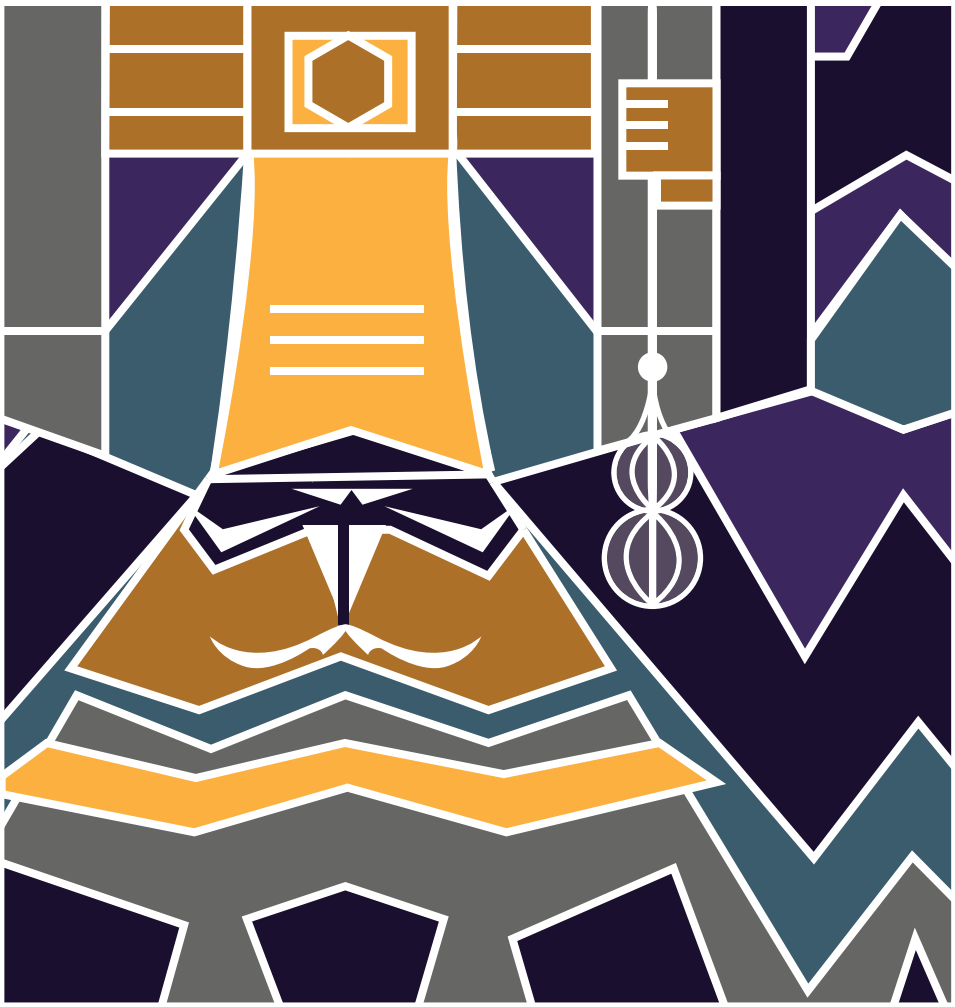

Ve-Nahafoch Hu:

Making Your Way Through an Upside-Down World

created by

Uri L'Tzedek
Orthodox Social Justice

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Introduction from Uri L'Tzedek

No holiday exposes the fragility of our existence quite like Purim. *Megillat Esther,* the *sefer* that provides its story and informs the meaning of its observance, is the only book of the Torah in which the name of God does not appear. The void left by the absence of God's mighty providence is left open. Instead, we encounter a world in which Jewish survival is contingent on nothing but the desires of a sybarite, the machinations of a narcissist, and ultimately the cast of lots. Luck and not merit seem to be the moral universe of the *megillah*.

But then, a reversal! Haman's wickedness is held accountable. The virtue of Mordechai is rewarded; the moral universe is realigned to more familiar coordinates; the teachings of the prophet Yechezkel reemerge, "The righteousness of the righteous shall be accounted to him alone, and the wickedness of the wicked shall be accounted to him alone." (Ezekiel 18:20) The bacchanalian feast of Achashverosh is elevated into the Purim *se'udah* with its focus on the reciprocity of gift-giving. Money, in pursuit of which tyrants will allow genocide, is redeemed through *matanot le'evyonim*, the sharing of wealth with the poor. Uri L'Tzedek Publications' current offering, *Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World,* gives voice to these twists and reversals, these moments of doubt and possibilities for justice.

In the last four years, Uri L'Tzedek has directly reached over 20,000 individuals in the 200 programs that it has sponsored or co-sponsored nationwide. This number includes programming at over thirty universities, impacting an estimated third of all American Orthodox university students. Through their association with Uri L'Tzedek, participants have studied what Maimonides thought of micro-finance, lent over twenty thousand dollars in micro-loans, advocated for the Tav HaYosher, and lobbied for progressive legislation. We have invested significant resources in over one hundred and fifty emerging leaders who serve as Uri L'Tzedek fellows, interns, committee heads, and Tav HaYosher compliance officers. The passion and grassroots activism of our community has successfully created social change across North America.

Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World is Uri L'Tzedek's third publication that integrates social justice themes into the rhythm of the Jewish year. Like the *Food and Justice Haggadah Supplement* and *Mah Ani? Self Reflection and Social Action for the High Holidays*, this supplement incorporates action steps that suggest specific actions that the reader can take to move from learning to doing.

We are proud to thank Bikkurim: An Incubator for New Jewish Ideas and Joshua Venture Group for financially supporting this project. The commitment to Jewish innovation and social entrepreneurship displayed by the staff, board, and funders of these organizations has been essential to Uri L'Tzedek's growth. We would also like to thank the hundreds of individuals as well as the Jewish foundations that support Uri L'Tzedek's critical work. A listing of the foundations and organizations that support us appear in the back of this booklet.

Joshua Schwartz served as the editor-in-chief of *Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World*. We would like to thank him for his hard work, verbal acuity, and deep Jewish learning. Hillary Levison, Uri L'Tzedek's skilled Associate Director of Operations, returned as the managing editor of this publication. Her dedication to all aspects of its editing and production of this project are very much appreciated. Aliza Weiss created the innovative design and aesthetic tone for *Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World* that integrates the leading themes of the publication with the celebratory colors of the holiday. We would also like to thank the Uri L'Tzedek Board of Directors. As we continue to grow, they have been a deep reservoir of guidance and advice.

We would especially like to thank the contributors of *Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World,* who volunteered their time, ethical insight, and religious imagination to this project. Many of them are emerging leaders in the Orthodox social justice movement and we appreciate their time and commitment in making Uri L'Tzedek's vision a reality.

If you would like to further explore a thought or an idea in *Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World* or if you would like to join Uri L'Tzedek in its important work, please contact us! You can find us on the web at www.utzedek.org or email us at info@utzedek.org.

Finally, we would like to wish you all a joyous Purim.

Ari Hart
Co-Founder, Uri L'Tzedek

Rabbi Shmuly Yanklowitz
Founder and President, Uri L'Tzedek

Rabbi Ari Weiss
Director, Uri L'Tzedek

Editor's Preface

Wouldn't it be odd to take Purim seriously?

After all, this is a holiday on which one is commanded to be blisteringly happy, so jubilant that one is liable to make a fool out of oneself. Whether socially-lubricated or not, one is still called on to become so blissfully joyous that one cannot discern the difference between cursing the enemy and blessing the hero. *Halacha* obligates one to attend parties. Most people observe Purim by wearing costumes, going to carnivals, and eating triangularly shaped baked goods. This is not the "solemn day of convocation" of our great-great-great-great-great (etc.) grandparents.

However, Purim is a day of celebration that takes itself seriously, that recognizes the radical power of joy.

The miraculous turnabout of ונהפוך הוא (Esther 9:1) possesses its radical power precisely due to the potential catastrophe that almost befell our people. The dialectical logic of the reversal teaches us that Purim's euphoric joy correlates to its profundity. The rubber band snaps back hardest when it is stretched to its breaking point. We as a people had to approach the very precipice of existence to be able to touch the ecstatic joy of life.

There is an especially Purim-esque irony to the fact that it is precisely on the wackiest day of the Jewish year that we have the most *mitzvot* specifically devoted to giving to others, specifically, to give money to the poor, send gifts to friends, and share in each others' festive meals. The celebration one experiences on Purim is not egotistical self-indulgence. Rather, one is full of so much joy that one cannot help but give to others. One is over-flowing. Rambam and the *Mechaber* both agree that when one gives on Purim, one should not keep track of how much one distributes but rather simply give. (MT *Hil. Megillah u-Chanukah* 2:16, SA OH 294:2) The Maharil even says that the first thing one does as one enters the holiday is to give (SA OH 294:1).

The celebrating and rejoicing of Purim is not something that just happens. Rejoicing on Purim is something that we are commanded to do. The joy one experiences is the joy that one is meant to be experiencing. However, the heights of our joy do not pierce the atmosphere of the holy life Judaism provides. Just because something is silly or ridiculous does not mean that it cannot also be holy. Taking Purim seriously is the commitment to take the contours of our lives seriously, even in extremes, perhaps especially in such cases.

We at Uri L'Tzedek are overjoyed to present to you a collection of reflections on the ecstatic gravitas of this most paradoxical of days. Purim's narrative and practices touch on many compelling issues of our time, which the timeless wisdom of Torah can help us illuminate, and our featured writers have taken up just such a task. Included herein are discussions of the death penalty, consumerism, theories of ethics and responsibility, alcoholism, poverty and economic injustice, structures of political organization, and taxes.

Central to the observance of Purim is the reading of the *megillah*, a practice so essential we make sure to do it twice, both in the evening and in the following morning. The articles below have been ordered as commentaries-of-sorts to verses from the *megillah*, which are displayed above the article as a textual anchor. Additionally, at the back, we have included an index to assist in such hermeneutical navigation. We hope that you use this collection as a companion to your contemplation of Esther's famous *iggeret* (letter), helping to bring social justice thinking to your Torah study.

Speaking of social justice and redemption, we would be remiss to restrain these discussions to theory alone. Many of the included pieces are prompted to give one tools to further one's own consideration of such important topics, or to facilitate one's ability to take these words of Torah and bring them into the real world, which we can hopefully help to make a more ideal world.

Mordechai's triumph is sealed when he goes out into the city, and the Jews react with exultation and joy. (Esther 9:15-16) Redemption was sealed when he went out. Our joy on Purim is also directed radially outward, radically towards others. Our happiness brims over with generosity. I truly hope that the words printed here will inspire you all to take your own Torah out into "every province and every city…" (Esther 9:17)

Joshua Schwartz
Editor-in-Chief, *Ve-Nahafoch Hu*

Contributors

Laura Berger is a Midwestern transplant living in New York and is currently a third year law student at Fordham University. She spent her last two summers working with immigrant victims of domestic violence and trafficking, refugees, and immigrant detainees, in New York City and in Tel Aviv.

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Ari Hart is a founder of Uri L'Tzedek. A frequent contributor to the *Huffington Post, Jerusalem Post, Haaretz* magazine, and more, he was recently selected by the Jewish Week as one of the 36 "forward-thinking young people who are helping to remake the Jewish community."

Daniel Held is a doctoral candidate in Jewish education at JTS, a Wexner Graduate Fellow, and the coordinator of the Educators' Track at Yeshivat Chovevei Torah. Before moving to New York, Daniel served as the director of student activities at TanenbaumCHAT and as a senior member of the educational staff at Brandeis' office of high school programs. You can follow Daniel on twitter @danielmheld, read his monthly column on education in the Canadian Jewish News and reach him at danielmheld@gmail.com.

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The Con in Consumerism: A Quest into Ourselves

by Amanda Gelb

"...the king made a feast unto all the people" [1:5]

Our first glimpse into the Purim story is telling. Filled to the brim with every possible hedonistic delight and fancy- we arrive at the tail end of an 180 day party for dignitaries, armies, and princes capped by a seven day feast for all members of the land. Achashverosh, ruler of 127 provinces, is at the helm of this lavish display of riches and "the splendorous beauty of his majesty." (Esther 1:4) No expense was spared. Dazzling marble pillars and floors, furniture adorned in gold and silver, endless drink, and servants to fulfill whatever guests desired.

Whereas we might look askance at the waste and frivolity these parties encouraged, or perhaps a wistful longing or excitement, Achashverosh evinces a familiar need to present ourselves well, an inner pride outwardly manifested via physical display. Achashverosh held a beauty pageant to gauge who his next wife would be. The negative means to which this culture manipulated people shows how stressing physical appearance creates unrealizable goals of wealth and power. Today, shows like "The Bachelor" mimic that spousal selection processes. It goes deeper than reality television. Material items often fuel an insatiable impulse.

Take the term "retail therapy." A study presented at the Society for Social and Personality Psychology Conference ("Misery is Not Miserly", Cynthia E. Cryder, et al) posits that the "yay me, focusing on me" factor consumerism creates is what alleviates sadness. We purchase more things to raise ourselves up. One new shirt begets the desire for another. *Averah goreret averah,* one wrongdoing leads to another wrongdoing (Pirkei Avot 4:2). I could say the same for myself and gooey chocolate chip cookies. Just one measly portion doesn't seem enough. Sometimes I turn into the Cookie Monster, guzzling cookie after cookie. We all have this inside us; how it manifests is up to us. When do we cross the line into materialism or even gluttony? When does having more cease to add appreciably to human satisfaction?

Our measuring of the Gross Domestic Product (GDP) counts family breakdown and disease as economic boons. A divorce means two houses and lawyer fees, and diseases leads to hospital fees, all of which add up to productivity for our economy. What do these measurements reflect about our values as a society? Robert F. Kennedy in an address to the University of Kansas in 1968 reflected on this system of measurement, "Too much and too long, we seem to have surrendered community excellence and community values in the mere accumulation of material things. Our gross national product ... if we should judge America by that - counts air pollution and cigarette advertising, and ambulances to clear our highways of carnage. It counts special locks for our doors and the jails for those who break them. It counts the destruction of our redwoods and the loss of our natural wonder in chaotic sprawl."

Since Shushan times, our earnings have increased, material goods are cheaper than ever before, and we have far surpassed Achashverosh technologically. These changes have skyrocketed our consumption to unimaginable levels. From the 1950's on, the world's intake of meat, steel, wood, copper and energy has doubled, car ownership has quadrupled, plastic use has increased 5 fold, and air travel multiplied by 32 times (statistics published in *American Forests,* 1991).

