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**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

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Everyone is eligible to read the *Megillah* (on Purim), except for a deaf person, a deranged person and a minor. Rabbi Yehudah maintains that a minor is eligible to read the *Megillah*.

The *Gemora* assumes that one who hears the *Megillah* from a deaf person does not fulfill his obligation at all – even after the fact (and he must read it again). The *Gemora* asks: Which *Tanna* holds like this?

Rav Masnah answers: It is the opinion of Rabbi Yosi, for we learned in our *Mishna*: If one recites the *shema* without hearing what he is saying, he has fulfilled his obligation. Rabbi Yosi says: He has not fulfilled his obligation.

The *Gemora* questions the initial assumption: Perhaps the *Mishna* follows the opinion of Rabbi Yehudah, and it is only preferable that a deaf person should not read the *Megillah*, but if he does read it, it is valid – after the fact?

The *Gemora* answers: You cannot think such a thing, for the *Mishna* places a deaf person on the same level as a deranged person and a minor. This implies that just as in the case of a deranged person and a minor, the recital is not valid even after the fact, so too in

the case of a deaf person, the recital is not valid even after the fact.

The *Gemora* asks: But perhaps each case has its own rule (that the reading of a deranged person and a minor are not valid even after the fact, but the reading of a deaf person is indeed valid)?

The *Gemora* answers: Can you construe this statement as reflecting Rabbi Yehudah’s opinion? [No, you cannot!] Since the later clause (in the *Mishna*) says that Rabbi Yehudah maintains that a minor is eligible to read the *Megillah*, may we not conclude that the earlier clause does not represent Rabbi Yehudah’s opinion?

The *Gemora* asks: Perhaps the entire *Mishna* follows Rabbi Yehudah’s opinion, and two kinds of minors are being discussed, and it is as if there are missing some words in the *Mishna*, and it should be read as follows: Everyone is eligible to read the *Megillah*, except for a deaf person, a deranged person and a minor. When do these words apply? They apply only to one who is not old enough to be trained in the performance of *mitzvos*, but one who is old enough to be trained, may read the *Megillah* even the first instance; these are the words of Rabbi Yehudah, for Rabbi Yehudah declares a minor qualified.

The *Gemora* demonstrates how this cannot be the case: Now what is your conclusion? It is that the *Mishna* is the opinion of Rabbi Yehudah, and that the recital is valid only after the fact, but it should not be done in that manner in the first instance. But then what would you say regarding the following *braisa* which was taught by Rabbi Yehudah, the son of Rabbi Shimon ben Pazi: A deaf person who can speak but not hear may designate *terumah* in the first instance. Whose view does this follow? It can be neither Rabbi Yehudah's, nor Rabbi Yosi's. The *Gemora* explains: It cannot be Rabbi Yehudah's, since he says that it is valid only after the fact, but it should not be done in that manner in the first instance. It cannot be Rabbi Yosi's, since he says that even after the fact, it is not valid!?

The *Gemora* accordingly concludes: What must we say then? The *braisa* is Rabbi Yehudah's opinion, and he maintains that it is valid in that manner even in the first instance.

The *Gemora* asks: What then would you say to that which was taught in the following *braisa*: A man should not say the Grace after Meals in his heart (*i.e.*, *he is saying the words, but they are inaudible to his ear*), but if he does so, he has fulfilled his obligation. Whose opinion is this? It is neither Rabbi Yosi's, nor Rabbi Yehudah's. The *Gemora* explains: It cannot be Rabbi Yehudah's, since he said that even if he does so in the first instance he has fulfilled his obligation. It also cannot be Rabbi Yosi's, since he says that even after the fact, it is not valid!

