

HALOCHOSCOPE TOI

A group plans to go door-to-door fund-raising on Purim, in a community some distance away. To maximize their efforts they must start at the earliest time possible. May they leave when it is too early to read the Megilah, missing the regular Minyan at home, but arriving too late for the regular reading at their destination? May they read Megilah while driving, despite the fact that the driver will need to concentrate on his driving?

The issues:

- (A) The requirement to read the Megilah in a shul
 - (B) Osek Bemitzvah Patur Min Hamitzvah, the dispensation for one preoccupied in one Mitzvah from interrupting for another
 - (C) Fulfilling the Mitzvah while concentrating on driving
- (A) *Reading Megillah in shul*

The object of *Mikra Megilah* is *Pirsumei Nisa*, to publicize the miracle that took place. This is not merely a reason, it is the Mitzvah. The Talmud debates the requirement for a *Minyan*. In one view a *Minyan* is always essential for the proper fulfillment of the Mitzvah. In the other view it is only essential when it is being read early. This occurred in Talmudic times when the fourteenth of Adar fell on any day other than Monday or Thursday. Villagers could not read the Megilah themselves. They would go in to larger towns and have it read for them by an expert. To make this arrangement work without disrupting the larger town's food supply and the villagers' schedules, the Rabbis instituted an earlier time to read it for the villagers. They would anyway be entering the town on Mondays and Thursdays, which was a market day for everyone. Therefore, the villagers did not need to come in specially for this on Purim morning. On these occasions they were required to read it with a *Minyan*. On Purim itself, in this view, a *Minyan* was not essential. The debate on reading it early has relevance nowadays, if one leaves on a trip, when he will have no access to a Megillah. He is permitted to read it before leaving from the eleventh of Adar and on.

The Poskim debate the meaning of this Talmudic debate. In one view it is indeed a debate over whether there is a basic need for a *Minyan* to fulfil the Mitzvah. We follow the ruling that without a *Minyan* one fulfills the Mitzvah

anyhow. The other view is that these two opinions themselves agree that without a Minyan one can still fulfil the Mitzvah. The debate is on whether there is a Mitzvah to try to find ten people for it. There is no restriction against reading it without a Minyan. The issue is whether one fulfills his obligation this way. Therefore, if one knows that he will never get a Minyan, he should certainly read it alone. The Poskim maintain that according to the views that we follow a single person reading it would also recite the Brocha, since he is fulfilling his obligation this way. Furthermore, less than ten people need not all read it privately, but one may read it for the others, reciting the Brochos for them as well. In fact this is considered by some to be the preferred way, since a larger measure of publicity is attained.

Since the Mitzvah is really Pirsumei Nisa, one may not rely on fulfilling his obligation alone. One is actually obliged to seek out a Minyan at all costs. The Poskim add a further requirement. One may not rely on a Minyan at his own convenience, but must try to go to a Shul, where a formal gathering is normal. The fact that a crowd travels to the Shul to congregate is itself Pirsumei Nisa. This requirement is derived from a Talmudic passage describing the importance of Megillah reading. The Talmud says that the *Kohanim* involved in their priestly service would be required to interrupt it to attend Megillah reading. Some commentaries point out that the temple services and offerings required well over a Minyan, and the *Kohanim* could easily have made their own Minyan when they were ready. The Talmud requires them to interrupt to attend the Shul, due to Pirsumei Nisa.

According to this, our questioners should be required to abandon their plans of reading it for themselves even with their own Minyan, if they are able to go to a Shul for it. [See Megillah 3a (Ran) 5a, Poskim. Tur Shulchan Aruch Orach Chaim 690:18 687:2 688:6-7, commentaries.]

(B) Osek Bamitzvah

The Talmud derives from a Passuk (in *Kris Shaman*) that one must perform any Mitzvah in preference to pursuing his *personal* needs. From here we infer that when pursuing the needs of a Mitzvah, this does not apply. Thus, one preoccupied in a Mitzvah, is exempt from any other Mitzvah that should arise.

Does this also apply when the two Mitzvos are not in conflict with each other, yet the second is time-restricted? I.e., if one interrupts to fulfil the other Mitzvah, he will still be able to return to the first Mitzvah, whereas if he continues the first Mitzvah, by the time he finishes it will be too late for the other Mitzvah. The Poskim debate this issue. We follow the opinion that it makes no difference. The

meaning of the exemption from the second Mitzvah is that one's time is now being taken up in the service of Hashem to fulfill the first Mitzvah. It may not be usurped for the second one, even if the second Mitzvah is greater than the first one. Another issue is whether the exemption works when one is fulfilling a Mitzvah, but it does not preoccupy him. In this case he must begin the second Mitzvah.

