not point out in either place that Rashi himself mentions the other approach and disagrees with it. The Maharam concludes that Tosafos obviously did not have this text in Rashi; he also notes that he found other editions of the Gemara that do not have this Rashi. The Gra similarly states that this text is not part of what Rashi wrote but was written by someone later, and then added to our editions by an errant copyist. However, we should note that these comments are attributed to Rashi’s commentary even in the very earliest printed Shas, the Bomberg edition, printed in Venice in 1521. That would mean that the Maharam and the Gra are noting that this mistake crept into Rashi even earlier, probably before the era of printing.

We find evidence that not all rishonim agree that someone who caused damage while celebrating a simcha is exempt. This disagreement is

borne out by a ruling of the Rosh, recorded in the following responsum (Teshuvos Harosh 101:5).

Just mulling around For the occasion of his wedding and sheva brochos, a chosson rented an elegant mule. The rental agreement from the non-Jewish owner included a provision that, if the mule was injured, the renter/chosson would be required to pay not only damages but also a substantial fine, far more than the market value of the animal.

In the course of the merriment, a celebrant who was on horseback playfully chased after the chosson. His steed collided with the chosson's mule, severely injuring the mule. Subsequently, there was a din Torah concerning payment for the damage to the chosson's rented mule. (Some friend! And what a way to celebrate your wedding!) The Rosh rules that the friend is obligated to pay the damages for the mule, but he is not obligated to pay the cost of the contractual fine over and above the value of the mule, for reasons unrelated to our discussion.

The Maharshal notes that if a celebrant at a simcha is exempt from damages, the chosson's friend should have no legal responsibility to make restitution. He therefore concludes that the Rosh disagrees with those who contend that there is an exemption from paying damages caused by mitzvah merriment (Yam shel Shelomoh, Bava Kama 5:10).

Rowdy Ashkenazim

The Beis Yosef (Orach Chayim 695) quotes some of the sources that excuse the merrymaker from damages, but notes that this immunity exists only in communities where this type of rowdy merrymaking is common practice. He then notes that in the area in which he lives, this type of rowdy celebrating does not exist. Therefore, we understand why he omitted any discussion of exempting merrymakers from damages when he wrote the Shulchan Aruch. On the other hand, numerous other authorities, predominantly Ashkenazim, exempt the person from paying damages caused by mitzvah gaiety (e.g., Mordechai, Sukkah 743; Agudah, Sukkah ad locum; Terumas Hadeshen 2:210; Yam shel Shelomoh, Bava Kama 5:10). The Rema rules this way in three different places (Orach Chayim 695:2; 696:8; Choshen Mishpat 378:9), and it is accepted subsequently as normative halacha. (One later authority who disagrees with the Rema is the Yesh Seder Lemishnah, in his commentary to the Mishnah in Sukkah.) Here I will quote one of the places where the Rema cites this law: Young men who ride to greet the chosson and kallah, and damage one another's property while celebrating, are exempt from paying, since this is the accepted custom. However, if it appears to beis din that this practice needs to be curtailed, it is authorized to require payment. Limitations

Notwithstanding the generally accepted approach that a merrymaker is exempt from paying damages, there are exceptions. Here is an extreme example, mentioned by the Terumas Hadeshen:

Eliezer claims that Gershom pushed him extremely hard during the Hoshanos and the subsequent impact broke Eliezer's shoulder blade. Eliezer is now suing Gershom for compensation for his medical expenses, lost work time, and other damages. Gershom retorts that since it happened in the course of the Sukkos celebrations, he is exempt from paying. Testimony was introduced that Gershom's act was premeditated – he was angry at Eliezer and used the Hoshanos observance as a ruse to disguise his reprehensible intentions. The two men were indeed involved in a serious tiff.

Indeed, although the Torah would require someone who injures someone intentionally to pay not only for the other abovementioned costs, but also for embarrassment and pain, such claims require the authorization of judges who have semicha for these laws in a mesorah that traces itself back to Moshe Rabbeinu. In addition, these claims can be collected only when they can be proven. Nevertheless, the Terumas Hadeshen rules that since the damage was malicious, and Gershom attempted to mask his intentions in a way that he would not be liable, the situation requires punishment beyond what the law would necessarily require (Terumas Hadeshen 2:210).

We should note that the Terumas Hadeshen contends that Gershom is responsible because he intended to injure Eliezer. However, had the injury been unintentional, the Terumas Hadeshen agrees that there would be no financial liability, notwithstanding the fact that there was

physical injury and fairly extensive damages. This leads us to our next subtopic.

Physical injury Does the exemption of liability caused in the course of mitzvah merriment apply even when there is physical injury? The Magen Avraham raises this question, and notes that it is subject to a dispute among halachic authorities. He quotes the Keneses Hagedolah, who rules that one is obligated to pay for physical harm, whereas the Agudah rules that one is not. We also noted above that the Terumas Hadeshen held, like the Agudah, that one is not obligated to pay even in the instance of physical injury, should the cause of damage be the merriment and not someone's despicable intentions.

A similar question was asked of the Bach. During a wedding meal, one of the celebrants smashed his drinking glass against a wall and the flying glass caused someone serious, permanent injury. Is the glass smasher obligated to compensate for the damages, or is he exempt because of the rule of merrymaking? The Bach cites the dispute about whether a merrymaker is obligated to compensate for physical injuries. He rules that, even according to those who rule that physical injuries are included in the exemption, permanent physical injury is not included (Shu"t Habach #62). This opinion of the Bach is cited by some later authorities (He'aros Rav Boruch Frankel on Shulchan Aruch, Orach Chayim 695; Mishnah Berurah 695:13).