The *Gemora* answers: It, in fact, follows Rabbi Yehudah's opinion, and he holds that it may be done in that manner even in the first instance, and there is

no difficulty (*regarding the opinion of the braisa concerning the Grace after Meals*), for one (*the braisa taught by R' Shimon ben Pazi regarding terumah*) represents his own opinion (*that an inaudible recital is valid in the first instance*), and the other (*the braisa regarding the Grace after Meals*) represents the opinion of his teacher (*that an inaudible recital is valid only after the fact*), as we have learned in a *braisa*: Rabbi Yehudah said in the name of Rabbi Elozar ben Azaryah: When one recites the *Shema*, he must make it audible to his ear, as it is written: *Hear, O Israel, Hashem is our God, Hashem is One*. Rabbi Meir said to him: Behold, it is written (*in the next verse*): *That which I commanded you this day upon your heart*; from which we can infer that the validity of the words depends on the intention of the heart (*and it is not necessary, even in the first instance, to make the words audible to one's ear*)!

The *Gemora* notes that once this *braisa* had been cited, you may even say that Rabbi Yehudah agrees with his teacher (*R' Elozar ben Azaryah that an inaudible recital is valid only after the fact*), and there is no difficulty, for one (*the braisa taught by R' Shimon ben Pazi*) represents the opinion of Rabbi Meir (*that an inaudible recital is valid in the first instance*), and the others (*regarding the opinion of the braisa concerning the Grace after Meals, and the Mishna regarding terumah*) represents the opinion of Rabbi Yehudah (*that an inaudible recital is valid only after the fact*). (19b – 20a)

The *Mishna* had stated: Rabbi Yehudah maintains that a minor is eligible to read the *Megillah*.

It has been taught in a braisa: Rabbi Yehudah said: When I was a boy, I read it (the Megillah) before Rabbi Tarfon and the elders in Lod. They said to him: A proof cannot be adduced from a recollection of a minor.

It has been taught in a braisa: Rebbe said: When I was a minor, I read it before Rabbi Yehudah. They said to him: A proof cannot be adduced from the very authority who permits it.

The Gemora asks: Why did they not say to him: A proof cannot be adduced from recollections of a minor?

The Gemora answers: They gave him a double answer. For one thing, they said, you were a minor, and besides, even had you been grown up, proof cannot be brought from the very authority who permits it. (20a)

The Mishna states: One may not read the Megillah, nor perform a circumcision, nor immerse (*in a ritual bath*), nor sprinkle (*from the waters of purification*) and similarly, the woman who observes a day against a day (*There is an eleven-day span between a woman's menstrual periods. If during these days, she experienced a discharge, she must observe one day free from any bloody discharge. She may immerse herself on that day she will become tahor in the evening if she remained clean.*) may not immerse herself, until the sun shines. (*All of the aforementioned mitzvos cannot be performed at night.*) If these mitzvos were performed after dawn arose, it is valid. (20a)

The Gemora cites the Scriptural source proving that the Megillah cannot be read before the morning. It is written: and these days should be remembered and celebrated, which implies, that they are to be so by day, but not by night.

The Gemora asks: Shall we say that this is a refutation of Rabbi Yehoshua ben Levi; for Rabbi Yehoshua ben Levi said: It is a mitzvah to read the Megillah by night and a second time by day?

The Gemora answers: When the Mishnah makes this statement, it is referring to the reading by day. (20a)

The Gemora cites the Scriptural sources for the halachah that all these mitzvos must be performed during the day and not by night. (20a – 20b)

The Gemora cites Scriptural sources proving that the day begins after dawn.

Rava said: It is because it is written: And God called the light, "day" - that which gradually becomes light - He called day.

The Gemora asks: But according to this, when it says: and the darkness, He called night, are we to explain that which gradually becomes dark, He called night? Is it not generally agreed that until the stars come out it is not regarded as night?