Our religion holds the values of integrity of character, good work, strong friendship and family relationships, and community in high regard. We work to be better individuals and a stronger collective. These are social, psychological, and spiritual needs that can only be attained with care, effort and time. In discussing the shortcomings of GDP as an indicator of our nation's progress, Robert Kennedy highlighted what is fundamentally missing from this measurement, citing educational proficiency, good health, our courage, wit, and strength of our marriages. The values Kennedy puts forth as important indicators of America's economic state are somewhat incalculable and suggest an alternative to consumer spending. It's interesting to note that a number of alternatives to GDP have been suggested: the Index of Sustainable Economic Welfare, which factors in both pollution and income distribution, and the Genuine Progress Indicator, which tries to determine if economic growth has improved a country's welfare. Alternative efforts try to supplement or supplant traditional income-based measures with happiness-based measures. These include the Happy Planet Index, a Gross National Happiness measure and work on National Well-Being Accounts."

Drawing back the curtain of our Purim texts for a moment, we unearth a tremendous emphasis of the traits mentioned above. The

Vilna Gaon, in his interpretation of the *megillah*, calls our attention to the passage *"V' Kabel Hayehudim... la'asot,"* and the Jews took to do that which they had begun." (Esther 9:23) The Vilna Gaon points out the grammatical inaccuracy of this sentence as *"V'Kabel"* is singular while *Hayehudim* is plural. What do we make of this? The Vilna Gaon goes on to teach, "that the Jews acted as one," in complete solidarity (*Perush HaGra* on Esther 9:23).

We see Esther's explicit acknowledgement of this collective power when she asks Mordechai to: "Go, gather all the Jews of Shushan and fast for me" (4:16). Why couldn't Mordechai merely tell the Jews to fast? Why did they need to be gathered? Esther, too, saw deliverance from their dire situation only when *Am Yisrael* was brought together, "as one nation, with one heart". Even (especially!) during times of despair, we see the power of the collective, where each voice heard in unison, bringing about social change.

"He (Mordechai) instructed them to observe them as days of feasting and gladness, and sending delicacies to one another, and gifts to the poor." (Esther 9:22) Consider these basic *mitzvot* of Purim; they are all activities that foster the traits of fellowship and giving. Especially in times of gladness we are commanded to consider those less fortunate. We are compelled to think about a friendship we may have let go astray or a recent argument we may have had, and to reach out and give that person *mishloach manot.* Think about it: Purim helps create a sense of common identity and community. As a whole and as individuals we cultivate deeper sources of fulfillment. This Purim, let us cultivate a deeper awareness of our personal measures of success, and celebrate them together. ▲

"Purim helps create a sense of common identity and community"

Ethical Consumption: A New Ritual for *Mishloach Manot*

by Dasi Fruchter

In the weeks before Purim, the kosher supermarkets in Queens are packed with anxious shoppers. In preparation for both the lavish Purim feast and the distribution of *mishloach manot* (Purim Baskets), shoppers pile carts high with bottles of wine, bakery *hamantaschen*, and other goodies. The fact that a Jewish festival features an abundance of food is not unique—but Purim is set apart in that in addition to a feast, we prepare packages of food to give as gifts, a practice instated in the time of the *megillah*. This practice was originally intended to ensure that everyone had enough food for the Purim feast and to foster a general spirit of love and friendship.

In some communities, however, the original meaning of the practice has been buried under the importance the basket's lavishness. I remember sitting at my dining room table as a little girl, sifting through the *mishloach manot* as they came in, gasping in delight if the box had an interesting theme or was filled with fancy truffles. When it was a simple brown bag with Chewy Bars and a ripe fruit, I groaned and set it aside. As I grew older and became more engaged in social justice issues, I became less enchanted with the competitive and materialistic "keeping up with the Klein's" nature of *mishloach manot*.

Since making these packages is actually a huge industry around Purim-time, I believe our community can make a huge difference by making the decision to theme *mishloach manot* baskets to support ethical consumption practices this year. Unfortunately, it's not possible in today's world to buy food that is completely conflict free. Instead of spending a great deal to make your *mishloach manot* super kitschy or fancy, however, spend that extra buck to make a basket containing not only local, fair-trade and organic fare (though that too is generally a good idea); but one containing goods that takes the worker's welfare into consideration. Food workers in both the distribution and restaurant industry are often denied some of the most basic workplace rights, and wage theft and discrimination are not uncommon. It is important to know that this does not exclude kosher establishments. Uri L'Tzedek and the Brandworkers union have been struggling for over a year and a half to pressure Flaum Appetizing, a kosher appetizing plant, to pay a court-ordered sum to their workers. Meanwhile, though an increasingly large number of kosher eating establishments have signed on to the Tav HaYosher, many restaurant and supermarket owners still neglect to pay sufficient wages (or any wage), pay overtime or provide a safe and discrimination free working environment.

This year, make sure that the workers at the kosher bakery you buy your *hamantaschen* are being paid *at least* minimum wage. Ask the cashier at your supermarket how they're treated. Check to see if the place you shop is Tav-certified. Make your Purim baskets with goods that are not produced or distributed through the exploitation of food chain workers. If you're having a hard time finding those products, its time to start organizing for change.▲

Further Resources

Tav HaYosher: Launched by Uri L'Tzedek, the Tav HaYosher is a local, grassroots initiative to bring workers, restaurant owners and community members together to create just workplaces in kosher restaurants. Check out www.isupportthetav.com for a list of Tav certified eating establishments.

Food Chain Worker's Alliance: The Food Chain Workers Alliance is a coalition of worker-based organizations whose members plant, harvest, process, pack, transport, prepare, serve, and sell food, organizing to improve wages and working conditions for all workers along the food chain. http://foodchainworkers.org/?page_id=480

The Color of Food: Check out this link for a broad survey of the food system, to map out the race, gender and class of workers along the supply chain. http://www.arc.org/content/view/2229/136/

Brandworkers/Focus on the Food Chain: Empowering Food Distribution Workers to Rise Out of Sweatshop Conditions-check out their amazing work. http://www.brandworkers.org/node/12

Restaurant Opportunities Center of New York: Through a combination of worker organizing and empowerment, litigation, and public pressure, ROC-NY wins back unpaid wages and discrimination claims for restaurant workers as well as important changes in the industry, such as vacations, paid sick days, mandated breaks, and more. http://rocny.org/what-we-do/workplace-justice

Next Steps

- Make sure your favorite restaurant or supermarket has the Tav HaYosher or that they are being paid and treated fairly
- Advocate for a fair minimum wage in your state
- Educate your community about workers in the food chain through a discussion at the *Shabbat* table with your guests, an email on your listserve or a speech at *shul*
- Bring workers from a kosher eating establishment to speak at your campus or your child's school about their experience in the industry
- Build a meaningful relationship with a food establishment worker and learn from their experience - Invite them for *Shabbat* lunch and share the possibility of building a just world over delicious food!

The Null Curriculum of Purim

by Daniel Held

"...and it was written in the book of the chronicles before the king." [2:23]

Purim is an educator's dream.

The *megillah* offers a compelling narrative, which can be taught through plays, puppet shows, and text study. Like a good Western, the lines are clearly drawn between the heroes and villains, enabling children to cheer and scowl at the appropriate junctures. The customs and rituals of the holiday – dressing up, gregging *greggers*, baking *hamentashen*, delivering *mishloach manot*, giving *matanot l'evyonim*, eating a purim *seudah*, etc. – are both engaging and deeply rooted in the messages of the holiday. Unlike other rituals such as shaking the *lulav* and *etrog* or shlugging *kaparot*, which require both cajoling to maintain a child's attention and a roundabout allegorical explanation to imbue it with meaning, traditional celebrations of Purim captivate the child's attention and bespeak the underlying themes of the *megillah* and the holiday.

With the educators' job made simple, it is no wonder that Purim has evolved into a pediatric holiday. I use this term in two senses. First, it is a holiday centered on children. We ogle over children's costumes, we permit noise in the synagogue that would be frowned upon during the year, we dole out candy, and we have Purim carnivals and other festivities specifically for children. Children are at the center of any Purim celebration, demonstrated by the fact that most synagogues do not run separate children's services during *megillah* reading as they would on other holidays. On Purim, the synagogue becomes the children's service.

This pediatric approach to Purim also manifests in our teaching of the holiday. In many respects, our analyses of the *megillah* and the messages of Purim are stuck in an underdeveloped, elementary phase, rarely seeing the light of fresh, nuanced and critical adult analysis. All too often we allow the narrative of Mordechai and Esther to stagnate in the narrow setting of Shushan without considering its implications for our contemporary ethical study, or querying the characters, their actions and decisions. It is comfortable to read the *megillah* as a story that happened 'there and then', doing so, however, limits its applicability to our own context and narrows the questions we ask and lessons we learn from the story.

In pedagogical terms, we don't spiral the curriculum of Purim. A spiraled curriculum revisits earlier themes and learning as a basis for building more complex understandings and analyses. A spiraled math curriculum may teach addition one year and review that material the next while adding on the related complexity of multiplication. Next, the class will review multiplication and add on division. Each lesson *spirals* back to earlier learning in order to scaffold more complex study. Jerome Bruner, a renowned psychologist who made significant contributions to the field of education, states, "A curriculum as it develops should revisit this basic ideas repeatedly, building upon them until the student has grasped the full formal apparatus that goes with them" (1960, p. 13). In teaching Purim, all too often, we succeed in revisiting the basic ideas and rituals – the narrative of the *megillah*, the reasons for our observances, the gregging of *greggers* and the giving of *mishloach manot* – but we neglect to build upon these basic ideas and rituals with new frameworks for interpretation and new meaning for our traditions. We don't use our pervious readings of the *megillah* as a starting point to delve into deeper understandings of the complex ethical issues that both require the first pass and demand critical attention.

A pediatric curriculum, circling back to the same starting point rather than spiraling and growing, is comfortable. It avoids many of the pointed questions of ethics and morality that other authors in this volume have aptly raised. At the same

> "Purim is a holiday rich in educational potential to engage the young, but, perhaps more profoundly to challenge older celebrants with deep questions of ethics and morality."

time, however, it should leave the adult learner unsatisfied.

In instances when we do depart from the *megillah* narrative, the themes often seem to be designed more towards engagement than critical analysis. As an observer of high school curriculum and pedagogy, I have seen countless classes, *shiurim*, lectures, and activities focused on the meaning of *ad de-lo yada*, exploring questions such as, Are we required to drink? Permitted to drink? And if so, how much? While a study of alcohol consumption and abuse, and the parameters articulated in rabbinic texts is both engaging for teens and important to discuss, when this represents the outer limit of our teaching of Purim, we miss the boat on the depth of the *megillah's* potential as a cornerstone text for teaching complex issues.

Permit me to introduce three other curricular terms: "Taught", "Learned" and "Null" curriculum. The taught curriculum is the lessons and material that a teacher teaches. The learned curriculum is what students internalize from the taught curriculum. It comes as no surprise that there is a gap between these two curricula. Larry Cuban, an important observer of the American educational system, states, "The gap between what is taught and what is learned—both intended and unintended—is large" (Cuban, 1992, p. 223).

This gap between taught and learned curricula is further compounded by the null curriculum. Elliot Eisner, a proponent of critical pedagogy, states, "What children don't learn is as important as what they do learn. What the curriculum neglects is as important as what it teaches." This is the kind of curriculum which he terms "null". Eisner suggests that what teachers choose to leave out of the curriculum sends a covert message about what is to be valued (Eisner, 1994, p. 96-97).

The null curriculum of Purim is comprised of many of the issues addressed in this volume: domestic violence, sex trafficking, poverty, exile, identity and assimilation, consumerism, genocide, and the death penalty. Issues central to the *megillah* and central to the messages of the holiday, but topics that are left out of the curriculum of Purim. By circumventing the teaching of these issues, we create a null curriculum that sends profound messages about communal foci and priorities.

What might a spiraled curriculum aimed at transparently in addressing the null curriculum look like? At the youngest ages it would look much the same as it currently does, we would continue to teach the narrative of the *megillah* through plays, puppet shows and text study. We would continue to do classroom exchanges of *mishloach manot* and have our children drop coins in the *pushka* for *matanot l'evyonim*. As children progress through elementary school, and are able to move from habituation to reasoned decisions, we would begin to unpack the underlying values of these traditions; exploring the ways we relate to and remember evil, teaching how to have a caring relationship with neighbors, and recognizing our obligations to the poor.

By adolescence and emerging adulthood, when learners are able to interpret text in the context of the world around them and in relation to their own lives, we will circle back, once again, to the Purim story, building upon our earlier teaching by adding layers of complexity. The educator may begin to raise questions about the treatment of women – Achashverosh's wanton treatment of Vashti and the competition for a new queen; questions about consumerism and financial inequality demonstrated in the king's feasts, palaces, garments and horses; about Esther's assimilation into the palace culture and her reticence to reveal her Jewish roots; or about the Jews' request to continue the genocide of their enemies, even after the threat against them had been ameliorated.

Purim is a holiday rich in educational potential to engage the young, but, perhaps more profoundly to challenge older celebrants with deep questions of ethics and morality. My hope is that by spiraling to build upon pediatric narratives and celebrations, we can begin to addresses the issues that currently constitute the null curriculum of Purim. ▲

Persian Spring: Understanding Politics in *Megillat Esther*

by Avi Garelick

"There is a certain people..." [3:8]

"Says R. Abba bar Kahana: The removal of the ring is greater than the exhortation of all 48 prophets and 7 prophetesses." (BT Megillah 14a)

This rather cryptic pronouncement refers to the agonizing moment in the third chapter of *Megillat Esther,* wherein Haman entreats King Achashverosh to sign off on his evil plot to kill all of the Jews. With indifference leavened by royal power, the king offers his signet ring to the wicked villain and instructs him to do as he wishes. This moment to which R. Abba bar Kahana draws our attention is a minuscule gesture that symbolizes a seismic shift in the balance of power. Imperial authority colludes shamelessly with selfish, barbaric interests. What is it that makes this moment so important, and what does it accomplish that the prophets cannot?

On the way to answering this question, I present another: Why does King Achashverosh close the Book of Esther by imposing a tribute on the people of his empire? This is not disconnected from the movement of the rest of the narrative, nor purely an assertion of kingly power. Rather, it is the epilogic resolution to a crisis that has been plaguing the empire for most of the book. I want to suggest that the story of this crisis can be told in terms of the troubles inherent to an empire in decline.

