A Selection of the More Practical Laws of Purim

Based on a shiur by Rav Mordechai Friedman

I. PARASHAT ZAKHOR

The Torah (Devarim 25:17) writes that there is an obligation to remember what Amalek did to us on our way out of Egypt. The Rishonim disagree whether this is a biblical obligation or just a rabbinic one: Tosafot Ha-rosh, Terumat Ha-deshen, and one opinion in Tosafot all maintain that it is a biblical obligation, while some Rishonim and Acharonim believe it is rabbinic.

A practical difference between these two opinions would arise in a situation where a person is unsure whether he has fulfilled this obligation. If we assume the obligation is biblical, then we must be stringent in a case of doubt and therefore the person must make sure to fulfill the commandment again. However, if we assume the obligation is rabbinic, then we are lenient in a case of doubt and consequently the person need not fulfill the obligation again.

The Shulchan Arukh rules (OC 141:2 and OC 685:7) it is biblical.

We fulfill this mitzva annually on the Shabbat before Purim because Haman was descended from Agag, the last king of Amalek (Rashi, Megilla 24a, followed by the Magen Avraham).

The Rambam lists two mitzvot in connection with Amalek: to mention the story of Amalek and to erase their remembrance.

The accepted ruling is that one should hear parashat Zakhor read from a Sefer Torah during the keriat ha-Torah, as we do on Shabbat Zakhor. One should have intention to fulfill his obligation with the ba'al koreh. The Gra is said to have felt that there is a specific obligation to read parashat Zakhor aloud.

In his commentary on Torat Kohanim, the Ra'avad mentions that one may even read the laws of megilla to fulfill the obligation of remembering Amalek.

The Sefer Ha-chinukh rules that women are not obligated to read parashat Zakhor because they do not wage war, and this obligation is connected with the obligation to wage war against Amalek. The Minchat Chinukh raises two objections to this. Firstly, it seems that women should be obligated in remembering Amalek because they indeed do go to war in a milchemet mitzva, an obligatory war, such as wars against Amalek. Secondly, the mitzva of remembering (zekhira) is listed as a SEPARATE mitzva from erasing Amalek (mechika). (See Rambam, Hilkhot Melakhim 5:5.)

Most authorities (including the Chazon Ish) rule that women are not obligated. Women should, however, make an effort to hear parashat Zakhor, without accepting it upon themselves as a vow (neder).

If one misses the keriat ha-Torah, he can read it alone from the Sefer Torah with ta'amim. If one can't do either of these, then he or she can even read parashat Zakhor from a Chumash.

If one misses the Torah reading on Shabbat Zakhor and plans on hearing it on Shabbat parashat Ki Tetzeh (where we repeat this reading in its proper context), there might be a problem. In order to help others fulfill their obligation, the Torah reader himself must have intent to fulfill the obligation of remembering Amalek. In some congregations, they therefore announce that anyone who did not fulfill his obligation on Shabbat Zakhor should now have intent.

II. PARASHAT PARA

The purpose of reading parashat Para was to remind people who would bring the korban Pesach that they had to purify themselves.

III. MEGILLA

1) Most Rishonim maintain that the obligation to read the megilla is a rabbinic one. The Ba'al Halakhot Gedolot includes this obligation in his count of the 613 biblical obligations!

2) Three berakhot are recited when reading the megilla at night: Al Mikra Megilla, She-Asa Nissim, She-hecheyanu. The minhag Sefarad is to say She-hecheyanu ONLY at night. This blessing refers not just to the reading of the megilla, but to the essence of the day itself. The Rema rules that one should say She-hecheyanu in the morning, too, the reason being that the daytime reading is the main one. The Magen Avraham recommends that, while reciting She-hecheyanu in the morning, one should intend for the blessing to cover the obligations of the day, mishloach manot and se'udat Purim.