Stole a Brocha

At this point, let us examine the first of our opening questions:

Someone walked into our Purim seudah, helped himself to some kreplach, recited a loud brocha, and then disappeared. Should we have answered "amen" to his brocha?

The halachic question here is that, in general, it is forbidden to recite a brocha on stolen food, and, therefore, one may not answer amen to such a blessing. The question is whether this food is considered stolen. Some prominent 15th century halachic authorities quote an early ruling of the Riva, one of the baalei Tosafos, that all food grabbed by young men in the course of a Purim celebration is not considered stolen, provided that this happened sometime between the reading of the Megillah at night and the end of the Purim seudah (Terumas Hadeshen 1:110; Shu"t Maharam Mintz, end of #16). The Beis Yosef (Orach Chayim 696) quotes this ruling as normative halacha. As a result, the Mishnah Berurah rules that someone who took food from another person during the Purim celebrations may recite a brocha. Nevertheless, he also quotes the Shelah (quoted by the Elya Rabbah) who frowns on this behavior, stating that anyone concerned about his Judaism should not conduct himself this way. Nevertheless, notwithstanding the conclusion that the Mishnah Berurah applies to this ruling, the halacha remains that, since the individual who helped himself to the kreplach did not steal, he was required to recite a brocha prior to eating it, and the brocha was therefore not recited in vain. The result is that one is required to answer amen to this brocha. We will continue this discussion next week, be"H.

Parshat Tetzaveh

by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com
Birthday Blessings: Parshat Tetzaveh

Overview

G-d tells Moshe to command the Jewish People to supply pure olive oil for the menorah in the Mishkan (Tent of Meeting). He also tells Moshe to organize the making of the bigdei kehuna (priestly garments): A breastplate, an ephod, a robe, a checkered tunic, a turban, a sash, a forehead-plate, and linen trousers. Upon their completion, Moshe is to perform a ceremony for seven days to consecrate Aharon and his sons. This includes offering sacrifices, dressing Aharon and his sons in their respective garments, and anointing Aharon with oil. G-d commands that every morning and afternoon a sheep be offered on the altar in the Mishkan. This offering should be accompanied by a meal-offering and libations of wine and oil. G-d commands that an altar for incense be built from acacia wood and covered with gold. Aharon and his descendants should burn incense on this altar every day.

Insights

Silent Broadcast

“Upon it (the Inner Altar) Aharon will bring the spice incense...” (30:7)

Advertising is the touchstone of contemporary society. The art of advertising is not to sell a product. It is to sell to people a perception of themselves that will result in their buying the product. Maybe the little blue stripes will keep your teeth looking brighter. Maybe they won't. What sells the product, however, is not the promise of brighter teeth. It is the lifestyle of people who have brighter teeth. As anyone who sees these ads should know, people with brighter teeth are never unhappy. They never feel tired. They flit effortlessly from one party to another. They jet-set across the world without a bank manager or mortgage in sight. And all for the price of a tube of toothpaste. Now that's what I call getting value for your money!

In an age where illusion has become reality, where people send wreaths to TV stations when soap-operas stars "die" and are written out of the script, selling the Brooklyn Bridge has never been easier. All you need is a lot of money. And airtime.

The truth, however, sells itself. It doesn't need to be trumpeted to the skies. Nothing is more infectious than the truth.

There is a Jew who sits in a most frugal apartment in Yerushalayim. He has never made any television appearances. He has never been interviewed on any talk show. No one has ever advertised him. And yet the Jewish world beats a path to his door when it needs a halachic decision. His status and fame come entirely from his piety, plus the fact that in virtually every area of Judaism he knows the law better than anyone else. And everyone else knows it.

In the Beit Hamikdash, the ketoret — the service of burning the incense — was performed away from the public eye, in private. Yet its scent could be detected as far as Jericho, more than twenty miles away.

When a person puts all his effort into living correctly, in accordance with the truth of the Torah, then, even though he may not broadcast his virtues, the nation will seek him out. His life may be a quiet understatement, but all his actions will radiate inner purity and holiness like a beacon.

לע"נ
שרה משה בת ר' יעקב אליעזר ע"ה

[Additional items re Purim added by CS:]
from: Project Genesis <genesis@torah.org>
to: dvartorah@torah.org

date: Thu, Feb 22, 2018 at 5:24 PM

Dvar Torah

By Rabbi Label Lam
A Place Called Purim

There is no discrimination when it comes to giving out money on Purim, rather anyone who extends their hand to receive give to him. (Shulchan Aruch)

There are four basic Mitzvos on Purim. 1) Megilla – To hear the reading of Megillas Esther in the evening and during the day. 2) Matanos L'evyonim- To give monetary gifts to two poor people. 3) M'shloach manos ish l're'ehu- To give two types of food to at least one person. 4) Mishteh- To have a party with wine.

One way to approach Purim and Mitzvos in general is to obediently execute and perform the Mitzvos of the day. This is noble and admirable beyond description. The Zohar invites an alternative approach to Mitzvos. It states that the 613 Mitzvos are really 613 pieces of advice. How do we understand and reconcile that they are both commandments- required behaviors and yet at the same time they are some sound council that would be worthy to follow?!

The answer can be found in understanding the extreme dichotomy of the human being. We are composed of a body and a soul. Are we a body that has a soul or a soul that has a body? That is the question. To the body Mitzvos are commandments. They are directed at training and curing the uncontrolled passions of the body so that they align with the needs of the soul.