Our first hint to this problem is offered by Haman in his proposal of genocide. We know that Haman had a personal vendetta, which he transmuted with sociopathic ease into a bloodthirsty hatred for an entire people, but how was it so simple for him to make his grudge a real imperial decree? Upon close inspection, he actually did have a strategy for appealing to the interests of empire. Haman's plot was at its face a personal vendetta, but more than that, it was a scheme for generating revenue for a thirsty empire. His plot was so nearly successful because he understood how to justify the exploitation of marginalized peoples for economic ends in a period of general decline. Note carefully what he says upon approaching the emperor:

> There is one people, scattered and dispersed amongst the other peoples in all the satrapies of your empire. Their laws are different from all other peoples, nor do they do the laws of the king. It does not pay for the king to let them be. If it please the king, let it be written that they be destroyed, and **I will measure 10,000 silver talents, by way of those who do the work, to be brought to the king's treasury.** (Esther 3:8-9)

Ten thousand talents of silver is a tremendous amount of money. Herodotus records the annual income of the Persian empire in the time of Darius as 14,560 silver talents (*The Histories* 3:95). Allowing for the potential unreliability of this report, it still gives us a good sense of the magnitude of this amount of money. I do not think it is plausible to suggest that Haman is trying to bribe the emperor with money from his personal funds. Rather, I think he is framing the plot as a strategy for extracting close to a year's worth of imperial funds. How? By plundering Jewish property from throughout the entire empire. The plundering he suggests is not just random rapacity—it is a comprehensive method of engorging the palace treasury!

In the empires of antiquity, the majority of the royal monetary income came from taxing conquered regions. Citizens of the empire generally expected to live tax free, though they would offer annual gifts of their wealth to the emperor (Graeber). When the Persian empire was on the rise, it would take in a considerable portion of its income by plundering newly conquered territories. If, has been suggested by some historians, the Persian empire was in decline in the time of Achashverosh, then it makes sense that the royal advisors were casting about for new strategies to extend the trajectory of their economy.

So, Haman is in effect proposing a radical new strategy for creating growth—internal plunder! This is why he precedes his proposal by casting the Jews as a people who have no social ties to the people around them, as a people who are not constructive members of the empire (Rashi remarkably comments that Haman's words, "they do not do the laws of the king," means truthfully that the Jews do not pay taxes!).

This economic basis for the destruction and plunder of the Jews is what leads the king to balk when Esther and Mordechai ask him to annul the genocidal decree. There is no going back on the word of the king, especially when it forms the backbone of his economic plan. Instead, Mordechai suggests a backup slaughter, so that there will at least be some kind of plunder to expand the king's coffers. Unfortunately, the Jewish marauders (not as invested in the empire's success) do not comply with this stipulation of the decree—though it specifically

mandates plunder, the Jews abstain. This is an affront to the king's scheming, and again leaves him scrambling for revenue.

Hence the mysterious tribute that the emperor levies upon his people at the end of the book: The king is forced to resolve his economic problems by resorting to an internal tax. This is the solution he might have tried at first, had he been forced to adhere to a political process with any measure of accountability. Instead, because of the corruption of insider influence, the empire comes to the brink of moral catastrophe.

This is the meaning of the Talmud's teaching which stands as the epitaph to this piece, that the removal of the ring that was greater than all prophecies. When King Achashverosh handed the signet ring to his wicked advisor, that was the mechanism by which an individual's zealous hatred became identical with the interests of empire. But what makes this moment greater than all of the prophetic exhortations? Rashi explains that it led the people to fasting and repentance. That is, where all the efforts of the prophets to bring about moral circumspection and reform had failed, this moment finally succeeded. The irony of this is that Esther is one book of few in the bible where the woes of the Jewish people are not explicitly connected to their misdeeds. By a plain reading of the book, their repentance and fasting has no direct connection to the narrative of danger and redemption.

This reading is part of a comprehensive rabbinic project of working out the story of Esther in theological terms. They read past the conspicuous secularism of the book into its hidden higher workings, seeking the imprint of God's hand where it is not easily found. This story, like all of our other stories, is actually about our relationship with God and the resolution of sin and distance through repentance and fasting.

This reading of the book is attractive even if you do not share its theology, if only because it broadens the scope of the story to include the actions of the entire Jewish people as relevant. A secular reading runs the danger of limiting its relevance to the power plays between four very important people, while everyone else in the empire waits impotently. But, as R. Abba bar Kahana suggests, a prophetic-theological reading is not the only valid rabbinic understanding. By re-secularizing the theological reading, we can see that fasting is not only a theurgic strategy—it is also a politically effective mass symbolic action. In this way, the Book of Esther has a number of lessons to teach us about the possibilities of collective action even in a highly insular and corrupt political environment.

Mordechai was a man who was very aware of the impact of his actions as a public figure and an open Jew. His immediate response to the imperial decree was to take conspicuous public action. He took to the city square and enacted a rite of mourning.

By doing so, he made the plight of the Jews a matter of public discourse. He demonstrated simply in order to be visible, to prevent the decree from sinking out of view and being carried out as a procedural matter. As with other effective public actions, he played off the quiet sympathies of the general populace ("The city Shushan was perplexed," Esther 3:15), knowing that those sympathies would not independently lead to some kind of civil disobedience. Persia was not a wildly anti-semitic society, but it was law-abiding, and there was no recourse for appeal against the decrees of the monarchy. What Mordechai and the Jews had to do, therefore, was to stay present in the public consciousness for the eleven months prior to the enactment of the decree. Thus when Esther is planning her own intervention she encourages Mordechai to stage a three-day action, What was Esther's climactic disclosure—I am one of them!—without the resounding sound of the Jews outside the palace gates? A whole popular campaign undergirded her effort. Esther spoke with the voice of the people, a right she earned through her sharing in their suffer-

"That is, where all the efforts of the prophets to bring about moral circumspection and reform had failed, this moment finally succeeded."

ing, in their plight. Conversely, none of those popular efforts for recognition would have borne fruit if a sympathetic leader had not had a place in the imperial court. The Jewish people needed to work together.

The anti-prophetic politics of *Megillat Esther* hinges on the connection between an understanding of its logic of power and the resulting coordinated effort to undo corruption. If the prophet, as usually understood, is the voice of uncompromising moral outrage, the *megillah* works within a more subtle framework that allows certain political realities to come into relief. It allows us to develop an understanding of the connections between a people and its leaders. Crucially, the Jewish campaign against Haman could only succeed because his plot relied on the economic interests of the empire, not on the will of the Persian people. A campaign of mass action could never have taken root without this disjunction between an empire's interests and its people's.

In our present moment we have come to realize that people are neither identified with nor paralyzed by their political leaders. Rather, each have specific responsibilities towards the other, and moments of influence and pressure on them. Far too often, entities that are close to power act as though these avenues do not exist. *Megillat Esther* is a dramatic demonstration of how they can be successfully understood and utilized for change.

Just think: What could we do, if we do it together?▲

A Nicaraguan Purim

by Jesse Rabinowitz

My Spanish is not very good, and my Hebrew is even worse. Last year, listening to my friend chant *Megillat Esther* in the Nicaraguan airport was really an experience. Unable to find a quiet corner in the humid Managuan airport, we pulled chairs together near a baggage carousel. The three groups of students from different universities gathered to hear the retelling of the Purim story. Our audience grew from students—hours away to setting off for a week of service, learning, and soul searching with the American Jewish World Service — to Nicaraguan bystanders, intrigued by the unfamiliar tune and foreign words. So often is this situation allegorical to common practices in social justice— a group of foreigners hop off a plane, take over a space, and begin to impart their culture and tradition without regard for those who they are there to help. Fortunately, these confused observers had the courage to speak up and ask questions. Through broken Spanish, I was able to tell these gentlemen the story of the Jewish triumph over evil.

Days later, I was sharing stories in the semi-constructed kitchen for agricultural training with my new friend Sergio. A former soviet trained commando, Sergio had been to war and recalled losing eighty percent of his soldiers in the Nicaraguan revolution. He was a modern day Mordechai, devoted to standing up to an oppressive government for the betterment of his people. After seeing the horrors of war, Sergio now devotes his life to peace and to preserving his country's freedom by grassroots change.

I have always felt deeply ambivalent with the ending of the Purim story, especially the descent into anarchy described at the of the *megillah*. Fortunately, I, like those listening to the *megillah* in the airport, found the courage to ask Sergio what he thought of Americans. It was a difficult question knowing the history of United States meddling in Nicaragua's sovereignty. Sergio simply responded, "After talking with your group, I'm learning that I don't hate you." Forgiveness comes through slow steps, challenging conversations, and the courage to ask hard questions. It is time to move beyond the ending of the *megillah* by taking a different stance against our advisories. We must live with compassion and courage, with love and understanding, with the ability to forge new bonds through the hard work of forgiveness.▲

The Orphan Queen

by Dena Weiss

"And who knows, if it is not for a moment like this that you attained royal status?" [4:14]

In the fourth chapter of *Megillat Esther*, the time arrives for Esther to reveal her true identity and to save her people. Yet Esther is afraid to approach the king without an explicit invitation explaining that "any man or woman who approaches the king in his inner courtyard without being called has just one law- to be put to death" (4:11).

Mordechai responds as follows: "Do not imagine that you, of all the Jews, will escape to the king's house. For if you remain silent at this moment, relief and deliverance will arise for the Jews from another place, and you and your father's house will be destroyed. And who knows, if it is not for a moment like this that you attained royal status?" (4:13-14)

Mordechai's response to Esther seems unnecessarily pointed and accusatory. He appears to assume the absolute worst about Esther's motives. He paints her as scheming to hide silently in the palace, protected by her position of power, while her fellow Jews die at the hands of her husband and his armies. Esther, however, has merely stated that she is unable to approach the king right now. She hesitates because she is subject to the law prohibiting her appearance without having been invited, not because she is planning to hide out in the palace forever! Mordechai himself does not disregard the royal laws of decorum; because it is illegal, he does not enter the gates of the palace wearing sackcloth (4:2). Furthermore, it seems uncharacteristic that Mordechai would be so harsh with Esther. Mordechai, after all, adopted Esther and raised her as his own child. When she married, he would pace around the palace gates, so that he could be constantly apprised of her welfare (2, 11). It was he, in fact, who had instructed Esther not to tell her husband where she came from, and the verse that describes Esther's silence states explicitly, "Esther did not tell of her nation or heritage for Mordechai had instructed her not to tell" (2:10). When Esther refuses to plead with the king she is merely responding that she thinks it wise to continue following Mordechai's initial advice. The lack of generosity with which Mordechai reads Esther's response is astounding.

If Mordechai intends to motivate Esther to act through his words, the approach is strange. First, his message is contradictory. He tells Esther that relief and deliverance will come to the Jews from another place. This implies that Esther's involvement is not essential to the salvation of the Jews. He then says that she, as the queen, is uniquely situated to help them. Well, which one is it? Does she have to use her position of influence or not? If not, why *should* she reveal her identity? The Jews will be saved whether or not she gets involved! Second, in the process of telling her that she cannot escape in the house of the king Mordechai mentions that if she does not speak up she and her father's house will be the only ones destroyed. We know from the beginning of the *megillah* that Esther is an orphan, "she has no father or mother" (2:2). Why would Mordechai mention Esther's dead family here? Just to twist the knife?!

In *Esther Rabbah* (6:7) we encounter a *midrash* that may help us read Mordechai's reaction more generously:

> R' Berachiya said in the name of R' Levi- God said to Israel: You cried and said, "we have become orphans with no father" (Eichah 5:3) By your life! Even the future redeemer that I will appoint for you in [Persia and] Media will not have a father or a mother, as it says "For she did not have a father and mother" (Esther 2:2).

Reading Mordechai's statement in light of this *midrash*, we see that Esther's having grown up as an orphan is essential to her becoming the one who saves the Jewish people. A close reading of these verses yields that Esther's advantage as queen is not the main thrust of Mordechai's argument; this comes to him almost as an afterthought, "And who knows, if it is not for a moment like this that you attained royal status?" Rather Mordechai's focus is that Esther should step up and speak out because otherwise she and her family will be destroyed. Reading with the *midrash*, we can suggest that, "you and your family will be destroyed" is not a reference to the physical destruction of Esther's family in the past nor to the death of Esther herself in the future, but rather that if she does not speak, her having been an orphan will not serve its larger, cosmic purpose of preparing Esther to be the savior of her people.

We often feel that there is a direct correlation between a person's privilege and his/her responsibility to be a leader, a healer, a giver, and a savior. Mordechai's approach to Esther teaches us that the opposite is true. Esther is both an orphan, the lowest rung on the ladder of privilege, and the queen of 127 provinces. When Mordechai wants to call on

her to identify with her people he focuses primarily on her vulnerability, her history of being alone and in need, and *not* on her current status as queen. This teaches us that what enables us to be sensitive to the suffering of others is to really know what it means to suffer. The call of the hungry is only heard and understood by those who know hunger themselves. When we feel called upon to serve and to save we should not view the responsibility as falling on the shoulders of those wealthier or more fortunate than we are. We should recognize that our ability to extend ourselves comes only from a place of deep knowledge and empathy; from proximity to need, not distance from want.

In another passage from *Esther Rabbah* we see Esther calling upon her status as an orphan in praying to God before she goes in to meet Achashverosh:

> "She prayed and she said: Hashem, God of Israel who has controlled from primordial days and created the world. Please help your maid as I have remained an orphan without a mother and father and am like a poor woman who begs from door to door. Similarly I am begging for your mercy from window to window in the house of Achashverosh…You, father of orphans, please stand to the right of this orphan who has relied on your kindness and set me in mercy before this man for I am afraid of him. And reduce him, for you are the one who reduces the haughty" (8:7).

Not only does Esther refer to herself as an orphan in this prayer, but she also calls on God as the Father of Orphans to listen to her in her distress. Perhaps it is because Esther herself does not have a father that she is in a unique position to ask for mercy from God as a father.

Esther triumphs when she reveals to her husband, the king, that she is not exclusively his queen, but she is also one of the lowly and invisible people whom Achashverosh did not think twice about destroying. Her strength comes from pointing out to Achashverosh that under the crown of his queen, and behind the mask of his wife was an orphan. And therefore under his crown too, sits an ordinary man, capable of and called to mercy. ▲

"We should recognize that our ability to extend ourselves comes only from a place of deep knowledge and empathy; from proximity to need, not distance from want."