If one does not have a megilla to read from, he should not recite She-hecheyanu. The Bi'ur Halakha quotes the Meiri, who maintains that the purpose of the She-hecheyanu and Al Ha-nissim is to express thanks for the day of Purim. He leaves undecided the question of whether this is sufficient to recite the berakhot without a megilla.

3) If need be, one is supposed to sacrifice time from his Torah study in order to fulfill the obligation of reading the megilla. The Rambam adds, "and surely [one should take away time from] other mitzvot." The Ran writes that the only time a rabbinic obligation pushes off a biblical obligation is when the biblical obligation can be fulfilled later. Torah study is different, because one is always obligated to learn. This is how the Rema rules. The Taz and the Gra rule that the obligation to read the megilla pushes off biblical obligations in any situation, because it is "mi-divrei Kabbala" and has the impetus of "divrei Torah."

4) Another halakha hinging on the level of the obligation of megilla reading is the situation of safek - doubt. The people of a regular city read the megilla on the fourteenth of Adar. In a city that was surrounded by a wall from the time of Yehoshua Bin Nun, the people read the megilla on the fifteenth. In a case of doubt, where one is unsure whether a city was surrounded by a wall from the time of Yehoshua Bin Nun, Ramban, Rashba and Ritva rule leniently and require the people of the city to read the megilla on the fourteenth. The Rambam and the Shulchan Arukh rule stringently and require the city to read on both days - the first day with a berakha. This is consistent of their previous ruling of viewing it as "ke'ein de-Oraita."

5) One must forgo Torah learning to fulfill the principle of "Be-rov am hadrat Melekh" as well. This principle dictates that one must travel to the largest possible synagogue for megilla reading. The Magen Avraham explains that this is true only when one is does not frequent a specific synagogue. However, if one generally only goes to one synagogue, he should not leave his synagogue for this principle.

6) If there is a berit mila on Purim, the Rema rules that the berit comes before megilla reading. The Gra, Peri Chadash and Mishna Berura rule the opposite, since a mitzva of pirsumei nissa (publicizing the miracle) takes precedence.

7) Shushan Purim

a. A city that was walled during the time of Yehoshua Bin Nun (Jericho, Jerusalem), as well as the city of Shushan, read on the fifteenth of Adar. Everywhere else reads on the fourteenth. The Gemara says that a any city that is "samukh ve-nir'eh" (nearby and visible) to a city that was walled from the time of Yehoshua Bin Nun should also read on the fifteenth. Rashi rules that this expression means samukh or nir'eh. The rule of samukh means that anywhere within a "mil," about a kilometer away from a city that reads on the fifteenth, also reads on the fifteenth. Nir'eh means that any place that can be seen from Yerushalayim should read on the fifteenth. The Rambam rules that to read on the fifteenth of Adar, the city must be both samukh and nir'eh.

The Shulchan Arukh follows Rashi, while the Tur sides with the Rambam. Rav Tukitchinsky, a prominent rav in Jerusalem, ruled that any houses which continued uninterrupted from the Old City has the same status as the Old City itself. Bayit VaGan originally read on the 14th, but was later connected to the rest of the city and therefore read on the 15th.

Nir'eh could mean that you can see both cities together, i.e., it actually looks like they're part of the same city. Rav Shlomo Zalman Auerbach zt"l is quoted to have said that a place is considered nir'eh if they only pay taxes to Jerusalem, i.e., are part of the same municipality.

b. One who travels from a non-walled to a walled city:

If one goes, for example, from Alon Shevut to Yerushalayim, and sets himself up to live there for the day, then he obligates himself to read there on the fifteenth. The main time for reading the megilla is the morning. The critical time we're interested in is the morning reading of the city he is now travelling to. The intent a person has at the time he or she leaves a place plays a big factor. In boarding a bus from Alon Shvut to Jerusalem, one must ask himself: "Where do I plan on being at the moment of obligation of megilla?" If the answer is Yerushalayim, then his trip is effectively uprooting him for Purim. If the answer is not Jerusalem, then this trip does not change his status.