To the soul, the Mitzvos are a clear map to help it come closer to its Creator. The soul knows Mitzvos are a menu of opportunities. It has only to convince or coerce the body to come happily along. When that happens then the music of life awakens the feet and the dancing begins. I saw a quote, "Those who dance are considered insane by those who cannot hear music!"?!

Going into any Jewish time zone is just like crossing through an earthly boundary. Even though it is not so recognizable in the dimension of time when we apply the logic of geography everything is explained. Every country has its customs, language, currency, rules, climate, risks, and rewards.

These are worthwhile to know before heading to a foreign destination. I would not want to go to the North Pole in shorts and a tee shirt. You can't pay for a cab in New York with Pesos. Just as I would not want to spend a week in Paris and fail to see the Louvre, I cannot imagine visiting Jerusalem and not go to the Kossel. How foolish or tragic is that?!

Now we can revisit the Mitzvos of Purim day and understand how they are really a rich assortment of priceless opportunities.

1) Reading the Megilla we become overwhelmed with Emunah- belief and trust that we are not alone and there is a hidden hand carefully guiding our history, like a shepherd leading his flock.

2) We have a chance to exercise and flex the spiritual muscle of giving by lifting up those in need. We begin to manifest our oneness as a people when we realize that our joy is incomplete as long as another suffers from want. We have that chance to be angels- holy agents to our fellows.

3) Giving food gifts connects us with others. "We love the ones to whom we give", Reb Dessler says. The more we give the more we love! Relationships have a chance to be repaired and reinforced. The Jewish Nation is forged into a ONE NATION like a giant Cholent on Purim. We start out separate beans, pieces of meat, garlic, onion, spices, potatoes, and water. Add heat and each individual ingredient begins to share some particle of its essence with every other ingredient in the pot, until such time as a piece of every one of us is invested in every one of us. By the time all the food and money have passed around on Purim this is what has actually happened, locally and globally.

4) Finally in that jovial spirit of being eternally bound together with all Jews and with HASHEM we can sip some wine and like rocket fuel it will propel us in the direction we are already heading. Finally we should not miss out on the chance to stretch out our hand to HaMelech- Who is ready to fulfill His Purim decree, "anyone who extends their hand ... give to them." What a golden opportunity to pray for whatever we need while traveling through a place called Purim.

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Turning the Ordinary into Extraordinary – The Status of Yom Purim in Rambam's Mishneh Torah: Part I
by Rabbi David Nachbar

The relationship between the individual mitzvot of Purim and the general quality of the day constitutes one of the overarching questions regarding the nature of Purim and our celebration of it. To what degree are the Mitzvot of the day isolated actions performed against an otherwise profane backdrop; alternatively, might the mitzvot of Purim stem from the day's character as a Yom Mishteh VeSimcha or, maybe even, a Yom Tov. This essay will analyze Rambam's development of this central issue by investigating his novel presentation of Purim's various facets. In some cases, identifying a prior source for Rambam's positions and formulations proves elusive while, in other cases, Rambam overtly modifies or seemingly contradicts his Talmudic foundation. A common trend, though, unifies all of these instances and depicts Rambam's distinctive approach toward our central question.

Issur Melachah

Rambam presents the potential existence of an Issur Melachah on Purim in a nuanced fashion, melakha is permitted, yet unqualifiedly inappropriate and ultimately unproductive (Hilchot Megillah 2:14) – “U’Muttar B’Asiat Melachah, VeAf Al Pi Kein Ein Ra’ui LaAsot Bo Melachah. Amru Chachamim Kol HaOseh Melachah BaYom Purim Aino Ro’eh Siman Beracha LeOlam[1]”, “It is permitted to work on these days. It is not, however, proper to do so. Our Sages declared[2]: Whoever works on Purim will never see a sign of blessing[3].” Rambam’s position seems problematic when assessed against the Talmud’s background discussion.

The Talmud (Megillah 5b) struggles with the question of whether Melachah ought to be prohibited on Purim. Historical precedent offers contradictory signals as R. Yehudah HaNassi himself planted trees on Purim; on the other hand, Rav cursed an individual whom he observed planting flax, permanently terminating the flax’s growth. Adding to the complexity of the matter, the Talmud cites Rav Yosef’s halakhic derivation of an Issur Melachah from the phrase ‘Yom Tov’ in the Pasuk’s description of Purim’s original celebration – “Simchah, U’Mishteh, VeYom Tov, U’Mishloach Manot ish Li’rei’eihu” (Esther 9:18).

Three resolutions seek to resolve the tension. According to the first suggestion, an Issur Melachah applies on the observed day of Purim, either the 14th for city-dwellers or the 15th for residents of walled cities; however, it doesn’t apply on the alternate day. R. Yehudah HaNassi observed Shushan Purim and was, therefore, permitted to plant on the 14th of Adar. Alternatively, Melachah is permitted on both days of Purim since the later Pasuk, which describes the establishment of Purim as a holiday, describes the days as “Yemei Mishteh VeSimchah, U’Mishloach Manot Ish Li’rei’eihu, U’Matanot Li’Evyonim” (Esther 9:22). The term ‘Yom Tov’ is replaced by the phrase ‘U’Matanot Li’Evyonim,’ indicating that the ‘Yom Tov’ quality failed to gain traction and acceptance within the nation; nonetheless, certain communities adopted an Issur Melachah as their communal norm, and Rav’s curse reflected local communal practice. R. Yehudah HaNassi planted trees on Purim due to his community’s preservation of the baseline standard. Finally, it is possible that R. Yehudah HaNassi’s community adopted the more ambitious standard of Issur Melachah, but R. Yehudah HaNassi’s planting for the construction of a wedding canopy for Simchat Chatan VeKallah was consistent in spirit with Simchat Purim.[4]