עד דלא ידע : A Reconsideration of Ethics

by Joshua Schwartz

"...come this day unto the banquet that I have prepared..." [5:4]

Given my being a young man in his roaring twenties, one could expect my favorite *halachah* for Purim to have something to do with eighty proof whiskey and a criterion grounded solely in quantity. Instead, my favored point of Jewish law resides in an astounding gloss by R' Moshe Isserles, the great 16th century Ashkenazic scholar, namely, that, on Purim Jews are allowed to wear *kilayim de-rabbanan*. Pretty radical, if you ask me. The Rema writes,

ומה שנהגו ללבוש פרצופים בפורים וגבר לובש שמלת אשה ואשה כלי גבר אין איסור בדבר מאחר שאין מכוונים אלא לשמחה בעלמא, וכן בלבישת כלאים דרבנן וי"א דאסור אבל המנהג כסברא הראשונה. וכן בני אדם החוטפים זה מזה דרך שמחה אין בזה משום לא תגזול ונהגו כך ובלבד שלא יעשו דבר שלא כהוגן על פי טובי העיר (תשובת מהר"י מינץ סימן י"ז): (שלחן ערוך, אורח חיים, תרצו:ח)

And regarding the custom of donning masks on Purim and a man wearing women's clothing, and a woman wearing the clothing of a man, there is no prohibition in this matter, since it is not intended for anything other than celebration (in the holiday) alone, and similarly in the wearing of rabbinically forbidden mixed substances *(kilayim de-rabbanan)*. Some say there is a prohibition, but the custom follows the first (permissive) opinion. Additionally, one person grabbing from another in a joyous manner, (the commandment of) "Do not steal" does not obtain, and this is the way (it is appropriate for us) to behave as long as nothing that is simply not done occurs, due to social (lit. civil) welfare. (*Shulchan Aruch, Orach Hayyim* 296:8)

The prohibition to make use of mixed substances is found in Leviticus 19:19 and Deuteronomy 22:5, 9-11, in which the Torah forbids mixing wool and linen (*shatnez*), interbreeding different species of animals, and planting different species of seeds together. Bewildering laws such as these are often the site of controversy regarding how far human investigators can come in understanding them. Famous scholars such as Rashi insist that such laws are *chukot legamrei*, laws with no rationale; they are strictly decrees issued by the transcendent King, whose Will we cannot discern. Even so, we can still relate to how these *mitzvot* structure the reality in which we are embedded. Indeed, this is perhaps the central modality which occurs in the general discourse of *halachah*, to separate, to distinguish, to mark and maintain difference. Especially in the case of a *chok*, one would imagine for there to be even less room for flexibility, since there is no reasoning by which one can make a case for leniency. But the Rema makes the bold decision to carve out permissive space. How can he justify himself in the face of the decree of the King?

Despite our inability to suss out whys and wherefores of the law of *shatnez*, we can associate it with a certain mode of existence, as noted above, that of separation and difference. This is the precise mode of reality which Purim seeks to overturn. The banner cry of Purim is ונהפוך הוא (Esther 9:1), "and the opposite occurred!" Purim is the holiday of reversals, as typified in the miraculous upset that characterized the coup of the Persian Jews over the genocidal machinations of the wicked Haman. The Queen boldly risks her life, but her reward is manifold. *Ve-nahafoch hu*. Mordechai rides in royal finery, and Haman hangs from gallows he himself designed. *Ve-nahafoch hu.* The purported victims are found to be the victors. *Ve-nahafoch hu.*

The Russian literary critic Mikhail Bakhtin defines the carnivalesque as a literary form that liberates and subverts one's presumptions through comedy and chaos. This is precisely the *modus operandi* of Purim. While the most obvious example of the carnival today is resigned to the children's fair put on by one's synagogue on the Sunday preceding or following the holiday itself, the logic of Purim is truly structured along the lines of the carnival. When we recite the words *ve-nahafoch hu*, we commit ourselves to (for one day at least) living in an upside down world, a world in which we simply cannot rely on the ways things usually are. In this world, convention exists to be subverted, to be reversed. Men wear women's clothing, and the opposite. Always the opposite. And the opposite of the opposite. This is the day on which boundaries become blurred.

So how to understand this quibble of a *heter* (dispensation) issued by this great sage, that one is allowed to wear *kilayim de-rabbanan* on Purim? In a sense, this *heter* signifies the blurring of boundaries on this most carnivalesque of days, the subversion of the status quo. On this day alone Jews are allowed to (gasp!) mix. Yes, on the face of it, this kind of admixture is almost meaningless. After all, what kind of significance would such a border-

line anti-nomian nomian practice truly have? What real revolutionary impact does wearing a shirt made of wool and hemp (for example) possess?

In a spiritual life engendered by a life structured by *halachah*, the import of a practice is less its external reverberations but rather what it inculcates within and how it structures one's own lived experience. Even the smallest, most niggling *heter* induces within us a certain mode of freedom, the permission to subvert the status quo, perhaps even more so because it is hardly noticeable to the outside eye, providing for one an opening which leads down a path particular to that individual.

I suppose we cannot pass through this discussion without giving mention to that most (in)famous of customs. The *Mechaber,* in the *Shulchan Aruch*, writes, "A person must drink (lit. celebrate) so much on Purim until one does not know (עד דלא ידע) the difference between 'cursed is Haman' and 'blessed is Mordechai.'" (OH 295:2, citing BT Megillah 7b). One is supposed to attain a mode of being in which one thing and its opposite become indistinguishable. What has become radically reversed is our very mode of living – *ve-nahafoch hu*. This is the *derech simchah* ("manner of rejoicing") referred to by the Rema, since the law in the *Shulchan Aruch* literally instructs us to become so happy that we cannot make such conventional distinctions. Of course, the most common manner of attaining such a state is with liquor, but the essence of the matter is to realize such a euphoric state. The *Beiur Halachah* on this very *se'if* elucidates how *halachah* could allow for such ecstatic behavior, such as drinking to excess. He explains that drinking is an appropriate mode of behavior on this day since the miracle which happened in the *megillah* itself occurred by means of a feast! That is to say, our miraculous reversal was only possible through the lubrication and fluidity of drunkenness, of Purim consciousness.[1]

The character of such a celebratory comportment is one of blurry misperception and accordant generosity. Joy is overwhelming and induces one to share it with others. Hence, it is no surprise that during Purim, the boundaries between individuals begin to elide as well. The Rema begins his gloss by referring to the practice on Purim to wear masks. On this holiday, we are not restricted to who we have believed we must be. We are not our facticity; we are sheer possibility. The mask blurs who we feel we have to be and slides us into a freer future. We realize that we have become another. Perhaps the most striking element of the Rema's statement is when he declares that matters of theft which come to pass through celebration are forgiven with no liability. Private property bespeaks the security of the individual. One cannot take my things because they are mine; others have no claims on them. But on Purim, the lines between us blur, and what is proper to one can be claimed by another. There was simply no crime, since the mode of rejoicing offers to another that which is one's own.

> "Our inherent interdependence and interconnectedness teach us that our welfare is bound up one in another. We care for the other as we care for ourselves."

Traditionally, in Western philosophy, as typified by the metaphysics of G. W. F. Hegel, reality is structured through opposition, most strikingly through Self and Other. The *telos* of Hegel's philosophical program is the attaining of the Absolute, in which the Self looks into the Other and realizes that only through the Other can one become Self. The two are inextricably bound up one in an/other, allowing for the realization of true subjectivity. The Self can only become through the Other. Understandably, the ethical philosophy of Emmanuel Levinas protested boldly against this privileging of the Self. To Levinas, the Other must never become instrumental to the Self. Rather, the Self must recognize the

radical alterity, the absolute difference (whereas Hegel's Absolute was a collapse into the Same) between the Self and the Other.

Purim, however, presents us with an alternative model, one which teaches us a new way of understanding ethics. While Levinas sought to criticize Hegelian metaphysics for its totalitarian tendencies, his philosophy results in its own deconstruction. For Levinas, the purpose of maintaining the Other's absolute alterity is to ensure that the Self did not co-opt the Other as one's own means, re-conceiving the Other as an aspect of oneself. However, to identify the Other in such radically absolute terms ends up as yet another projection emanating from the Self. There remains no way to actually relate. The problem resides in this radical differentiation. Luckily, as we have been discussing above, Purim is designed to deal with this very problem.

The function of the customs of Purim is to blur the boundaries between oneself and an/other, to show that the human condition is not one of radical separation but rather of interrelation and coexistence. Martin Buber, in his classic *I and Thou*, wrote, "Whoever says You does not have something for his object… where You is said there is no something. You has no borders… he stands in relation." (trans. Kaufmann, p. 55) To address an/other is not to have the subject-object relation described by Hegel (and, in his own way, Levinas) but rather to emerge together. Buber famously writes in his opening page that one cannot utter the word "I" without also speaking its pair. The Self does not come into its own on its own but rather one can only be with an/other. *Ve-nahafoch hu* – and the opposite became what is. The Self must participate in the Other, for only that is the ground of existence.

One is not separate from the Other. We cannot so easily distinguish between our selves (perhaps this is why we put on masks). In discussing the confluence of Purim and the Sabbath, the 20th century Slonimer Rebbe comments on Exodus 25:8, "Make me a sanctuary, and I will dwell amidst you (בתוכם)." He writes, "This is a commandment impinging on every Jew, to make one's body a dwelling place (משכן) fitting for the possession of the *Shechinah* in one's very being, as the *Chachamim* interpret... *betocham* signifying in each and every one." (*Netivot Shalom, Purim*, p. 74) While the contextual reading of the verse would see the word *betocham* meaning in the presence of the community, the Slonimer Rebbe, following a long mystical tradition, articulates a more strict rendering, such that the word means, literally, "in you," in your very being. One could read this mode of mystical spirituality in an atomistic mode, in which every individual by their lonesome becomes a fitting residence for G?d. However, such a rendering would fracture G?d's being into similarly atomistic fragments, an assuredly unacceptable result for the Jewish people, those who pledge fealty twice daily to the one G?d. Rather, for each of us to be fitting residences for the *Shechinah*, we must all be bound up together in that Divine superstructure. As the Divine inheres within us, we are all inherently involved one with an/other.

Since ethics has traditionally been based in these absolute distinctions, between Self and Other as well as right and wrong, one can easily imagine a protest to this alternative ethical thinking. If living in Purim consciousness allows one to take liberties with an/other, since the boundaries between Self and Other are blurred (e.g. not having to pay back what is appropriated when one was celebrating, in the Rema), how can we ensure that this mode of inter-relation does not devolve into anarchic chaos? If the lines between Self and Other are elided, then are we not sliding into the fascist fantasy of the Hegelian Absolute once more? Thankfully, the Rema, in his understanding of the matter, attempted to ensure that this would not be the case. One is not permitted to steal; the lines are not absolutely erased. Rather, to truly live out the radical vision of Purim is for a people to agree that one is disposed towards another. We forgive slight trespasses, since we are all bound up one in an/other, attempting to accomplish something holy together. Yom Kippurim is often interpreted as being *Yom Ke-Purim* (cf. M Taanit 4:8), a day that is like Purim. Perhaps their interrelation also extends in the opposite manner (*ve-nahafoch hu*), in that just like on Yom Kippur, on Purim we are committed to forgiving each other. And we must still make sure that we are not acting *lo ke-hogen*, in an absolutely unacceptable manner, as is the case with all relationships of trust and consent – we must respect each others boundaries, despite their fluid nature on such a day. The freedom of fluidity is not a license for taking liberty with an/other. In other words, the Rema only allows

one to don *kilayim de-rabbanan*, not *de-oraysa*.

We conclude by responding to one final and essential critique that would (and should!) be posed against this model of ethics: If Purim's ethics is grounded in this ecstatic modality, in which the lines between the Self and Other are blurred, how can we ensure that the Other is still cared for, if the Other cannot be strictly distinguished? The solution to this *kashya* is the rub of Purim's ethics: our inherent interdependence and interconnectedness teach us that our welfare is bound up one in another. We care for the other as we care for ourselves. This is not banal egotism. One's care for oneself is the ground of caring for others. If we are continuously consumed with our own need for care, then how can we truly be present with and for an/other? The security self-care brings is the foundation, the sure ground on which we stand when we extend a helping hand to an/other. Three major *mitzvot* of Purim involve giving to others or sharing of one's own. *Mishloach manot* possess the dynamics of mutuality; one exchanges gifts with another, and a reciprocal relationship is formed. The *se'udah* in which one is commanded to partake is an opening of one's homes to others, of sharing one's food, one's space, and one's time. *Matanot le'evyonim* present us with a problem, for the giving relationship is unilateral, which would seem to reinstantiate the division between Self and Other through the disparity of power. Rambam's explication of this mitzvah shows us the answer. He writes, "One does not pay attention (מדקדקין) in giving money to the poor, but rather one gives to each and every outstretched hand." (*Mishneh Torah, Sefer Zemanim, Hil. Megillah/Hannukkah* 2:16) One loses oneself in one's giving. One expends oneself without self-consciousness. One merely gives, one becomes a pure giver, a quality of the Divine, that which has transcended need. As Maimonides imparts, "Whoever gladdens the heart of the unfortunate becomes likened to the *Shechinah*." (MT *Sefer Zemanim, Hilchot Megillah uChanukah* 2:17) ▲

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1 Here I want to note that the *ikkar* of the matter is not the drinking but rather the attainment of what I am calling "Purim consciousness." There are different opinions on the matter in *halachic* literature, with greats such as Maimonides and the aforementioned Rema ruling that one need not become overly intoxicated but rather one may go to sleep (see MT *Sefer Zemanim, Hilchot Megillah uChanukah* 2:15 and SA OH 295:2 respectively). To sleep perchance to dream would also achieve a similar effect, since the consciousness one possesses in a dream state is characterized by the same quality of fluidity as that of Purim.

Purim and Alcohol Consumption

by Joshua Schwartz

Famously, *Masechet Megillah* instructs us that on this most joyous of holidays, one must "celebrate on Purim until one cannot discern (עד דלא ידע) between 'cursed is Haman' and 'blessed is Mordechai.'" (BT Megillah 7b) This kind of extreme statement jars the Jewish ear. Is not our religion one which stresses the golden mean? Does not Rambam teach us that the best path to follow is one of moderation, understanding that as the correct meaning of the mitzvah to "walk in His ways?" (Deuteronomy 28:9, cf. MT *Hilchot Deot* 1:5-6, *Shemoneh Perakim*) How could Judaism truly call on us to behave in excess, especially with such a dangerous substance?