If one hears the megilla on the night of the fourteenth and goes to Yerushalayim on the eve of Shushan Purim, then, following the above rule, it is considered uprooting where one lives, and he has to fulfill all obligations A SECOND TIME in Yerushalayim. The Bi'ur Halakha cites the opinion of the Talmud Yerushalmi, which rules that one who lives in both places is obligated in both places.

Rav Aharon Lichtenstein rules that 1. the Yerushalmi's expression of uprooting one's dwelling applies only if he literally plans on moving for at least thirty days; 2. if one is a Jerusalemite and goes to yeshiva elsewhere, he should hear in both places if he will be in both places over Purim; 3. in any case, whether one says Al HaNissim is dependent on where one is, not what day it is for the person.

R. Yehuda Amital rules like R. Tzvi Pesach Frank that the Bavli disagrees with the Yerushalmi, and we follow the Bavli.

8) Listening to Megilla

a. The reader and the listeners must intend to fulfill the obligation at the time of the blessings and the reading. The Mishna Berura writes that the reader needs to have intent only at the beginning of the reading.

b. The Teshuvat HaRashba, the Mishna Berura and most Poskim rule that one must hear every letter of the megilla. If one misses part of the megilla, he can make up for that part by reading up to 49% of the megilla by heart or from a book. If one who is listening is tired and is dozing off, he does not fulfill the obligation. However, if the reader is dozing off, he still fulfills the obligation, if he says every word.

IV. Matanot La-evyonim

1) One is obligated to give gifts to two poor people. The Magen Avraham, Mishna Berura, and Levush rule that the gifts should preferably been given and received on Purim. One should give to a poor person who is celebrating Purim on the same day, because the gift should preferably help the poor fulfill his requirement of having a meal on Purim. If you can't, then send the money before Purim so that it is received on Purim. If one cannot give the money before Purim, one can even put money on the side and give it later. One should give at least enough money to buy 3 ki-beitzim of food.

2) Zekher Le-Machatzit HaShekel

The giving of the Machatzit HaShekel used to be a way to count the people. What we do today is "le-zekher," a commemoration to Machtzit Ha-shekel. One should give it around Mincha time on Ta'anit Esther. The Magen Avraham rules that one should give it before megilla reading. One should say "Zekher Le-Machatzit HaShekel" when he gives the Machatzit HaShekel in order not to enter a question of hekdesh. One should give three coins of the country he is in that say 1/2 on them. The Sefardim have a custom of giving the value of the weight of a half-shekel (9.6 oz of silver).

V. Se'udat Purim

The mitzva is ONLY during the day. The gemara in Megilla says, "One should be get drunk of Purim until he can't differentiate between cursedness of Haman and the blessedness of Mordechai." The Shulchan Arukh quotes this gemara verbatim. The Rema and Mishna Berura rule that one should just drink more than he or she is used to. The Rambam says enough so that he or she will fall asleep. And in such a state, one would not differentiate between Mordechai and Haman. This obligation to drink is only at the meal. Some feel it should be done with wine.

VI. Mishloach Manot

One is obligated to give one person two foods. They have to be ready to eat as is and be larger than a kezayit. The Rambam points out that the more one gives, the better. Some rule that the mishloach manot must be fitting for the person who is sending and the person who is receiving. Some say that one should do this through a messenger. The Terumat HaDeshen rules that the purpose of mishloach manot is for the meal. Others argue and say that the purpose is to bring closeness between Jews. There are a number of halakhot which hinge on this dispute:

1) an anonymous mishloach manot;

2) mishloach manot given by a Jerusalemite to a non-Jerusalemite on Shushan Purim;

3) if one does not receive the mishloach manot in his hands, yet is informed about it. In this case, the food can't be used for the meal, yet it brings friends closer together. The Arukh Ha-shulchan rules one has fulfilled mishloach manot. The Magen Avraham disagrees.