Rambam’s qualified position that Melachah is permitted, but universally inappropriate and unproductive, seems to contradict all three approaches in the Gemara. According to the first approach, Melachah is absolutely prohibited while according to the second and third approaches it is purely the function of communal practice. Rambam’s view that Melachah is permitted, but deemed unconditionally inappropriate, seems baseless.[5] [6] Furthermore, the inner logic of Rambam’s view is difficult irrespective of his source. If the ‘Yom Tov’ quality of Purim was rejected, the roots of Melachah’s inappropriate character are obscured. Seudah

Rambam introduces several novel features in his presentation of Seudat Purim (Hilchot Megillah 2:15) – “Keitzad Chovat Seudah Zu? SheYochal Bassar VeYitakein Seudah Na’eh K’Fi Asher Timtzah Yado, VeShoteh Yayin Ad SheYishtacher VeYeiradeim BeShichrut”, “What is the nature of our obligation for this feast? A person should eat meat and prepare an attractive feast in accordance with his financial means. He should drink wine until he becomes intoxicated and falls asleep in a drunken stupor” Rambam incorporates the consumption of meat within his definition of the mitzvah, but simultaneously omits any requirement to eat bread. Moreover, Rambam surprisingly includes drinking wine within the Seudah’s framework. Rambam’s basis for requiring wine consumption is, undoubtedly, Rava’s statement (Megillah 7b) – “Michayeiv Inish Li’vsume Bi’puraya Ad Delo Yada Bein Arur Haman Li’Varuch Mordechai”, “a person is obligated to become intoxicated with wine on Purim until he can no longer distinguish between how cursed is Haman and blessed is Mordecai.” – which Rambam treated as a Halachic norm. The inclusion of this norm as part of the Seudah’s framework, though, is not apparent in Rava’s words. What is additionally striking about Rambam’s core definition of the Seudah, is the subjective standard that he sets for its fulfillment.

Typically, obligations to eat and drink have quantifiable measures which determine whether one has properly fulfilled the Mitzvah. With respect to Seudat Purim, though, Rambam introduces an ascending scale depending on the individual. A ‘nice meal’ should be prepared ‘in accordance with one’s financial means.’ Likewise, the quantity of wine necessary to cause one to fall asleep in a drunken stupor would seemingly vary between people. Rambam’s innovative features of Seudat Purim – the inclusion of meat and wine[7], the omission of bread[8], and a subjective, ascending-scale[9] [10] – are without an immediately apparent source.

Mishloach Manot and Matanot Li’Evyonim

The Talmud (Megillah 7a) establishes objective measures for the necessary number of gifts and recipients for the fulfillment of Mishloach Manot and Matanot Li’Evyonim – “Tani Rav Yosef: U’Mishloach Manot Ish Le’rei’eihu Shtei Manot LeIsh Echad. U’Matanot Li’Evyonim Shtei Matanot LeShnei B’nei Adam”, “Rav Yosef taught that the verse states: ‘And of sending portions one to another’ (Esther 9:22), indicating two portions to one person. The verse continues: ‘And gifts to the poor’ (Esther 9:22), indicating two gifts to two people.”

Two portions must be delivered to one individual for Mishloach Manot, and two gifts must be given to two poor individuals for Matanot Li’Evyonim. Rambam’s presentation of both Halachot modifies the Talmud’s definition. He writes (Hilchot Megillah 2:15-16) – “VeChain Chayav Adam LeShloach Shtei Manot... VeChol HaMarbeh LeShloach LeRei’im Meshubach... VeChayav LeChalek LeAniyim BaYom HaPurim Ein Pachot MiShnei Aniyim”, “and similarly a person is obligated to send two portions... and anyone who increases his sending to friends is praiseworthy... and one is obligated to distribute to the poor on the day of Purim, not less than two poor individuals.”

In both instances, Rambam converts the Talmud’s quantifiable measures into minimum standards. With respect to Mishloach Manot, the praiseworthiness of the gesture is commensurate with the number of gifts and people one delivers to – “VeChol HaMarbeh...Meshubach.” The escalating quality of the mitzvah is even more pronounced with respect to Matanot Li’Evyonim where Rambam includes an aspirational quality in his initial basic definition – “not less than two poor individuals.”[11]

The expansive scope of Matanot Li’Evyonim’s distribution relates to which individuals qualify as deserving recipients in addition to the number of individuals who are given to. Rambam adopts an exceedingly accommodating standard (Hilchot Megillah 2:16) – “Ein Medakdekin BeMa’ot Purim, Ela Kol HaPoshet Yado Li’tol Notnim Lo”, “we should not be discriminating regarding money collected for Purim. Instead, one should give to whomever stretches out his hand.” The Talmud (Bava Metzia 78b) provides the basis for Rambam’s ruling when it states “Ein Midakdekim BeDavar,” we don’t adopt a calculated approach with respect to money collected for Matanot Li’Evyonim. Rambam, based on the Talmud Yerushalmi (Megillah 1:4), interprets that funds should be distributed to anyone who stretches out their hand without inquiring further about the individual’s financial standing and deservedness.[12] Although Rambam’s approach seems well rooted in earlier sources, the risky attitude that is adopted appears surprising. If funds were collected for distribution to the poor, it seems reckless for Gabbaim to carelessly misappropriate the money.[13]

Conclusion

See next week’s issue of Kol Torah for a continuation of the discussion.