As has been explained elsewhere in this journal, the spiritual idea propounded in this teaching resonates with radical reverberations, and it is precisely its radical nature that teaches us that it is not something we can take for granted. To focus on the drinking itself is to miss the point entirely. As noted in the previous essay, the drinking is a means towards attaining a new kind of consciousness, more fluid and flexible than the mindset of the day-to-day. However, as we know from our own experience, drinking excessive amounts of alcohol can just as well lead one to intensify the darker corners of our personality. Our own tradition is deeply aware of the dangerous and even frightening consequences of consuming alcohol. Chapter one of our very own *megillah* shows the foolish king allowing his inebriation to make unfair demands of his wife, causing public embarrassment. Noah's post-diluvian drinking leads him into a compromising position with his sons. (Genesis 9:20-23) In a condemning statement, Ibn Ezra declaims, "Most transgressions are caused by wine. Wine destroys thinking and *Avodat Hashem*." (Ibn Ezra on Numbers 6:2)

> "We need to manifest compassion for those who have been overcome by the self-destructive aspects of their nature, as it could honestly be any one of us."

All of the afore-cited sources are to elucidate Judaism's recognition of the possible negative effects of alcohol. Unfortunately, the way these texts treat the problem of excessive drinking is to frame it as one's incorrect choice. As we know today, alcoholism is not a series of bad choices but rather is a serious disease. The Talmud teaches us that our *yetzer ha-ra* gains upon us each and every day, and we are only saved by G-d's grace (BT Sukkah 52a). We need to manifest compassion for those who have been overcome by the self-destructive aspects of their nature, as it could honestly be any one of us. Alcoholism afflicts ten to fifteen percent of the Jewish community in America. Alcoholism is not a condition which affects only the poor and disenfranchised, since around half of those 10-15% are themselves in the tax brackets of $50,000 or more. The American Jewish community perceives itself as being enlightened and cultured, ignoring the all-too-real plights which plague our community, like any other community in this broken world. It is a sincere responsibility that we turn an honest eye on ourselves, recognizing and validating the areas in our community which need healing and attention.

Purim is a time when, tragically, the forest is missed for the trees, and drinking is pushed on young people, who are made to think that it is the drinking that is essential to the holiday's joy, rather than the celebratory consciousness it engenders. These more vulnerable members of our community are not taught about the position of the Rema or Rambam, who teach that one is merely supposed to consume enough to nod off, not to throw up. We have a communal responsibility to ensure that those for whom it is not the right course of action to utilize inebriating beverages have a secure and validated space within our community, that we root out the pernicious effects of peer pressure, no matter where it lurks. ▲

Further Resources

- Jewish Alcoholics, Chemically Dependent Persons, and Significant Others - http://www.jacsweb.org/
- R' Avraham Twerski, M.D. On Judaism and alcoholism - http://www.myjewishlearning.com/practices/Ethics/Our_Bodies/Health_and_Healing/Smoking_Alcohol_and_Drugs/Alcoholics_Anonymous.shtml
- R' Shmuly Yanklowitz on kiddush clubs and excessive drinking - http://www.thejewishweek.com/features/street_torah/kiddush_clubs_destructive_force
- On the luring of young Jews on college campuses with alcohol - http://www.thejewishweek.com/features/hammerman_ethics/shots_shabbat

Purim: The Importance of Democracy

by Rabbi Shmuly Yanklowitz

"If I have found favor in the sight of the king..." [5:8]

One year ago, Libyan dictator Muammar el-Qaddafi's troops were marching toward Benghazi, the unofficial capital of the Libyan rebels. Qaddafi was calling the rebels "rats," and a 10,000-person massacre seemed inevitable. But on Purim itself, in Libya (historically part of the Persian Empire), NATO made the decision to intervene, saving the pro-democracy rebels. "*Nahafoch hu*"—the opposite of the tyrant's plan occurred. Fortunately, Purim has been a bad time for tyrants in modern as well as ancient times.

Yet strangely there are still some rabbis that question whether democracy is the best alternative to tyranny. Rabbi Elyakim Levanon of Elon Moreh in Israel recently said, "Rabbis aren't bound by democracy's restrictions." He stated that the democratic process "distorts reality," because it creates a false middle ground of compromise. To Rabbi Levanon, this is why rabbis are committed to the uncompromising "absolute truth" of Torah, and are not committed to democracy.

In the Book of Esther, we learn that the lives of tens of thousands of Jews were at risk in the Persian Empire because the whims of King Achashverosh and his minister Haman almost led to our destruction. What we learn from the *megillah* is the danger of unchecked power, as in any system of absolute dictatorship the welfare of the masses is subject to the whims of one person. A dictatorship may appear to work out on occasion. Achashverosh's predecessor, Cyrus the Great, was a virtuous leader for his time, allowing the Jews to return to Israel, among other displaced peoples who were returned to their lands. However, because the Persian emperor was considered the prime deity, allegiance to the capable Cyrus was then transferred to his successor, the capricious Achashverosh. Together with the malicious Haman, Achashverosh emerges in the Purim story as an unchecked power that almost led to our destruction. In the long run, dictatorship never works, because the masses are subject to the whims of a few. There is no good alternative to a responsible democracy.

Contrary to Rabbi Levanon's model—that we cannot support democracy since we must only be committed to an "absolute truth"—is the talmudic model, which demonstrates a discourse of argument, diversity, and collaboration.

In the democratic process of the Talmud, the rabbis held a very strong belief in the value of dissenting opinions. The *Mishnah* asks, "Why do we mention an individual view along with the majority (accepted position) unnecessarily?" One answer is, "That if a first person says, 'so I have a tradition,' a second will say to him, 'You (first person) heard it as the opinion of so-and-so (an earlier third person)'" (M Eduyot 1:6). The position will be eliminated based upon his historical dismissal. However, there is another reason given: "That a court may approve an individual view and rely on him" (M Eduyot 1:5). The first explanation suggests that we preserve minority positions to set a precedent for their complete rejection in the future. However, the other opinion suggests that we preserve minority positions in order that future generations can be aware of them and rely on them. The latter opinion suggests a talmudic democratic process, as the majority position is chosen but the minority position is still of great value.

Still another talmudic position suggests that the unaccepted minority position is also true: "These positions and those positions are (both) the words of the living G-d." (BT Eruvin 13b) Yet even more than valuing truth, the rabbis value peace. In a cosmic battle between *shalom* (peace) and *emet* (truth), peace struck truth down to the earth (*Bereishit Rabba*). The rabbis teach via metaphor that the value of peace usually trumps the value of truth.

Rav Kook explained that a society of peace is only possible when the foundation is one of argument. Moses was the greatest leader, yet even he did not rule alone; he appointed a Council of 70 that evolved into the Sanhedrin—with its spirit of argumentation, representatives from every city, and local as well as national councils—which was eventually instrumental for the Talmud. There is an ethos of democracy and representative government underlying the foundations of Talmud. While dictators can carry out massacres on a whim, the Jewish idea is that one execution in 70 years evinces a "bloody court." Only where there is collective engagement in policy can there be a strong enough foundation for the good and just society.

Majoritarianism, Economic Inequality, & Republicanism

Democracy has deep roots; however, the modern secular version of democracy has some liabilities. One primary danger is majoritarianism, where all decisions are made by a majority, regardless of its effect on people. Thus, in a majoritarian system, major laws can pass even if only 51% support a law and 49% strenuously object, without regard for whose rights may be infringed. Minorities (such as the Tamils in Sri Lanka, the Catholics in Northern Island, and the secularists and Christians in Egypt) would be particularly vulnerable in this type of system.

The political scientist Arendt Lijphart offers a blistering critique of majoritarianism. He distrusts "straightforward majority rule in which both majority and minority would simply promise to behave moderately," adding: "This is a primitive solution to ethnic tensions and extremism, and it is naive to expect minorities condemned to permanent opposition to remain loyal, moderate, and constructive."[1]

Instead, Lijphart advocates for "consociationalism" to provide universal participation within a society. In heterogeneous societies, it is essential for 1) power to be shared and 2) group autonomy: "Power sharing denotes the participation of representatives of all significant communal groups in political decision making, especially at the executive level; group autonomy means that these groups have authority to run their own internal affairs, especially in the areas of education and culture." These two core principles comprise "consociational" democracy. The talmudic system, as we have seen, shows respect for minority opinions through procedural legitimacy (legal respect) and through treasuring these minority opinions (attitudinal respect), and is not merely dismissive. Conversely, democracy today runs a risk of majoritarianism.

It might be a stretch to say the talmudic model is consociational. However, the Talmud definitely takes steps away from majoritarianism and toward consociationalism. The idea of procedural legitimacy, with "participation of representatives of all significant communal groups," is hinted at in the Talmud's requirement to include minority opinions. This inclusion ensures that majorities cannot simply ignore minorities forever. Second, the idea of representation by one's "own community" is suggested in the Sanhedrin's inclusion of a representative from each community. The point is that good intentions are not enough; to believe that intentions are sufficient is "naive." Rather, respect for minorities must be institutionalized (albeit in their own way) in consociationalism and the Talmud.

To be sure, the Torah demands that we reject perversions of justice even within a democracy: "Do not be a follower of the majority for evil; and do not respond to a grievance by yielding to the majority to pervert (the law)" (Exodus 23:2). We must engage in civil disobedience when society goes astray; however, society ultimately must have procedural legitimacy and the rule of law, as espoused by the foundational social theorist Max Weber's secular concept of rational legal authority. In a commentary on the previous Biblical verse, the rabbis promote some level of conformity to the majority (where the majority rules by procedural legitimacy): "Follow the majority! If the majority rules 'impure,' it is impure; if the majority rule 'pure,' it is pure" (Midrash Psalms 12). Civil disobedience, on the other hand, is a protest against the seemingly unfair and arbitrary measures that lack procedural legitimacy. Civil disobedience has deep Jewish roots from Abraham protesting G-d's decision to destroy Sodom to the civil rights and Soviet Jewry movements.

"Only where there is collective engagement in policy can there be a strong enough foundation for the good and just society."

On an individual level, freedom is attained through spiritual means (Pirkei Avot 6:2), but on a collective level, freedom is attained through political compromise. While the personal religious realm is one of ideals, the public political realm is one of pragmatics, where the perfect is the enemy of the good. Prag-

matism and compromise are necessary to ensure that things get done. The *Midrash* teaches that there is the heavenly Jerusalem (an ideal of ideals) and the earthly Jerusalem (embedded in messy difficult discussions). Being a modern Jew requires that we balance our most idealistic commitments with the need to create change in a complex, ambiguous world. We must always remain committed to procedural legitimacy, because the ideals we hold must be enacted in a valid manner, with complications and compromise.

Democracy is not perfect, but it is the best model we have for navigating a messy human society in modern times. The right to live with freedom is rooted in the Torah itself: "Thou shall proclaim liberty throughout the land to all the inhabitants thereof" (Leviticus 25:10). This passage concerns the *yovel* laws (jubilee year). However, while democracy ensures that everyone has equal civil and political rights, it makes no assurance for economic rights, and economic inequality results. Thus, everyone can vote and run for office, but they are not constitutionally guaranteed an economic livelihood to support their families. To ensure such a guarantee, something else is needed: government health care, soup kitchens, and other social services. The Torah has this unity: "liberty" refers not only to political liberty, but also to economic liberty from landlessness and indebtedness.

Columbia University Professor Alfred Stepan, a leading political scientist on democratization, has contrasted "democratic transition" with "democratic consolidation." Democratic transition involves the replacement of dictatorship with a polity that fulfills all formal characteristics of democracy ("free and contested elections"). But after democratic transition, democratic consolidation is still necessary to ensure that democracies are "the only game in town." Once democratic consolidation has occurred, "the behavior of the newly elected government that has emerged from the democratic transition is no longer dominated by the problem of how to avoid democratic breakdown."

Stepan lists "economic society" as one necessary supporting condition for democratic consolidation: "Modern consolidated democracies require a set of socio-politically crafted and accepted norms, institutions and regulations—what we call 'economic society'—that mediate between the state and the market." He goes on to say that "even the best of markets experience 'market failures' that must be corrected if the market is to function well. No less an advocate of the 'invisible hand' than Adam Smith acknowledged that the state is necessary to perform certain functions."

Professor Stepan then quotes Smith's assertion that government has "the duty of protecting, as far as possible, every member of society from the injustice or oppression of every other member of it, or the duty of establishing an exact administration of justice." Here we see Stepan echoing the Torah's double meaning of "proclaiming freedom." For example, the creation of a permanent and hereditary slave underclass inhibits democratic consolidation, even if some slaves might achieve a skilled job, or if selective emancipation is possible. While freedom in its formal characteristics might refer only to political liberties, freedom can only be "consolidated" with economic liberties (or "economic society") as well. The *yovel* laws can count as part of the governmental consolidation of economic society, in that they "protect...every member of society from injustice."

From a Jewish perspective, we know that even more than granting rights, the Torah gives us obligations. Maintaining a free and just society is not easy and requires the effort of all. In addition, even when the democracy is not in a Jewish state, we are called upon to support the government: "Seek the peace of the city to which I have exiled you and pray for it to G-d, for through its peace will you have peace" (Jeremiah 29:7). Furthermore, the state protects us: Rabbi Chanina, the deputy high priest says, "Pray for the welfare of the government, because if people did not fear it, a person would swallow one's fellow alive" (Pirkei Avot 3:2). This is why we are bound by the laws of the land via Shmuel's mandate of "*dina d'malchuta dina*," the law of the country is law (BT Bava Kama 113a).

This is another important critique of democracy: republicanism. It is not enough for everyone to vote for policies that specifically benefit them. There must also be some spirit of patriotism and community, as in John F. Kennedy's "Ask not *what your country* can do for you—ask what you can do for your country." The great Harvard Professor John Rawls taught the "Veil of Ignorance," in which a hypothetical citizenry votes on the laws in their society, *without* knowing where

they will be in society—rich, poor, strong, weak, etc. This forces people to consider the general good instead of their own specific interests. Along these lines, Adam Smith cites the government's "duty of erecting and maintaining certain public works and public institutions which it can never be in the interest of any individual, or small number of individuals, to erect and maintain; because the profit could never repay the expense to any individual or small number of individuals, though it may frequently do much more than repay it to a great society."

When Adam Smith writes of the government's duty to erect public works, institutions and other laws that would never be in the interest (or ability) of a single individual, he also is asking something of the government and its citizens. He is asking for the government and the people to not only vote by considering their individual interests, but to research the issues, become informed citizens, and do what is best for the polity. As the institution of *yovel* did in ancient times, so we should do today. While Judaism does have a notion of representation (*shaliach adam k'moto*), the appointee is still expected to be knowledgeable and accountable.

Unlike Smith, some capitalist economists such as Milton Friedman have criticized democracy on the grounds of efficiency. They claim that voters are irrational and unknowledgeable, and make the government and country less efficient through their voting patterns. This criticism dates back to the earliest democracies. In the *Republic*, Plato critiques democracy through the narration of Socrates, as "a charming form of government, full of variety and disorder, and dispensing a sort of equality to equals and unequaled alike." A more recent criticism is that democracy does not provide adequate political stability, since power shifts so frequently. More cynical critics claim that democracy is merely an illusory façade masking an elite oligarchy.