Rather, Rabbi Zeira said: We derive it from here (Nechemia 4:15): *And we were doing work, and half of them were holding spears from the rise of dawn until the emergence of the stars.* Another verse states



(ibid. v.16): *And the night will be for our watch and the day for work.*

The Gemora digresses and asks: What is the necessity for the two verses? The Gemora explains that if we only had the first verse, we might have thought that the day concludes at sunset, but those men were working longer hours. This is why the second verse is necessary. (20b)

The Mishna states: The entire day is appropriate for the reading of the Megillah, the recital of Hallel, the blowing of the shofar, the taking of the lulav, the Mussaf prayer, the offering of the korban mussaf, the confession which is recited together with the offering of the bulls (*if the Kohen Gadol or the Sanhedrin issue an erroneous halachic ruling, they must confess and offer certain korbanos*), the confession of the ma'aser (*people state on the last day of Pesach during the fourth and seventh year of the Shemitah cycle that they have fulfilled their obligations regarding ma'aser*), the confession of Yom Kippur (*the Kohen Gadol's korbanos*), the leaning of the hands on a korban, the slaughtering of the korbanos, the waving of the korbanos, the bringing near of the flour offerings to the Mizbeach, the scooping of the handful from the flour offerings and its burning on the Mizbeach, the severing of the neck of a bird-offering, the receiving of the blood of korbanos, the sprinkling of the blood of the korbanos, the giving the sotah the bitter waters to drink (*part of the process to determine if a woman committed adultery*), the beheading of the calf (*the elders of a city closest to a corpse found in a field decapitate a calf*), and for the purifying of the metzora.

The Mishna continues: The entire night is appropriate for the reaping of the omer (*in preparation for the barley offering on the sixteenth of Nissan*) the burning of the sacrificial fats and limbs.

This is the general rule: A mitzvah that must be performed during the day may be performed the entire day; and a mitzvah that must be performed during the night may be performed the entire night. (20b)

The Gemora cites Scriptural sources proving that the mitzvos mentioned in the Mishna must be performed by day. (20b – 21a)

## INSIGHTS TO THE DAF

### IT IS REGARDED AS NIGHT AFTER PLAG HAMINCHA

The Gemora states that it is not regarded as night until the stars come out. It is brought in the name of the Imrei Emes (Eretz Tzvi (25/26) that if one davens Maariv on Erev Rosh Chodesh (the day before Rosh Chodesh) from plag hamincha (one hour and fifteen minutes before sunset) and on, he should not recite yaaleh v'yovo for Rosh Chodesh in Shemoneh Esrei. The reason provided is based on a Magen Avraham (419), who cites from the Shalah that one cannot add additional time to Rosh Chodesh like he can to Shabbos and Yom Tov.

The Mishna Berura (693:4) rules regarding one who davens Maariv after plag hamincha before Purim; he should recite al hanisim in Shemoneh Esrei. The Sha'ar Hatziyon comments that this is based on the ruling that one may daven Maariv for the next day after plag hamincha and there are no poskim who



rule that one should not recite yaaleh v'yovo when he is davening Maariv early before Rosh Chodesh. One is allowed to recite havdalah after plag hamincha if he already davened Maariv. Mishna Berura concludes that it is evident from here that from plag hamincha and on; it is regarded as night in respect to davening.

### **RABBINIC MITZVAH OF SEFIRAS HAOMER**

Tosfos states that after the counting of the omer, one should say the following tefillah: Is should be the will of Hashem that the Beis Hamikdosh should be rebuilt. This is recited because the mitzvah nowadays is rabbinic and serves to commemorate the biblical mitzvah in the times when the Beis Hamikdosh was in existence.

Tosfos asks: What is the difference between the mitzvah of sefiras haomer and the mitzvos of sounding the shofar and taking a lulav which is also only rabbinic nowadays and this additional tefillah is not recited?

He answers: The mitzvah of sefiras haomer is merely a reminder of the Beis Hamikdosh and the other mitzvos involve an action. The distinction is extremely ambiguous and the commentators struggle to explain the difference.

The Gemora in Menochos (66a) says: Ameimar would count days and not weeks. He said: The mitzvah of counting the omer is only to commemorate the Beis Hamikdosh.