[1] The Frankel edition records a version of Rambam’s text that omits the word ‘LeOlam’.

[2] Later Acharonim debate Rambam’s source that one will never see a “Siman Beracha” from work done on Purim. R. Joseph Caro (Beit Yosef O.C. 696:1) speculates that it is based on Rav’s curse that was issued in response to the planting of flax on Purim. Looking at that precedent, Rav’s curse was narrowly focused on the flax’s growth, the direct product of the Melachah performed, and was not a more sweeping curse as the word ‘LeOlam’ might indicate. R. Caro’s qualification (Shulchan Aruch O.C. 696:1) is consistent with this conclusion – “one who does Melachah will never see a sign of blessing from that work.” Gr”a notes that Rambam’s precise phraseology appears in the Talmud (Pesachim 50b) – “one who does Melachah on Erev Shabbat and Erev Yom Tov from Mincha and onward, Motzei Shabbat, Motzei Yom Tov, or Motzei Yom HaKippurim and any time there is a Nidnud Aveirah (Rashi – a

hint of sin) which includes a Ta'anit Tzibbur, one will never see a sign of Berachah." Gr'a identifies the sweeping phrase, "any time there is a Nidnud Aveirah," as Rambam's source, feeling that it must encompass additional examples like Purim and not be limited to Ta'anit Tzibbur alone. The Sefat Emet (Megillah 5b s.v. m't latyei), though, raises a counterpoint to the Gr'a, noting that the Gemara specifically includes Ta'anit Tzibbur, implying Purim's omission from the "Eino Ro'eh Siman Beracha LeOlam."

[3] Magen Avraham (O.C. 696:3) wonders whether one will simply not profit from the work, as R. Eliyahu Mizrachi believed, or whether one will actually suffer financial loss as was his personal view.

[4] The allowance of Melachot which foster feelings of Simcha independent from Simchat Purim simultaneously tests the nature and parameters of Purim's Issur Melachah and its comparison to Yom Tov's parallel prohibition as well as the nature of Simchat Purim and how generic or tailored the Simchat HaYom must be to the specific themes of the day.

[5] Lechem Mishneh (Hilchot Megillah 2:14) wonders why Rambam did not reserve his remarks specifically for communities that adopted the Issur Melachah as their communal practice. Similarly, the Magen Avraham (O.C. 696:2) and Sefat Emet (Megillah 5b, s.v. m't latyei) both observe that according to the Beit Yosef's explanation that Rav's curse serves as Rambam's basis, the "Eino Ro'eh Siman Beracha LeOlam" should depend on communal practice as the Gemara explains. Magen Avraham notes, though, that R. Eliyahu Mizrachi understood Rambam's pronouncement as applying universally, irrespective of communal standards.

[6] Several Provençal Rishonim argue that a widespread, national acceptance of the Issur Melachah, rendered it no longer subject to individual review and adoption on a local, communal level. See Orchot Chaim (Hilchot Purim no. 27), Kol Bo (cited in Darkhei Moshe O.C. 696:1), and Meiri (Megillah 5b s.v. Shnei Yamim). This, too, might serve as a basis for an unconditional reading of Rambam.

[7] Orchot Chaim (Hilchot Purim no. 39 and cited in Shulchan Arukh O.C. 696:7), permits an Onen to consume meat and wine on Purim, arguing that an Asei Di'Yachid, the laws of private mourning, cannot supersede an Asei Di'Rabbim Deoraita, the Biblically mandated national celebration of Purim. In his opinion, the requirement to consume meat and wine on Purim obtains Biblical standing since Divrei Kabbalah KiDivrei Torah, laws from Scripture share similar halakhic standing as Torah laws.

[8] Whether Seudat Purim requires the framework of bread is subject to debate. Sha'arei Teshuva (O.C. 695:1) cites a view presented in Birkei Yosef that one can fulfill the Mitzvah of Seudat Purim without bread. Similarly, Magen Avraham (O.C. 695:9) explains that one should not repeat Birkat HaMazon if Al HaNissim was omitted, and certainly not if they have already eaten a meal earlier that day, since it is nowhere stated that bread is a required component of the Seudah; rather, one can fulfill the obligation of Seudah with "Sha'ar Minei Matamim," other delicacies. Aruch HaShulchan (O.C. 695:7) argues that Mishte'h's composition requires bread. Relatedly, Maharam Schick (Teshuvot O.C. no. 340) believes that the expression of Simcha demands bread; at the same time, he attempts to justify Magen Avraham's perspective.

[9] Tur's formulation (O.C. 695:1) also gives voice to the ascending scale measure of Seudat Purim – "Mitzvah LeHarbot BeSeudat Purim." Bach explains that Tur inferred this embellishment of the Seudah from the Talmudic account (Megillah 7b) in which Rav Ashi questioned the Rabbanan's absence from the Beit Midrash on Purim day. Rav Kahane's response "Dilma Tridi BeSeudat Purim" implies that the overwhelming, all-encompassing investment of time and energy toward preparing the Seudah must qualify as a Mitzvah; otherwise, the Rabbanan's absence would still be inexcusable. Gr'a points to Abaye's description of how he was full when he left Rabbah's Seudah, yet when he arrived at the home of Mari bar Mar, he was served and consumed "sixty dishes with sixty different types of cooked foods and I ate sixty pieces from it" (Megillah 7b).