On a more positive note, one of the greatest endorsements of democracy is exercising our freedom to vote at all possible opportunities. Rabbi Moshe Feinstein, in a letter written in 1984, explained that all American Jews must vote, since we must express our *hakarat hatov* (gratitude) to the leaders of the great nation we reside in. Rabbi Kaminetsky dismissed those who doubt the impact of their individual vote, noting that recent elections have been decided by just a few hundred votes. "Therefore, I urge all members of our community to fulfill their obligation to vote for those who strengthen our nation—whether materially or spiritually."

Rabbi Ahron Soloveichik went further in explaining our commitments to rights and obligations to ensure that we pursue justice for all in society. "While contemporary civil law has evolved from the Torah (from the *mishpatim*, in which humanity is in the 'image of G-d'), the Torah maintains a core distinction from civil law: whereas modern jurisprudence is completely and exclusively grounded in human rights, Torah jurisprudence is additionally founded upon the pillar of duties. In terms of human rights, *tzedek* and *mishpat* are used together (Psalms 89:15). Thus, we do not inflict an injury on others because it would violate their human rights. Their rights come first, and from this comes our duty to not harm others. This is a universal duty: When one delves into the *halachah*, one can readily see that the Torah does not make a distinction between Jews and non-Jews within the realm of *mishpat* and *tzedek*…. A Jew should always identify with the cause of defending the aggrieved, whatsoever the aggrieved may be, just as the concept of *tzedek* is to be applied uniformly to all humans regardless of race or creed."

Democracy today is far from perfect. The three main challenges addressed here are majoritarianism, economic inequality, and republicanism. The talmudic tradition helps to alleviate these problems and should be looked to for its wisdom on these matters. The first critique, majoritarianism (mob rule), is addressed by the talmudic respect for minority opinions and the Torah requirement for procedural legitimacy. The second critique, economic inequality, is addressed by the Torah's recognition that liberty has political and economic elements. The third critique, republicanism, is addressed by the Torah's sense of duties in addition to rights.

Rabbi Joseph B. Soloveitchik explains that all people are equally a part of redeeming the world in what he uniquely coined "Judaic democracy." He points out that we all can serve G-d in our own way: "Every person possesses something unique, by virtue which he differs from the thou, making him or her irreplaceable and indispensable – the inner worth of a one-timely, unique, never-to-be-duplicated existence, which can and must serve God by

self-involvement in the drama of redemption on all levels."

Thus, the core value of collective freedom is Judaic democracy, which compels us to grant all individuals equal opportunity to create change in society. While communism, notorious for restricting individual opportunity, did not succeed, there are still many other government models that are antithetical to the spirit of Judaic democracy. This Purim, as we reflect upon the dangers and pains the Jewish people have undergone over centuries while living in totalitarian regimes, let us remember that hundreds of millions of people are still not free today--and that they may have an opportunity to expand their freedoms. Concomitant to our search for personal spiritual liberation, we must advocate for the physical freedom of all others. What is at stake in our activism to bring freedom to all people around the world is nothing less than the dignity of humanity.

The world has undergone tremendous changes since last spring. Mubarak went down, Tunisia has fallen, Yemen is in turmoil, and Hezbollah is embroiled with instability in Lebanon and Syria. This past year may actually have been one of the great revolutionary years in modern history. Political commentators have reached back to the 1848 revolutions to draw comparisons, and *Time* named "The protester" the person of the year. Major protests occurred not only in the Arab World, but also in parts of Europe, the United States, Asia and Africa. No one could have expected that global governments would have changed in the ways they have. There is an opportunity for Jews today to unequivocally call for the freedom of all people and the abolition of totalitarian regimes. Living in a democracy requires all to engage in collective matters and to educate ourselves to the most pressing contemporary issues beyond our parochial sphere. Further, we can look to our core Jewish values to educate us on the moral values needed in every democracy to value every person in addition to the system itself.

This Purim, as we learn about the dangers of tyranny, may we learn to convert our gratitude for living in modern democracy into action that helps to make others free. ▲

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1 Arendt Lijphart, "The Case for Power Sharing," in *Electoral Systems and Democracy,* Eds. Larry Jay Diamond and Marc F. Plattner (Baltimore: JHU Press, 2006) 44.

"Loving the Torah More Than God"

by Rabbi Ari Weiss

"On that night, the King could not sleep…" [6:1]

The plot of the *megillah*, as understood by *chazal*, is familiar enough. The Jews are exiled, enemies conspire to destroy us, God delivers us from their hands. This movement, from crisis to salvation, turns and returns throughout Jewish history. It was particularly evident to the Jews of Germany in the 1930's. Rabbi Joachim Prinz of Berlin wrote after one *megillah* reading in the mid-thirties that:

> When Haman's plot was announced, it bore a strange resemblance to Hitler's plot to wipe out the Jewish people... Then the turning point came. Haman was... exposed to disgrace and death. Never had I heard such applause in a synagogue when the names of the ten sons of Haman were read, describing their hanging from the gallows. Every time we read "Haman" the people heard Hitler, and the noise was deafening" (quoted in Elliot Horowitz, "The Rite to Be Reckless: On the Perpetration and Interpretation of Purim Violence," Poetics Today 15:1, p. 43).

The contingencies of lived history unfortunately divert from the neat scripted arc of sacred history and its resolution does not always conclude with salvation. During the years of the *Shoah*, Providence hid its face and Haman/Hitler succeeded in the genocide of the Jewish people. The suffering of Jews in those horrible years led to the theological questions raised by the absence of God. In his short postwar essay, "Loving the Torah More Than God," Emmanuel Levinas's challenges the possibility of finding meaning in suffering yet affirms the importance of Torah Judaism in the face of evil.

A brief biographical word about Emmanuel Levinas. Levinas was born in 1906 in Lithuania. As a young man he traveled to Paris and then Germany to study with the great philosophers of the day, specifically Edmund Husserl and Martin Heigegger. At the onset of the second war, Levinas was drafted into the French army as an interpreter, captured by the German army, and was sent to a prisoner of war camp for the remainder of the war. His wife and two young children were hidden in Paris. The majority of his family, including his parents and siblings, were murdered by the Nazis in their native country of Lithuania. After the war, Levinas returned to Paris and developed his original philosophy, characterized by its insistence on "Ethics as a First Philosophy," with an intensity that has been described by his interlocutor, Jacques Derrida, as a "wave crashing on a beach: always the 'same' wave returning and repeating its movement with a deeper instance" (quoted in Richard Bernstein, *Radical Evil*, p. 166).

"Loving the Torah More Than God" was first given as a radio talk on April 25, 1955 and published in *Difficult Freedoms* (a collection of essays on Jewish subjects). It was presented as a commentary on Zvi Kolitz's short story *Yossel Rakover Speaks to God*. To call it a story, however, does not contain its truth. For Levinas the text

> Is both beautiful and real – as real as only fiction can be…*The text presents itself as a document* written during the last few hours of the of the Warsaw Ghetto resistance. Thus the narrator witnessed all the horrors and under atrocious circumstances lost his young children. He is the last survivor of this family and in his remaining few hours he offers us his final thoughts. It is, of course, a literary fiction; but a fiction in which every one of us who survived the war recognizes his own life in astonishment.

Here, like in the *megillah*, Jews are faced with death *because of their Jewishness*. Unlike the *megillah*, no miraculous reversal happens. Instead of *ve-nahafoch hu*, Yossel will be murdered like millions others. The horrors of the war led Levinas to pose the ultimate question of theodicy:

> What can this suffering of the innocents mean? Is it not proof of a world without God, where only man measures Good and Evil? The simplest and most common answer would be atheism. This is also the sanest reaction for all those for whom previously a fairly primary sort of God had dished out prizes, inflicted punishment or pardoned sins – a God who, in His goodness, treated men like children. But with what lesser demon or strange magician have you therefore filled your heaven, you who claim that it is empty? And why, under an empty sky, do

"At this moment a choice needs to be made: do we surrender, or do we dig deeper into our Jewish conscience and fight for the *yosher* and *tov*, for the virtuous and ethical in the world?"

you continue to hope for a good and sensible world?

Leit din v'leit dayan! There is neither judge nor judgment! Elisha ben Avuyah had it right when he apostated if, as he assumed, the only criterion through which we can judge God is simple reward and punishment. Yet, is it possible that God is more complex then the naïve religious believer believes? Can we know God with certainty, yet allow for suffering? Levinas continues:

> The certainty of God is something Yossel, son of Yossel experiences with a new force, beneath an empty sky. For if he is so alone, it is in order to take upon his shoulders the whole of God's responsibilities. The path that leads to the one God must walked in part without God. True monotheism is duty bound to answer the legitimate demands of atheism. The adult's God is revealed precisely through the void of the child's heaven. This is the moment when God retires from the world and hides His face. In the words of Yossel ben Yossel: 'He has handed men over to their savage instincts…And since these instincts rule the world, it is natural that those who preserve a sense of divinity and purity should be the first victims of this rule.'
>
> The God who hides His face is not, I believe, a theological abstraction or a poetic image. It is the moment in which the just individual can find no help. No institution will protect him. The consolation of divine presence to be found in infantile religious feeling is equally denied him, and the individual can prevail only through its conscience, which necessarily involves suffering. This is the specifically Jewish sense of suffering that at no stage assume the value of a mystical atonement for the sins of the world. The condition of the victims in a disordered world –that is to say, in a world where good does not triumph – is that of suffering. This condition reveals a God Who renounces all aids to manifestation, and appeals instead to the full maturity of the responsible man.
>
> But this God Who hides His face and abandons the just man to a justice that has no sense of triumph, this distant God, comes from within. The intimacy coincides in one's conscience with the pride of being a Jew, and of belonging clearly, simply and historically to the Jewish people: 'To be a Jew means... to swim eternally against the filthy, criminal tide of man… I am happy to belong to the most unhappy people on earth, from whom the Torah represents all that is most lofty and beautiful in law and morality.' The intimacy of the strong God is won through a terrible ordeal. By belonging to the suffering Jewish people, the distant God becomes *my* God: 'now I know that you are really my God, for you could not be the God of those whose actions represent the most horrible expression of a militant absence of God. The suffering of the just man for a justice has not triumph is physically lived out as Judaism. The historical and physical Israel becomes once again a religious category.

Suffering comes not from God; in a disenchanted world, the truly religious individual accepts that we are alone. At this moment a choice needs to be made: do we surrender, or do we dig deeper into our Jewish conscience and fight for the *yosher* and *tov*, for the virtuous and ethical in the world? For Levinas, the choice is obvious: we swim against the tide of evil and injustice; we take on the work of God especially when God is no longer present. This is not to claim that we no longer have a relationship with God. As Levinas continues:

> The God Who hides His face and is recognized as being present and intimate… is this really possible?... Here I believe we see the specific face of Judaism: the link between God and man is not an emotional communion that takes place within the love of a God incarnate, but a spiritual or intellectual relationship which takes place through an education in the Torah. It is precisely a word, not incarnate, from God that ensures a living God among us. Confidence in a God Who is not made manifest through any worldly authority can rely only on internal evidence and the values of an education. To the credit of Judaism, there is nothing blind about this. This accounts for the monologue's closing remark, in which Yossel ben Yossel echoes the whole of the Torah: 'I love him, but I love even more his Torah… And even if I were deceived by him and became disillusioned, I should nevertheless observe the precepts of the Torah.' Is this blasphemy? At the very least, it is a protection against the madness of a direct contact with the Sacred that is unmediated by reason. But above all it is a confidence that does not rely on the triumph of any institution, it is the internal evidence of a morality supplied by the Torah. This difficult path, both in spirit and in truth, and it cannot be prefigured.
>
> Man's real humanity and gentle nature enter into the world with the harsh words of an exacting God. Spirituality is offered up not through a tangible substance, but through absence. God is real and concrete not through incarnation but though Law, and His greatness is not inspired by His sacred mystery. His greatness does not

provoke fear and trembling, but fills us with high thoughts. To hide one's face so as to demand the superhuman of man, to create a man who can approach God and speak to Him without always being in His debt – that is a truly divine mark of greatness! After all, someone in credit is, *par excellence*, a person who possesses faith, but is equally someone who is nor resigned to the debtor's refusal. Our monologue begins and ends with this refusal of resignation. Man can have confidence in an absent God and also be an adult who can judge his own sense of weakness. The heroic situation in which he places himself gives the world value and equally put is in danger. Nurtured by a faith this is produced by the Torah, he reproaches God for inordinate Greatness and excessive demands. He will love Him in spite of all God's attempts to discourse such over.

By insisting upon the primacy of the laws of the Torah as the link between the human and the Divine, Levinas's thought is self-consciously aware that it borders on the heretical. Yet, as Levinas points out in other writings, it is "in the Holy Ark from which the voice of God is heard by Moses, there are only the tables of the Law" (Emanuel Levinas, "A Religion For Adults," *Difficult Freedoms,* p. 17). The thought that knowledge of God is synonymous with the actions of God serves as the backbone of Rambam's discussion of God's attributes in his *Guide of the Perplexed*. Far from being heretical then, Levinas's thought has long been intertwined with Jewish thinking about God. As Levinas puts it elsewhere: "To know God is to know what must be done. (Levinas, *Difficult Freedoms*, 17).

But, Levinas continues, there are limits to the absence of God. A world without the Divine and without justice, is a world not worth living in. Levinas concludes:

> But 'do not bend the bow too far,' cries Yossel ben Yossel. The religious life can end only in this heroic situation. God must show His face, justice and power must join just institutions must reign on earth. But only the man who has recognized the hidden God can demand that He show Himself. The vigorous dialectic establishes an equality between God and man at the very heart of their disproportion.
>
> This is a long way from a warm and almost tangible communion with the Divine and from the desperate pride of the atheist. It is a complete and austere humanism, linked to a difficult adoration! And conversely, it is an adoration that coincides with the exaltation of man! A personal and unique God is not something revealed like an image in a dark room! The texts I have just commented upon show how ethics and principles install a personal relationship worth of the name. Loving the Torah even more then God means precisely having access to a personal God against Whom one may rebel — that is to say, for Whom one may die.