Regarding Megillah, which is, incidentally, a Rabbinically ordained Mitzvah (though the Talmud considers it possibly of Prophetic origin) the Talmud requires interrupting other Mitzvos to fulfill it. These other Mitzvos are the *Avoda*, services in the Bais Hamikdash, and Talmud Torah, Torah study. The Talmud derives from a Passuk that these interruptions were in-built to the Mitzvah of Megillah. From these the Poskim learn to require interrupting all Mitzvos to read Megillah. Megillah is so important that no other Mitzvah comes before it, except burying a *Mais Mitzvah*, corpse of one who has no others to take care of him.

The problem is that the entire concept of *Osek Bamitzvah* does not apply to one preoccupied in Torah study when the second Mitzvah arises. One interrupts his Torah study for any second Mitzvah that will be missed if delayed until after the Torah study, such as *Shema* and *Tefilah*. Thus, while the rule of Osek Bamitzvah would otherwise apply to interrupting a Mitzvah, we should not require a Passuk to suspend Torah study. Furthermore, the fact that it is suspended does not prove anything about other Mitzvos.

Accordingly, some commentaries explain the Talmud differently. They maintain that the exemption derived from the Passuk allows, or rather requires, the *Kohanim* to delay even beginning their *Avoda* until after the Megilah reading. This way it is no longer an issue of Osek Bamitzvah, but of choosing between two Mitzvos. One must show preference to Megillah when faced with the choice of Torah study or any other Mitzvah. This includes a fixed daily Shiur. If, however, one has already begun the other Mitzvah, we do not know whether it is included in the exemption, or whether the rule of Osek Bamitzvah applies. Naturally, it would not apply to Talmud Torah.

However, there is another approach. While it is true that Talmud Torah is interrupted for other Mitzvos, this only applies if it is not possible to fulfill both. If it is possible to do the other Mitzvah later, one need not interrupt his study. For Mikra Megillah one must interrupt to join the Shul Minyan at the time they read it.

Accordingly, in our case, if the fund-raisers do not begin fund-raising until the time for Mikra Megillah, they must first read the Megillah. If they begin earlier, they might be exempt by the time the Shul is reading it. On the other hand, they

might be required not to even begin a Mitzvah before the time for Megillah arrives, so as not to be in the middle at the time of the shul's reading. Accordingly, they should not even start on their trip. The fact that they plan to read it later themselves, even with Minyan, does not absolve them of the added requirement of Pirsumei Nisa. The fact that a traveller may leave a few days before (ignoring Pirsumei Nisa) does not relate to our situation, where they are already obliged. It is already Purim. Furthermore, according to their plans, these fundraisers do not plan to be in the middle of their Mitzvah at the time that the Minyan is reading. They will be en route at this time. They will have placed themselves in a position that does not allow them to participate in the Minyan in Shul [See Brochos 11a (13b) 14b Shabbos 11a Sukah 25a 26a Megillah 3a Moed Katan 9b, Poskim. Tur Sh. Ar. 38:8 70:4 687:2, commentaries.]

(C) Reading while driving

One may read the Megillah sitting or standing. The Poskim discuss reading it in a caravan, and the Torah states specifically that one reads Shema even walking around. Ideally, one reading it for a quorum should stand, and anyone reading it should stand for the Brochos.

One fulfills reading it by hearing another person reading it through *Shomei'a Ke'oneh*, hearing is like saying. Listeners to Megillah must follow well enough that if they miss a word they can fill it in themselves and catch up. A minority part of the Megillah may be recited by heart. Thus, if the driver knows it by heart, he could, theoretically, fulfill his obligation while driving. However, this is not the ideal way, nor should plans be made to fulfill it this way, despite the Mitzvah of *Tzeduka*. Why should that Mitzvah take precedence over this? [See Megila 17a-b 21a, Poskim. Sh. Ar. O.C. 688:7 690:1-7, commentaries.]

Furthermore, it is wrong for a different reason. The driver must concentrate on his driving. He may not risk any danger to fulfill a Mitzvah, especially if it is his own Mitzvah pitted against the passengers' safety. At night, the additional hunger from fasting adds to the caution and care the driver must have. In a pressing situation, where he is the tenth man for the Pirsumei Nisa, and there is no other possible arrangement, it would be advisable to pull over and stop. Otherwise, the plans should be made to read the Megillah either in shul before they leave, or to arrive at their destination in time to read in Shul.