[10] Mor u'Ketziyah's surprising comment (cited in Sha'arei Teshuvah O.C. 695:1) crystallizes the ascendant scale of Seudat Purim. The Talmud (Bava Batra 60b) provides a culinary example of a Jew's ever-present consciousness of our ongoing national mourning for Jerusalem and the Beit HaMikdash. One is obligated to leave out a small item while preparing a festive meal to symbolize the incompleteness of our simcha. The Mor u'Ketziyah argues that this requirement does not apply to Seudat Purim. Meiri (Megillah 7b s.v. Chayav) similarly states that excessive feasting on Purim should not be lacking in any way – "She'lo Yechsar Shum Davar."

[11] Tur (O.C. 695:4) incorporates the aspirational quality of "not less than" even into his basic definition of Mishloach Manot – "one must send portions to his friend, at least, two portions to a single individual." Coupled with his comment to embellish one's Seudah, Tur adopts an ascending scale measure for all three Mitzvot of the day.

[12] Rashi (Bava Metzia 78b s.v. Ve'Ein, Aval, Vi'ha'motar), based on the Tosefta (Megillah 1:5), explains the Gemara differently that we don't calculate how much food is required by poor individuals and slaughter just enough to precisely meet their needs; rather, we slaughter animals in abundance and sell any leftovers that might remain afterward. Rashi's approach, too, demonstrates the expansive approach that is employed toward quantifying Matanot Le'Evyonim gifts rather than the adoption of a narrow, calculating attitude.

[13] The challenge is compounded according to the Minhag Kol Yisrael (recorded in Ramban Bava Metzia 68b, s.v. Ve'ein) that funds are distributed to Aniyei Aku'm, as well (the non-Jewish poor). It seems inexcusable to nonchalantly release communal funds collected for a specific Mitzvah. Regarding this particular practice, see Magen Avraham (O.C. 694:6) and Taz (O.C. 694:2).

“Turning the Ordinary Into Extraordinary – The Status of Yom Purim in Rambam’s Mishneh Torah: Part II by Rabbi David Nachbar

Purim’s Aspirational Standards

Several surprising positions and formulations stand out in Rambam's presentation of Purim - his qualified presentation of Purim's Issur Melachah seems to contradict the Talmud, his definition of Seudat Purim seems to lack a clear basis in the Talmud and adopts a subjective, ascending-scale definition, and, finally, his definitions of Mishloach Manot and Matanot Le'Evyonim modify the Talmud's formulation in order to introduce an escalating scale for ambitious fulfillment of both Mitzvot. (Editor's note: Last week's issue of Kol Torah on Parashat Terumah contains an expanded presentation of these issues. See "Turning the Ordinary Into Extraordinary – The Status of Yom Purim in Rambam's Mishneh Torah: Part I.")

The common strand unifying each of these novelties is the aspirational quality of Purim. In each instance, there exists a basic definition that sets a minimum standard, but one that can be subjectively and ambitiously built upon.

Rambam's opening formulation of Purim's multiple facets unearths the underlying motive behind Purim's aspirational standards (Hilchot Megillah 2:14) –

“Mitzvat Yom Arba'ah Assar LeBnei Kefarim, VeAyarot VeYom Chamishah Assar LeBnei Kerachim, LeHiyot Yom Simchah VeMishte'h U'Mishloach Manot LeRe'im U'Matanot Le'Evyonim”, “It is a Mitzvah for the inhabitants of the villages and unwalled cities on the fourteenth of Adar, and for the inhabitants of the walled cities on the fifteenth of Adar, for it to be a day of joy and celebration and gift-giving to friends and to the poor.”

Rambam's remarkable opening definition sets the tone for the ensuing Halachot. There is no Mitzvah to eat a Seudah, nor is there a Mitzvah to send Mishloach Manot or Matanot Le'Evyonim, per se; rather, the Mitzvah is to engage in these activities in order to transform an ordinary, routine, profane day into “a day of joy and celebration and gift-giving to friends and to the poor.” The Mitzvah, in his definition, is “for it to be a day of...”[1] The Mitzvah activities that we perform do not exist against a profane backdrop nor do they stem from a day whose already established character is one of a Yom Mishteh VeSimchah or a Yom Tov. The relationship is reversed such that engagement in these Mitzvah activities transforms the day's character and creates the extraordinary out of the ordinary.

With this orientation, Rambam's innovations share a common internal logic. The day is inherently profane and routine,[2] and, hence, Melachah is permitted; however, it is inappropriate because of the aspirational motif which seeks to transform the day into a Yom Mishteh VeSimchah or, possibly even, a Yom Tov.[3] Rambam's definition of Seudah draws upon the Mitzvah of Simchat Yom Tov which is defined by meat and wine, too. Rambam, unlike other opinions, believed that the Mitzvah of Simchat Yom Tov still finds Biblical expression even following the destruction of the Beit HaMikdash through the consumption of meat and wine – “there is no Simchah other than with meat, and there is no Simchah other than with wine” (Hilchot Yom Tov 6:18 based on Pesachim 109a).[4] The aspirational definition that Rambam introduces into the various Mitzvot of the day – “in accordance with his financial means” for Seudah, “whoever increases his sending of gifts to friends, is praiseworthy” for Mishloach Manot, and “not less than two poor individuals” for Matanot Le'Evyonim - all reflect this goal of transforming the day's quality. Discrete Mitzvah actions are quantifiable and can be objectively defined. The goal of Purim's Mitzvot, though, is to transform its quality of time and character of the day.[5] Toward that end, the transformation of the day's quality as a “Yom Simchah U'Mishteh, U'Mishloach Manot LeRe'im, U'Matanot Le'Evyonim” is commensurate with the degree and extent of one's investment.