The Brisker Rov explains: The rabbinic mitzvah of sefiras haomer is different than other rabbinic mitzvos. A regular rabbinic mitzvah, such as eating

marror on Pesach, is the identical mitzvah nowadays as was in the times of the Beis Hamikdosh. The only difference is that then it was biblical and now it is only rabbinic. Sefiras haomer is different. The purpose of the mitzvah mitzvah of counting the omer nowadays was not for the counting, but rather it was established to commemorate the Beis Hamikdosh. The mitzvah nowadays is not the same mitzvah as it was then. This is why Ameimar maintains that in the times of the Beis Hamikdosh, they counted days and weeks and nowadays, we only count the days.

According to this, he explains the Ba'al Hamaor at the end of Pesachim. The Ba'al Hamaor says that we do not recite a shehechiyonu on sefiras haomer like we do by other mitzvos because it is only a mitzvah of remembering the Beis Hamikdosh. Shehechiyonu is recited at a time of joy and it would not be appropriate to recite it when we are recalling the tragedy of the destruction of the Beis Hamikdosh and the present exile. By other rabbinical mitzvos, a shehechiyonu is recited because the purpose of the mitzvah was for the sake of the mitzvah and not to remind us of the destruction of the Beis Hamikdosh.

This is the explanation of Tosfos. The special tefillah of requesting the building of the Beis Hamikdosh is exclusively reserved for the mitzvah of sefiras haomer, which was only instituted to commemorate the Beis Hamikdosh.

### **MEGILLAH AT NIGHT**

The Mishna states: The entire night is appropriate for the reaping of the omer (*in preparation for the barley offering on the sixteenth of Nissan*) the burning of the sacrificial fats and limbs.

The Rishonim are bothered why the Mishna doesn't list other mitzvos that are applicable by night, such as Krias shema and the reading of the Megillah.

The Rashba says: It can be inferred from this Mishna that the primary obligation to read the Megillah is only by day and not by night. This is because the main publicizing of the miracle happens by day. He rules that a brocha is not recited on the reading of the Megillah at night.

This is the reason why the villagers only read the Megillah during the day and not by night. The Rashba does conclude that the villagers should read the Megillah at night, but they are not required to read it publicly.

The Turei Even compares the reading of the Megillah to the celebration of Purim based on the passuk in the Megillah [9:7]: And these days should be remembered and celebrated. Just like the Purim feast must be eaten during the day, so too the primary Megillah reading should be done by day.

Pnei Yehoshua writes that the obligation to read the Megillah is by day because the victory over their enemies transpired by day and the night is not a time for battle; it is merely customary to read the Megillah by night. We nevertheless recite a brocha by night similar to other customs where a brocha is recited.

However, the Sheiltos (78) maintains that the reading of the Megillah by night is more essential than the reading by day.

## DAILY MASHAL

By: Reb Binyomin Adler

The Mishna states that any mitzvah that is required to be performed during the day can be performed the entire day, and any mitzvah that must be performed at night can be performed the entire night.

While one can only perform a daytime mitzvah during the day, one has the opportunity to prepare for the mitzvah and anticipate its arrival at night. On the first night of Sukkos, Reb Levi Yitzchak of Berdichev would stay awake all night in anticipation of the first moment of sunlight when he would then be allowed to recite the blessing on the lulav and esrog.

The story is told that once the esrog was lying in a glass-door cabinet. In his great excitement to perform the mitzvah, Reb Levi Yitzchak failed to notice the "obstruction." Reb Levi Yitzchak simply put his hand through the glass and, with incredible fervor, recited the appropriate blessing and fulfilled the mitzvah. Only after his excitement had somewhat abated did Reb Levi Yitzchak notice his bloodied hand.

Similarly, at the end of the holidays of Sukkos and Pesach (when Chasidim do not wear Tefillin), Reb Levi Yitzchak would not sleep all night, as he would wait for the first opportunity to put on Tefillin after the long interruption.

HaShem should allow us to merit anticipating the performance of His precious mitzvos.