It is the confidence that we alone are responsible for infusing the world with the work of God *instead of God* that allows for a post-*Shoah* Jewish life. In a world that cannot be assured of the salvation of God as God did those thousands of years ago in Shushan, suffering has lost its foci as a possible source of meaning. Instead, we must identify what our response to suffering can be; we must follow the *mitzvot* of the Torah in fighting suffering and oppression; we must love the Torah more than God. ▲

Vashti and the Crown: Domestic Violence in the Jewish Community

by Joshua Schwartz

Megillat Esther opens with a jarring scene of spousal abuse. King Achashverosh, the ruler of the Persian Empire, is hosting a frenzied banquet in his lavish halls. Only the finest vittles are served, and only the finest wine is drafted. No expense is spared. All of this fine food and drink goes to the king's head, and, from this state of delirious inebriation, Achashverosh demands, "to bring Queen Vashti before the king with the royal crown, to show her beauty to the people and princes, since she was beautiful to look at." (Esther 1:11)

While this scene is presented in a comedic fashion, the demand King Achashverosh makes of his wife is deadly serious and completely unjust. Thankfully, Vashti refuses to satisfy the king's inequitable command (1:12), but she suffers for advocating for her independence, since the king and his ministers expel her from the palace (1:19). Why are the royal personages so threatened by Vashti's rebellion? They view it as challenging their patriarchal system of control, in which men can use their authority to take advantage of their wives. In the aforecited verse, Achashverosh makes sure to underscore his crown, the symbol of his authority, which he understands as granting him the power to make use and dispose of his wife's body. The closing verse of the chapter is haunting, as the king issues a royal edict (a means of sovereignty the Jews of Persia would soon learn to fear) with the explicit purpose of expanding men's authority in the home, putting their wives at a more intense level of risk.

The contemporary Jewish community has an image of itself in which the trials and tribulations which plague the general public have no real traction in our world. We look at the behavior of that inconsiderate, thoughtless king and we laugh. We do not see ourselves in his idiotic example.

However, a report found in the National Online Resource Center on Violence Against Women (http://vawnet.org) reveals that domestic violence is reported in the Jewish community at the same rate as every other community in America (15%-25%). As of 2009, there are 75 extant Jewish domestic violence organizations and over 250 Jewish domestic violence programs across the United States, all active, all providing services to the American Jewish community.

Generally speaking, Jews tend to see their men as eydel (gentle), as being intellectual, considerate, and virtuous. But, strictly speaking, this is a lovely depiction of an upstanding masculinity, one which we cannot let blind us to the messy reality before us. Of course, not all instances of domestic violence are perpetrated by men, but the overwhelming majority are. Even one instance of domestic violence is already one too many. The Jewish principle of *shalom bayit* is not one we can assume but rather one we must consciously work toward each and every day. We must work to make sure that the days of every member of our community, of our family, can turn "from sorrow to gladness, and from mourning into celebration..." (Esther 9:22) ▲

Further Resources

- Uri L'Tzedek's Domestic Violence Campaign - http://www.utzedek.org/takeaction/campaigns/dv.html
- National Online Resource Center on Violence Against Women - http://www.vawnet.org/
- CHANA: Counseling, Helpline & Aid Network for Abused Women, A Jewish Response to Domestic Violence - http://www.associated.org/page.aspx?id=110470&page=5
- Jewish Women International's domestic violence training - http://www.jwi.org/Page.aspx?pid=1276
- Jewish Women International's 2009 report, "The State of Domestic Violence in the Jewish Community" - http://www.jwi.org/Document.Doc?id=142
- Jewish Family Services – CHAI: A Jewish Community Response to Domestic Abuse - http://jewishfamilyservice.org/services/domestic-violence
- "Do Jewish Men Really Do That?: Domestic Violence in the Jewish Community" - http://sanfrancisco.ujcfedweb.org/page.aspx?id=12584
- "Purim, drinking, and consent: The Jewish community's role in preventing sexual violence" - http://jwa.org/blog/purim-drinking-and-consent-jewish-communitys-role-in-preventing-sexual-violence

Next Steps

- The Violence Against Women Act (VAWA) is in need of re-authorization in congress this year. Contact your senators and representatives telling them to re-authorize this bill without delay. See here for more information: http://www.utzedek.org/takeaction/campaigns/dv.html.
- Find out if there is a Jewish domestic violence protection organization in your community. Consider volunteering. Make sure people in your community know about it.
  - See this report for resources: http://jewishfamilyservice.org/resources/files/DomesticViolenceResources.pdf
- Talk to your rabbi about their views regarding this topic. Inquire about their procedure when someone calls with domestic violence related concerns. Encourage your rabbi to speak about domestic violence and how to prevent it in sermons.

Hanging Haman

by Laura Berger

"So they hanged Haman on the gallows that he had prepared for Mordechai..." [7:10]

In my very first week of law school, my criminal law professor proposed the following hypothetical: Imagine you are a judge, there are two convicted criminals in front of you, and you must decide their respective sentences. The first man has been convicted of robbery for the fifteenth time. He has been in and out of jail since high school, and this time he was caught stealing electronics from a storefront. He has never used a weapon or threatened violence, but he has also never been out of jail for more than six months without recidivating. The second man has a clean record until now and has been studying at a prestigious university. He grew up with an abusive father who regularly beat his mother, and when he came home from school to visit, he found his mother with a black eye and an arm in a sling. In response to the violence done to his mother, he killed his father. He was convicted of murder in the first degree.

If you subscribe to a utilitarian ethic, you may recognize the second man's case as an instance in which harsh punishment might not be warranted. The only real reason for a utilitarian to punish the second man harshly is to avoid other people hearing about such a light sentence given to a murderer – an important purpose of punishment is to deter future criminal activities. He was defending his mother, albeit indirectly. He might not merit the lengthy sentence that murder in the first degree carries. In fact, you might even want to punish the first man more harshly, since he is liable to continue his string of crimes, and a harsher sentence will keep him off the streets.

However, if you are a retributivist, you believe that punishment matches the moral wrongness of the crime. Killing one's own father, not in the heat of a struggle but in a calculated manner, is one of the worst crimes possible. It has no comparison to non-violent theft of property. How could we live in a just society when murderers are not punished to the highest degree?

At the end of the Purim story, the culmination of the Jews' victory over the evil Haman is his being hung from the very same gallows that he built for Mordechai. Leaving aside, a Biblical imperative to kill Amalek, what is the purpose of Haman's death here? Which of the two main social purposes for punishing any wrongdoer cover this situation? Did Haman's death serve a utilitarian motive, such as incapacitation, deterrence, or rehabilitation; or did it work toward a deontological motive, condemning and punishing the moral wrong that he perpetrated?

Obviously capital punishment cannot be rehabilitative, but there were still other utilitarian forces at work. Haman's death could be seen as serving as a deterrent. Immediately following the execution of Haman (Esther 8:5-11), Esther convinced the king to issue decrees ruling that anyone who would attempt to fulfill Haman's murderous plans would meet resistance supported by the royal mandate, as proven by the death of Haman. However, as we know from the remainder of the *megillah*, Haman's homicidal allies remained in country, and the Jews were forced to defend themselves.

In terms of the moral wrong he perpetrated, Haman's crime was attempted genocide. If it succeeded, it would be among the most evil crimes in the history of humankind. On the other hand, it was only attempted. Most retributivists would agree that criminals that don't succeed have done less damage to society and are less culpable and deserving of punishment. In modern day criminal justice, even notorious war criminals such as Radislav Krstić, who commanded the Yugoslav People's Army during the Srebrenica massacre and was convicted by the International Criminal Tribunal for the former Yugoslavia for genocide, are usually given long prison sentences rather than capital punishment. Not only was Haman hanged for his crimes, but his ten sons' bodies were as well.

Capital punishment was a standard penalty for many crimes in ancient civilization, but in Jewish law, it was limited by requirements of eye witnesses, warnings of the consequences of crimes, and the standard that even in judicial executions, the body should not be mutilated or destroyed. Postmortem hangings are mentioned in the Talmud, as only being acceptable after stoning for the crimes of blasphemy and idolatry (BT Sanhedrin 45b). In the Jewish tradition, even when a criminal is convicted and sentenced to death, his body is hung only for one day. Even though these laws exist on the books, and death penalties were certainly carried out in Jewish courts, the Talmud says that a court which applied the death penalty more frequently than once in seven years (by some opinions, seventy) was considered to be a "bloodthirsty court." It was also far more acceptable to acquit a possibly guilty defendant and err on the side of caution rather than to put

a possibly innocent defendant to death.

So where does that leave Haman and his sons? Attempted crimes, even extremely severe ones, were never considered to be deserving of capital punishment. The treatment of Haman and his sons' bodies was an exceptional case, one which did not align with the projection of a just society constructed by the Rabbis. Regarding the pain of a criminal suffering on the gallows, the Talmud teaches,

> אמר רבי מאיר בזמן שאדם מצטער מה הלשון [שכינה] אומרת[כביכול] קלני מראשי קלני מזרועי. אם כן המקום מצטער על דמם של רשעים שנשפך קל וחמר על דמם של צדיקים.

> R' Meir says, "When a human is in pain, what does the *Shechinah* say (as it were)? 'My head hurts, my limb hurts!' If the Omnipresent suffers over the spilt blood of the wicked, all the more so for the blood of the righteous! (M Sanhedrin 6:5)

The vision for the ideal world, the world performed by the God's very presence, is a world in which even the criminal, the sole type of person whose pain is just, is deserving of divine pathos. This cry of God forces us to never sit well with our uses of violence, even when deployed through legal means. *Kal va-Chomer* when we are forced to act outside the law and use violence in the most immediate way, as a means of self-defense.

Although the ability of the Jews to turn around the 14th and 15th of Adar from a decree of certain destruction to a decisive victory of self-defense, hanging Haman and his sons once they were no longer a threat leaves, to our eyes, an impression of brutality and unnecessary gruesomeness. As Jews reread the story of Purim again this year, and every year, perhaps it is time to take some time to think sensitively about the way the Jews of Persia celebrated their victory, and contemplate how we can move towards the future, one in which that divine cry rings out, echoing with every drop of spilled blood. ▲

"Imagine you are a judge, there are two convicted criminals in front of you, and you must decide their respective sentences."

In Praise of Storytelling

by Elisheva Goldberg

"The copy of the writing... was to be published unto all the peoples..." [8:13]

Most Jewish holidays celebrate God's miraculous intervention in history – God took us out with an outstretched hand, God gave us the Torah, God sheltered us in the wild – and we chant words of praise called *Hallel*. But on Purim we celebrate miraculous circumstances without the explicit name of God, which peculiarly never appears in the *megillah*. Instead of words of praise, we read a story about civic duty. In fact, we read it twice – but never sing *Hallel*. And then – inexplicably – we go out and give gifts to the poor and break bread with our neighbors.

In his multi-volume work, the *Pachad Yitzchak*, Rav Hutner composes a thesis on Purim and praise. He takes up the question of the Talmud in *Masechet Megillah* 14a:"Why don't we say *Hallel* on Purim?" The explanation of the Gemara is a single unequivocal phrase: "*Kriyatah zo hee Hilulah*," literally "Its reading is its praise." In other words, through the reading of the *megillah* a person fulfills the obligation to praise God and is not required to say *Hallel*.

Rav Hutner writes that the Gemara's answer ("*Kriyata zo hee Hilulah*") is striking – it implies that praise of God might not involve ever uttering God's name. The Gemara's answer then begs the question: What does it mean to praise God with *Hallel* through reading the *megillah*. What does it mean that, although a miracle has occurred, we are unable to identify Divine elements of it by name?

The notion that the personal story of Esther itself is *Hallel* points to a deep religious belief that is rarely articulated. It is the belief that a story can compel us to action, and that that action can function as praise of God. This is what it means to praise God without saying his name – we can act, and our actions (*qua* actions) are praise of God.

The story of the *megillah* itself teaches us this – the book is about action. It is the story of Esther saving her community, of standing against discrimination, for putting her life on the line for others. It is a victorious story, yet despite – or perhaps because of – the victory, we share what we have with others. We give money to the poor, gifts of food to our friends, and share meals with our fellows. At every turn, the story-*Hallel* of the *megillah* sings to us of action.

Rav Hutner highlights the idea that it is the nature of the circumstances determines the form of the holiday's *Hallel*. Were the miracle a "*nes nigleh*" "revealed miracle," the *Hallel* should reflect that. It should be "revealed" and the name of God sung out in the synagogue. However, if the circumstances are such that we are celebrating is a "*nes nistar*," or "a hidden miracle," as it is in the case of Purim, the *Hallel* should be cast of the same mold, done through a concealed praise – the reading of a story.

The *megillah* does not replace *Hallel*, but rather it is a type of *Hallel* itself. *Hallel*, then, contains two meanings. The first is the familiar – it is the set of Psalms we say on various holidays when we see the Divine finger pointing to revealed miraculous circumstance. The second – the *Hallel* of Purim – is a hidden praise, a praise of where we, a community of human beings, are the ones pointing out the astonishing, the improbable, and the fantastic. It is in this mode of *nes nistar* that we are the most motivated, the most inspired and the most moved to act.

In the Book of Esther, we hear the story of an individual who heroically took on a system larger than they thought possible. When we compare the story (the *Hallel*) of Esther and compare it to the story of the worker who demanded his right to a fair wage, the parallels are clear. Both stories must galvanize us. Like the *megillah*, the stories of workers who are able, unafraid, to stand up for his or her rights are the praise of God without uttering the name of God.

There is an occasional section of the *New York Times* entitled "The Neediest Cases Fund." The column appears as a headline but is tagged with an emblem identifying it as a story of an individual or family who benefited from one of the seven organizations that the *New York Times* supports through the Neediest Cases Fund. Remarkably, this year marks the one hundred and first anniversary of this. The tradition began on Christmas Day 1911, when the then publisher of the *New York Times*, Adolph S. Ochs went for a walk after a large turkey dinner and encountered a homeless man on the street. According to legend, he struck up a conversation with the man. He heard his story. And he took him into work with him, set him up with a job, and the *New York Times* Neediest Cases Fund was born.

The stories that the *New York Times* runs in these sections are stories of overcoming hardship: drug addicts who become responsible

parents, immigrants who find community, seniors who find access to emergency medical systems – these are moving stories. They are personal, they are direct, and they send a message of *Hallel*; they send the message that we can make a difference by first believing in the *nes nistar* and then acting on it.

