# 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 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]

Our teacher couldn’t explain the quote from the book of Esther or how it was relevant. We couldn’t figure out how one Rabbi could suggest that the other Rabbi was Haman, and we certainly couldn’t figure out which Rabbi was 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 always followed the lenient view of R. Yose. He always made Kiddush after the meal ended. However, this time, because R. Yehuda was present [3], R Shimon b Gamliel asked R. Yose’s permission to interrupt the meal, follow the stricter opinion of R. Yehuda and make Kiddush at the start of Shabbat. 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. [4]

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

Today we appreciate the idea of following a more stringent practice in order to satisfy as many divergent opinions as possible, but this a relatively recent innovation that didn’t exist in Talmudic times. (I think they trace this attitude to the time of R. Meir of Rothenburg of the 13th century.) If so, why would R. Shimon b Gamliel even think to be stringent according to R. Yehuda?

There might be some support for the idea that they didn’t take on stringencies to satisfy all opinions from our story itself. Why were the sages and their students eating a meal on Friday afternoon as Shabbat was about to start when they should have been in the Synagogue saying the evening prayers together with everyone else? Dr. Daniel Goldschmidt explains [5]. In those days, the evening prayer was voluntary and no one attended synagogue at night not even for *Kabbalat* *Shabbat*. He means to say that they didn’t all go to shul to say a voluntary prayer, as we do today.[6] They just didn’t go to shul. If a person felt the urge, then he might say the evening prayer to himself, but it wasn’t a thing that the community did.

Notice, that the dispute over the evening prayer, 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) does not follow his opinion. R. Shimon b Gamliel isn’t worried about his father’s opinion not even לכתחילה.

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 [7].

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. R. Yose lived in Zippori (Sepphoris, about 20Km from Usha). Rabbi Yehuda was מוריינא דבי נשיאה or מוריינא דנשיא—the halachic authority in the house of the Nasi. According to Rashi: “all their practices followed R. Yehuda’s decisions”. Clearly, R. Shimon b. Gamliel would normally follow the decisions of R. Yehudah and would interrupt his Friday afternoon meal to make Kiddush when Shabbat started. [8]

That was in Usha. In Akko, R. Shimon b Gamliel thought to do as he usually did at home. Maybe, he was the host and saw this meal as an extension of a meal in his house—the house of the Nasi. Maybe the fact that R. Yehuda was present added to this feeling.

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 the decision of R. Yehuda. R Yose quotes from the book of Esther to support his argument.

R. Amos Hakham , in his commentary to the Book of Esther writes: [9]

We usually think that the drunken (foolish) king attributed 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.

I think we can build on R. Hakham’s explanation a little bit (and maybe what I’ll say is already included in his words.) Haman's fatal mistake was his petitioning the queen, instead of begging for his life from the king. Ahasuerus was insulted. “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. You should be pleading from me.” [10]

R Yosi's voices a parallel argument. "In Usha I'm not present, it’s correct that you follow R Yehuda’s view as he is the authority there. Everywhere else (since you, Rabban Shimon b Gamliel, always cherish my words), you should follow my view. We can now put everyone in their place. R Yosi is Ahasuerus. 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. [11]

Rabban Shimon b Gamliel accepted this argument and publicized a ruling that agreed with R. Yose. The language is: “They did not move from there until they established the halakha in accordance with the opinion of Rabbi Yosei”. Nevertheless, the ruling barely lasted two generations. Then the halakha reverted to a position much closer to R. Yehuda as the subsequent lines read:

Rav Yehuda said in Shmuel’s name: The halakha is not in accordance with the opinion of Rabbi Yehuda, nor is it in accordance with the opinion of Rabbi Yosei, instead, (when Shabbat starts), spread a cloth over the table and recite Kiddush. [12]