The Mitzvot's goal oriented focus of transforming the day's character rather than process orientation that focuses on specific methods might be responsible for Rambam's willing accommodation of any individual who extends their hand for Ma'ot Purim (money distributed on Purim). A process orientation would treat the funds collected for Matanot Le'Evyonim as earmarked for that Mitzvah alone, and any distribution to an undeserving individual as a complete misappropriation of the money. All of the day's Mitzvot, however, are aimed at a common goal, the creation of a "Yom Simchah U'Mishteheh." If the distributed funds qualify as Mishloach Manot rather than Matanot Le'Evyonim, the shared primary goal might remain unaffected.[6]

Matanot Le'Evyonim and Rejoicing in Hashem's Presence

The aspirational quality of Purim day finds greatest expression in one's investment in Matanot Le'Evyonim, surpassing both the importance of enhancing one's Seudah "in accordance with one's financial needs" and the praiseworthiness of embellishing one's Mishloach Manot. Rambam explains (Hilchot Megillah 2:17) – "Mutav La'Adam LeHarbot BeMatanot Evyonim MiLeHarbot BeSe'udato U'VeShiluach Manot LeRei'av. She'Eini Sham Simchah Gedolah U'Mefoa'arah Ela LeSamei'ach Leiv Aniyim ViYatomim VeAlmenot VeGeirim. SheHaMesamei'ach Leiv HaUmlalim HaEilu Domeh LaShechinah, SheNe'emar LeHachayot Ru'ach Shefalim ULehachayot Leiv Nidka'im." "It is preferable for a person to be more liberal with his donations to the poor than to be lavish in his preparation of the Purim feast or in sending portions to his friends. For there is no greater and more splendid happiness than to gladden the hearts of the poor, the orphans, the widows, and the converts. One who brings happiness to the hearts of these unfortunate individuals resembles the Divine Presence, which Yeshayahu (57:15) describes as having the tendency "to revive the spirit of the lowly and to revive those with broken hearts[7]."

The value expressed here is strikingly parallel to Rambam's description of Yom Tov (Hilchot Yom Tov 6:18) –

"U'CheSheHu Ocheil VeShoteh Chayav LeHa'Achil LaGeir LaYatom VeLaAlmanah Im She'ar Aniyim HaUmlalim. Aval Mi SheNoeil Daltot Chatzeiro VeOcheil VeShoteh Hu U'Banav Ve'Ishto Ve'Eino Ma'achil U'Mashkeh LeAniyim U'LeMarei Nefesh Ein Zo Simchat Mitzvah Ela Simchat Kereiso," "When a person eats and drinks [in celebration of a holiday], he is obligated to feed converts, orphans, widows and others who are destitute and poor. In contrast, a person who locks the gates of his courtyard and eats and drinks with his children and his wife, without feeding the poor and the embittered, is [not indulging in] rejoicing associated with a Mitzvah, but rather the rejoicing of his gut."

Rambam's terminology as well as the religious value of including less fortunate individuals in one's celebration are shared in both contexts, Purim and Yom Tov.

At the same time, the inverted relationship between Purim and Yom Tov is also captured in this very comparison. On Yom Tov, we are bidden to celebrate before Hashem, "You shall rejoice before Hashem, your God," and as part of that celebration, the Pasuk continues, we are commanded to include in our celebration individuals facing difficult challenges and compromised circumstances, "you...the Levi within your gates, the convert, the orphan, and the widow amongst you" (Devarim 16:11). Hashem is the paradigm of compassion, mercy, kindness, and boundless, selfless giving, and, as a result, celebration in His presence must express itself through appreciating the source of one's bounty and through selfless giving. On Purim, the relationship is inverted. Whereas on Yom Tov "rejoicing before Hashem" translates into acts of selfless giving, on Purim acts of selfless, boundless giving create a "rejoicing before Hashem." By acting selflessly, empathetically, and kindly toward impoverished and downtrodden people, the divine quality of man comes to the fore, "one who gladdens the heart of these unfortunate individuals is comparable to the Divine presence," as the Rambam writes in Hilchot Purim. The celebration of Purim is thus transformed into a "rejoicing before Hashem."

For this reason, Matanot Le'Evyonim surpasses Seudat Purim and Mishloach Manot in its aspirational quality and its ability to transform the character of the day. It, more than the others, can infuse the day with a Yom Tov-esque quality of "rejoicing before Hashem." The

'Yom Tov' quality (Esther 9:19) that was featured in the initial celebration of Purim was not rejected when it was later replaced by Matanot Le'Evyonim (Esther 9:22) in the establishment of Purim as a holiday.[8] Purim seeks to remind us that living in Hashem's presence and leading a divinely inspired life ought not be reserved exclusively for the Kedushat Ha'Zeman of the Yamim Tovim or for the Kedushat HaMakom of the Beit HaMikdash. Even the ordinary can be made extraordinary and the profane into a quasi-Yom Tov when we tap into the divinity embedded in our humanity and engage in boundless, selfless giving to others.

[1] In my opinion, Maggid Mishnah's comment (Hilchot Megillah 2:14) that Rambam's introduction is "explicit there (Masechet Megillah) in many places" glosses over the emphasis and novelty of Rambam's formulation.

