# Mafsikim

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We were taught Arvé Pesahim in high school but as far as I remember, we didn’t get too far. I think we we spent a very long while on the second page of the chapter before eventually moving on or before they replaced our Talmud class with a Haskhafa class. The showstopper was here:

*Rabban Shimon b Gamliel, R. Yehuda and R. Yose were reclining in Acre. The Sabbath arrived. Rabban Shimon b Gamliel said to R Yose: With your permission, let us interrupt [our meal] and respect the words of our colleague Yehuda? R. Yose responded: all your life you admire my words more than Yehuda’s, and now you admire Yehuda's words more than mine, “Will he rape the queen with me at home”* (Esther 7:8). *Let’s not interrupt lest the students see and establish the halakha for generations.* – Pesahim 100a [1]

The teacher coundn’t explain the quote from the book of Esther. No one could figure out how it was relevant or which Rabbi was Haman and which was playing the role of Esther.

A bit of background: There is a difference of opinion about when to say Kiddush if you start a meal Friday afternoon and continue eating into Shabbat. R. Yehuda’s opinion is to say Kiddush in the middle of the meal (after moving the table away) and R. Yose opines that you finish the meal first and say Kiddush afterwards. [2]

The Gemarah is usually explained this way: Rabban Shimon b Gamliel followed the view of R. Yose, the lenient view, and made Kiddush after the meal. This time, because R. Yehuda was present [3], R Shimon b Gamliel asked R. Yose’s permission to interrupt and follow the stricter opinion. R. Yose emphatically refused. He feared (or according to some versions Rabban Shimon b Gamliel feared) that the students would mistakenly assume that R. Yehuda’s view was the Halakha.

This explanation is difficult. Prior to this Shabbat, the students always saw Rabban Shimon b Gamliel observe the practice of R. Yose. Next week he will again follow the practice of R. Yose. This week and this week alone, they’ll see him interrupt the meal as per R. Yehuda. Why should the students make a mistake and think that the Halakha follows R. Yehuda?

Today we are used to the idea of following a more stringent practice in order to satisfy as many divergent opinions as possible, but this a recent innovation that didn’t exist in Talmudic times. If R. Shimon b Gamliel wanted to do this, he should have followed R. Yehuda’s opinion all the time and told the students that the Halakha follows R. Yose, but he’s being machmir.

Some wonder why the sages and their students were eating a meal late Friday afternoon before Shabbat started. Why weren’t they in the Synagogue saying the evening prayers with everyone else? Dr. Daniel Goldschmidt explains [4], that in those days the evening prayer was voluntary. Therefore, no one attended synagogue on Friday nights.

The dispute over the status of the evening prayer, [5] was between R. Yehoshua and Rabban Gamliel. Rabban Gamliel (the head of the Sanhedrin) held that the evening prayer is obligatory. Now barely a generation later, even his own son (Rabban Shimon b Gamliel) doesn’t follow his opinion. His own son doesn’t try to satisfy both opinion. [6]

I think the clue that will help us decipher this story is the mention of the seemingly unimportant detail that the meal and discussion took place in Akko. R. Yehuda lived in Usha. At that time, the Sanhedrin was also in Usha and Rabban Shimon b Gamliel its head, lived there as well.

Rabbi Yehuda was מוריינא דבי נשיאהor מוריינא דנשיא—the halachic authority in the house of the Nasi; According to Rashi: “all their practices followed R. Yehuda’s decisions”. [7] Clearly R. Shimon b. Gamliel

would interrupt his Friday afternoon meals to make Kiddush as per the opinion of R. Yehuda. R Yose lived in  Zippori (Sepphoris, about 20 km away.) That community followed the views of R. Yose and did not interrupt their meals to make Kiddush.

/\*Elsewhere, outside of Usha, it sounds like he would have followed R. Yose, which was maybe the majority opinion./more common opinion. \*/

Our story takes place in Acco (Acre). The Nasi asked R Yose if they could follow the stricter opinion of R Yehuda. That was the opinion that the Nasi himself usually followed. Maybe, R Shimon b Gamliel was the host and saw the meal in Acco sort of as an extension to a meal in the house of the Nasi. Maybe the fact that R. Yehuda was present added to this feeling. On the other hand maybe R Shimon b Gamliel felt like interrupting the meal because that’s what he normally did.

R Yose refused. He explained his position this way: The Nasi doesn't usually have the opportunity to *follow* my words but now that we are in Acco, there's no longer reason to follow R Yehuda. R Yose quotes from the book of Esther to support his argument.

R. Amos Hakham (p47) Daat Mikra esther summary of the end of chapter 7 writes: [8]

We usually think that the drunk (foolish) king attributed an intent to Haman that Haman didn’t have . . . But even if the king understood and knew that Haman was begging for his life from Queen Esther, he still had the right to punish Haman. In falling on the Queen’s couch, (and maybe holding on to her legs), Haman acted against the self-respect of the Queen.

R. Hakham continues, Odysseus faced a similar situation (in Book IV). He debated whether to clasp the knees of a princess as a suppliant does, or whether to keep his distance from her and speak with courteous words . . . Odysseus finally decided to make his request from afar.

The translation would then be “will he persuade the queen in my presence?”

I think we can build on R. Hakham’s explanation a little bit (and maybe this extension is already included in his words as well). Haman's fatal mistake was not his immodest approach to Esther. His petition to the queen for pardon, instead of addressing the king is what doomed him. The sense of the Ahasuerus’ words is something like this: “When I’m not here, I understand, you might plead for you life from the queen; but I am here and I am the authority. Why aren’t you begging for your life from me? [10]”

R Yosi's argument is similar. "In Usha I'm not present, it’s correct that you follow R Yehuda’s view. However everywhere else (since you always cherish my words), you should follow my ruling.[11]

To summarize: R Yosi is playing the role of Asheverus. R. Yehuda is Esther and R. Shimon b Gamliel is acting like Haman in the sense that he’s recognizing R. Yehuda’s authority in a place that follows R. Yosi’s view.

Rabban Shimon b Gamliel accepted this argument and publicized a ruling like the opinion of R. Yose.