[2] The inherently profane nature of Purim is possibly responsible for Rambam's extreme view (Hilchot Aveil 11:3) that Aveilut (the state of mourning) is fully applicable on Purim – "Nohagin Bahen Kol Divrei Aveilut." This stands in contrast with the view of the She'iltot and Sefer Miktzo'ot who believe that Purim terminates the observance of Shiv'ah were it to have started, and the more compromising position of Maharam of Rothenberg that Devarim SheBeTzina are practiced, but not Devarim SheBeFarhesia, private but not public expressions of mourning (Rosh Moed Katan 3:85, Tur O.C. 696:4-6).

[3] Three potential expressions of Purim's remnant 'Yom Tov' quality might be the aforementioned positions of the She'iltot and Sefer Miktzo'ot that Purim cancels the remaining period of Aveilut Shivah, the Maharil's practice (Darchei Moshe and Rema O.C. 695:1) to wear Shabbat and Yom Tov clothing to honor the day, and the Yesh SheMegalgeil (cited in Meiri Beit HaBechirah Megillah 4a, s.v. chayav) who argue that the Beracha of SheHechyanu during the daytime applies to the day's quality as a Yom Tov which only begins during the day of Purim, as opposed to other Yamim Tovim where it begins at night. Netziv (Ha'Amek She'Eilal 67:2) views the She'iltot's view regarding Aveilut as a function of Purim's Chiyuv Simchat MeRei'ut, rather than the day's general status as a Yom Tov. For this reason, he posits that there is no aspect of Kavod that pertains to the day, nor an obligation to shave and launder clothing prior to Purim unlike Yom Tov.

[4] Indeed, Maggid Mishnah (Hilchot Megillah 2:15) references the formulation in Pesachim (109b) and Hilchot Yom Tov (6:18) of "Ein Simchah..." as Rambam's source for including meat. The connection to Simchat Yom Tov is further strengthened by a linguistic parallel in Hilchot Yom Tov (6:18) where Rambam describes the obligation to purchase new items as part of Simchat Yom Tov – "one should purchase for them nice clothing and jewelry in accordance with one's financial means." The concept relies upon the Torah's formulation of celebrating the Yamim Tovim "in accordance with God's blessing which He has given you" (Devarim 16:10, 17). The connection to Simchat Yom Tov can be conceptualized in one of two ways. A more ambitious formulation would argue that the goal of Seudat Purim is to infuse a Yom Tov quality into our experience of Purim, whereas a more tempered formulation would explain that, although Purim technically lacks the status of a Yom Tov, we draw upon a parallel institution in order to define the appropriate Halachic outlets for Simchah. If the wine component of Seudat Purim also draws upon the Mitzvah of Simchat Yom Tov, its tailored Purim application would far exceed its quantity and role on a typical Yom Tov. In fact, Rambam stridently cautions against drinking excessively on Yom Tov contrasting proper Simchah that serves Hashem with drunken frivolity and lightheadedness which eviscerates any service of Hashem.

[5] The Talmud Yerushalmi's treatment (Megillah 1:4) of Purim or Shushan Purim which coincides with Shabbat roughly expresses this concept that Purim's status as a Yom Mishteheh Vi'Simchah must be actively created by man rather than viewed as naturally or heavenly endowed. In the Yerushalmi's view, Seudat Purim cannot be fulfilled on Shabbat, but must rather be delayed until Sunday since the Pasuk states "to make them days of Mishteheh VeSimchah." This teaches that Purim's Simchah is dependent on Beit Din's creation, not on heaven. The focus of the Yerushalmi is on Beit Din's role in actively creating Purim's character whereas in the approach developed here the activities of the nation and individuals impact the day's quality.

[6] Rambam (Bava Metzia 68b, s.v. VeEin) might have this in mind when he explains – "DeYemei Mishteheh VeSimchah Ketiv, U'Mishloach Manot Nami Ketiv." All of the Mitzvot are geared toward transforming the day, and, as a result, the specific methods are not as consequential. Alternatively, the interchangeability of deserving Evyonim with undeserving, wealthier takers might relate to the relationship between the specific methods of Mishloach Manot and Matanot Le'Evyonim. It's intuitive to view the two gifts as differing fundamentally in their nature, especially if Matanot Le'Evyonim possesses a general, or Purim specific, Tzedakah foundation. The Purim gifts, though, might possess a fundamentally similar nature, differing only in the quantity of portions given based on the intended audience, two gifts to a wealthy individual but sufficing with less to each pauper. See Ritva (Bava Metzia 68b, s.v. Ve'Ein) who formulates "She'Eini Yom Zeh MiDin Tzedakah Bilvad Ela MiDin Simchah U'Manot, SheHarei Af Be'Ashirim Ketiv U'Mishloach Manot Ish LeRei'eihu." For this reason, classification as one type of gift as opposed to another carries less significance and can alleviate the pressure to investigate extensively.

[7] Rambam's prioritization of Matanot Le'Evyonim over the Mitzvot of Seudat Purim and Mishloach Manot seems to reflect his personal viewpoint and is without a specific source in Talmudic discussions about Purim. The Maggid Mishnah, who typically provides background sources for Rambam's Halachot, simply states – "Divrei Rabbeinu Re'uvin Eilav."

[8] Mori VeRabi, Rav Michael Rosensweig, felt that Rambam's description of "Yom Simchah U'Mishteheh U'Mishloach Manot LeRei'im U'Matanot Le'Evyonim" seeks to strike a balanced chord of, on the one hand, recording the later Pasuk's replacement of 'Yom Tov' with 'Matanot Le'Evyonim' while, at the same time, not completely relinquishing the 'Yom Tov' aspiration by preserving the original order of 'Simchah' prior to 'Mishteheh' unlike that later Pasuk's reversal of 'Mishteheh' preceding 'Simchah'.