An acquaintance of mine works at the Urban Assembly School for Law and Justice, a high school in Brooklyn. As part of a program to commemorate the 100th anniversary of the Neediest Cases Fund, Urban Assembly was chosen to pair up with Brooklyn Community Services, one of the organizations funded and highlighted by Neediest Cases. BCS is an organization that, according to their website, works on "building Brooklyn by strengthening families, helping children and youth reach their full potential, and supporting adults in leading productive, fulfilling lives." One of the various services BCS offers (job-readiness, childcare) is support for adults with mental illness. Last year, Urban Assembly's 10th grade Brotherhood program (described as "kind of like [a single-gender] homeroom with a curriculum") paired up with one of BCS's "Clubhouses" for adults with mental illness. Through this partnership they embarked on an initiative they called "Story Shares Project" where the young men from the high school interviewed – and recorded – the folks in the BCS mental-health program. The results were a great many powerful stories, intergenerational dialogue, and—a *megillah*. They put together an audio-visual project of the interviews and an event to celebrate the project's success and the *New York Times* covered the story on February 5, 2012.

The paradigm of Purim is the paradigm of social action as *Hallel*. The students at Urban Assembly understand this. The Rabbis who commanded us to read the *megillah* twice on the holiday knew this. And we all know this. We all know that stories move us. We know that they compel us. We know that we don't need to sing the name of God for what we do to be considered praise. In the modern-day *megillah* of our lives we understand the answer of the Gemara: "*hillulah zo hee kriyata*"– praise of God is the story. ▲

"The *megillah* does not replace *Hallel*, but rather it is a type of *Hallel* itself."

Charity and Compassion

by Gavi Brown

Mar Ukba was a renowned scholar. Every day, on his way home from the Beit Midrash, he would slip four *zuzim* under the door of a poor man who lived in the neighborhood. One day, the poor man thought, "I will go and see who is being so gracious to me." On that very day, it happened that Mar Ukba was late in returning from the Beit Midrash, and his wife came by to see what was keeping him. On the way home, Mar Ukba, accompanied by his wife, stopped by the poor man's house, as usual, and stooped to slip the zuzim under the door. At that moment, the poor man opened the door to greet them. Mar Ukba and his wife fled, and hid in an oven from which the coals had just been swept. Mar Ukba's feet were burning, but his wife said: lift your feet and put them on mine. Mar Ukba became upset [because his wife was clearly the recipient of a miracle and he was not]. But his wife said to him: [I have merited this miracle] because I am usually at home, and my gifts are immediate and direct [because I give directly to those who come to the door while you give money in a more indirect way]. (BT Ketubot 67b)

In this Talmudic story, we are presented with two models of giving. Mar Ukba gives anonymously. Mar Ukva's anonymous wife gives face-to-face. The former's giving appears to be motivated by a fear of the "shame of poverty," that is, the humiliation of depending on someone else for one's individual needs. Mrs. Ukba's charity is empathetic and person-specific; she interacts with those who come to her door and gives them what they need.

In order to make sure that Mar Ukva can remain an incognito benefactor, they eventually find themselves in a furnace. Mar Ukba's feet begin to burn while Mrs. Ukba becomes worthy of divine protection. This suggests a flaw in Mar Ukba's anonymous giving. From this short tale, let us try to understand Mar Ukba's mistake.

Mar Ukba's distance from those he gives charity to leaves him blind to the emotional registers of the poor. Anonymous benefactors like Mar Ukba and anonymous giving often lead to rigid, and at time ineffectual solutions to poverty. Four *zuz* (the amount of Mar Ukba's charity) does not respond to the particularity of the recipient. The anonymity of money suggests detachment and perhaps a degree of apathy; as if to say, take your money – but I have no need of creating a relationship with you; I am not responding to your needs at all. Perhaps we can even go further: it is not only Mar Ukba's concern for shaming the poor that keeps his giving anonymous. Rather, it is Mar Ukba *himself* who feels this shame, and it is that feeling which keeps him from building relationships with those in need.

One of the major *mitzvot* of Purim is *matanot le'evyonim*- giving gifts to the poor. Each person is obligated to contribute the equivalent of two meals to someone in need. The story of Mar Ukba and his wife suggests that we must emphasize, if not sympathize, with those in need (MT *Hil. Megillah ve-Chanukah* 2:16). Like Mar Ukba's wife, we must respond to poverty through solidarity, even identification, as well as understanding, and kindheartedness, but never shame. It suggests that giving anonymously and the anonymity of money are only an initial level of giving but are not ideal ways of giving assistance. It instructs us that *tzedekah* and *matanot le'evyoniom* should be performed in a personal, sincere, and face-to-face manner. By acting in the manner of Mar Ukba's wife we can limit suffering, forge connections between the rich and the poor and help "build a world of compassion" (*Olam Chesed Yibaneh*). ▲

Next Steps

- There are tens of organizations that we can donate to, but instead of giving $18, why not buy $18 worth of food and give them to a person in need?
- Instead of giving a dollar or some change to a homeless man or woman, try to keep granola bars in your purse or bag and share them with people in need.
- Go one step further: ask the recipient of your charity their name and a question about themselves.
- Volunteer at a food bank, soup kitchen, or homeless shelter. Better yet – open a homeless shelter at your shul or synagogue.

Further Resources

- Mazon, A Jewish Response to Hunger (www.mazon.org), a leader in fighting hunger in the Jewish community.
- Jewish Council on Urban Affairs "Judaism and Urban Poverty Program" - http://www.jcua.org/site/PageServer?pagename=what_mobilize_JUP_2009
- On fighting poverty in Judaism - http://www.myjewishlearning.com/practices/Ethics/Caring_For_Others/Social_Welfare/Fighting_Poverty.shtml

The Opportunities and Dangers of Self-Ridicule

by William Friedman

"And the opposite became what was…" [9:1]

Reversals expected and unexpected characterize *Megillat Esther*. In the climactic moment – the saving of an entire people from genocide – the story gives voice to this central theme: "*ve-nahafokh hu*" – "and it was reversed/overturned!" (Esther 9:1) Unsurprisingly, this theme is also played out in a number of Purim practices which embody or create experiences of reversal. What is shocking, however, is that this disruption is directed at venerable Jewish practices[1] and central cultural institutions.[2] A brief analysis of a few of these practices will help reveal the benefits – and the dangers – of mocking ourselves.

One such venerable practice is that of the Purim *shpiel*, the comedic play dramatizing either the Purim story, some other Biblical or *midrashic* narrative, or another creative story.[3] The societal, psychological, and didactic benefits of drama and comedy are well-known and well-accepted, but R. Menashe Klein (1924-2011) challenges all of these in a harshly-worded responsum (*Shu"t Mishneh Halakhot* 3:148). After blasting non-Purim shows as a waste of valuable Torah time (*bittul Torah*), he goes on to classify such plays (possibly even when performed on Purim itself) as violating the prohibition on singing verses from *Shir Ha-Shirim* (which he treats as a general prohibition on singing verses from *Tana"kh*) and imitating non-Jewish practices. In a telling line he responds directly to the argument that drama has pedagogical value, expressing horror at the notion of turning Torah into a joke. R. Klein fears the possibility that this form of humor might undermine the cultural centrality of Torah, and the seriousness with which it ought be taken at all times.[4]

Another of these self-mocking practices is the *rav shel Purim* (or: *rav la-Purim*). A custom whose origins remain mysterious,[5] it involves choosing a *yeshivah* student who can emulate the style and mannerisms of the *rosh yeshivah* and deliver mocking "*divrei Torah*" in his mode, even, at least in Volozhin, in the presence of the *rosh yeshivah* himself. Here the humorous critique is directed not at Judaism's central texts, but at its central representative figure. Unsurprisingly, and perhaps even more predictably than in the case of the Purim *shpiel*, various rabbinic leaders reacted harshly to this form of playfulness. R. Ovadiyah Yosef (b. 1920) condemns the practice as a violation of the prohibitions against degrading Torah scholars, involvement with *lashon ha-ra*, as well as public embarrassment if done in the presence of the imitated figure himself. Here, too, a key line reveals his fundamental concern: "Therefore, G-d forbid continuing this custom, *especially in the world of the holy yeshivot, who[se members] must serve as distinguished exemplars of love of Torah, its honor, and its awesomeness.*" (emphasis mine) That is, R. Ovadiyah is distraught over the consequences of people seeing those who are most involved in the study of Torah mocking it and its leaders. Even in the joyous context of Purim celebrations, he worries that people will be exposed to the dark side of mockery – genuine anger – planting in them the nihilistic seed that perhaps Torah isn't particularly valuable after all.[6]

Rav Klein and Rav Ovadiyah's concerns are reflected in an important work by the contemporary American ironist philosopher Richard Rorty (1931-2007). In his *Achieving Our Country,* Rorty worries that since the 1960s, the progressive left in the United States has become consumed with the sinful actions of the country, leaving them bereft of the sort of pride in their country's highest ideals that is needed to form the basis of a political program. Rorty observes that an obsession with self-mockery and self-disgust undermines the emotional attachment needed to bring about change (pp. 3-11). In a vision in which Torah and its teachers are home to the Jewish people's highest aspirations, denigrating Torah, Rav Klein and Rav Ovadiyah fear, might similarly leave the Jews bereft of the source of their inspiration and values.

However, joy, humor, and even ridicule are necessary elements of creating healthy community, and of exposing societal ills and absurdities. Ridicule turned outwards, towards one's political opponents, is a potent weapon for achieving one's aims (Saul Alinsky, *Rules for Radicals*, p. 75, 128 and http://www.progress.org/2003/alinsky13.htm). It also has the positive side effect of energizing one's own community, through the playfulness of the tactics themselves and through seeing the absurdity of their opponents exposed in sharp relief.

Ben Shepard, a community organizer, observes: "Political humor's strength stems from its subversive character, which represents the world in a comic mirror, distorting the powers that be by turning them upside down. In so doing, these jokes elevate the bottom end of the social hierarchy while debas-

"Purim is the Jewish community's yearly opportunity to view itself through this topsy-turvy lens, simultaneously reinvigorating itself and, through humor, pointing out internal inconsistencies and arbitrariness."

ing the top. Along the road, this topsy-turvy lens offers a glimpse of the arbitrariness of business as usual." ("The Use of Joyfulness as a Community Organizing Strategy," *Peace & Change* 30, no. 4 (2005): 446) The redemptive necessity of the "topsy-turvy lens" is recognized in a *gemara* (BT Pesahim 50a; BT Bava Batra 10b) relating Yosef b. R. Yehoshua (b. Levi)'s coma-induced vision of a world in which the materially wealthy of this world are "underneath", while the currently impoverished are "above," calling such a world "topsy-turvy" – *olam hafukh*. His father corrects him, calling it a vision of a "clarified" or "choice" world – *olam barur*. In this *gemara*, the need to upend the existing social order is not limited to those outside one's community, but opens the door for self-critique as well.

Purim is the Jewish community's yearly opportunity to view itself through this topsy-turvy lens, simultaneously reinvigorating itself and, through humor, pointing out internal inconsistencies and arbitrariness. Taking seriously the concerns of R. Klein, R. Ovadya Yosef, and Richard Rorty means doing so from a place of love and self-respect, but the long-standing existence of the Purim *shpiel* and the *rav Purim* testify to the deeply-rooted communal need for this opportunity. The day after Purim we can return, refreshed, to venerating our rituals, our leaders, and our Torah, and continue working to bring the *olam hafukh/barur*, the perfected "topsy-turvy" world, into reality. ▲

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1 A small example is a custom recorded by R. Shelomo Luria (Maharshal, 1510-1574, Poland) to eat chicken cooked or served with almond milk on Purim (Yam Shel Shelomo 8:52). The purpose of the custom is clearly to poke fun at the normal restriction on consuming meat with milk, creating a concrete experience of overturning or "violating" the norm. Apparently made nervous by the antinomian thrust of this practice, Maharshal forbids it unless shelled almonds are placed in and/or near the dish as a visual reminder that the milk is not actually animal milk – a stipulation that eviscerates the antinomian impulse underlying the practice! His younger contemporary, R. Moshe Isserles (Rema, 1525-1572, Poland), however, rejects Maharshal's stringency, permitting the consumption of chicken (and perhaps even beef) with almond milk without any need for a visual reminder as to the true identity of the milk (Torat Hatat 62:8, cited in Peri Megadim Siftei Kohen Yoreh Deah 87:6). Rema, apparently, was untroubled by the antinomian-feeling practice, and perhaps even saw some value in feeling a once-a-year "release" from the normative practice. Moreover, it is crucial to note that this practice is not really antinomian at all – rather, it gently pokes at the norm from within it, which only serves to further reinforce the importance of the basic norm itself.

2 Adding to the shock is the fact that while mockery directed at external foes is relatively common place (see, e.g., Elisha mocking the prophets of Ba`al in I Kings 18:27 and God mocking enemy nations in Psalms 59:9), ordinary mockery is condemned in fairly harsh terms. See, e.g., Psalms 1:1, which admonishes against fraternizing with mockers, placing them, via poetic parallel, in the same category as the wicked and sinners:

אשרי האיש אשר לא הלך בעצת רשעים
ובדרך חטאים לא עמד ובמושב לציםלא ישב.

3 The form of the Purim *shpiel* often aped contemporaneous dramatic forms, something which continues to this day with Purim *shpiels* often featuring take-offs of show tunes and the like. For a brief overview of its history, see: Zohar Hanegbi, "*Minhagei Purim beHalakhah uv-Emunah*," in Daniel Sperber, *Minhagei Yisrael*, v. 6 (Jerusalem: Mossad Harav Kook, 1998), pp. 201-202.

4 This is not to say that R. Klein has no sense of humor. He begins his responsum with a self-conscious bit of Purim Torah, demonstrating an awareness and appreciation for humor in some form in some circumstances.

5 Alter Deroyanov, "*Rav laPurim*," in *Sefer haMoadim*, ed. Yom-Tov Levinsky, v. 6 (Tel-Aviv: The Dvir Co Ltd & The Oneg Shabbat (Ohel Shem) Soc, 1955), p. 189, claims the practice as having been influenced by the early Catholic church, without providing any evidence of how or when it entered the Jewish community. Hanegbi, pp. 202-203, relies on his analysis; the earliest evidence she provides is an 18th century *megillah* illustration and a description from 1778.

6 J. William Whedbee, *The Bible and the Comic Vision* (Minneapolis: Fortress Press, 2002), 9: "Comedy perennially takes up arms against the forces that stifle life and laughter, though even here its barbed arrows generally only sting, not kill. If satire fails to move on to the genuinely restorative and celebrative, it is questionable whether it still remains in the domain of comedy." Rav Ovadiyah even cites a case where the barbed arrows of the *rav shel purim* in fact do kill: "I saw written that the great R. Shimon Sofer, author of Responsa *Mikhtav Sofer,* son of the great Hatam Sofer, died from extreme anguish due to the insults flung at him by the *rav purim*."

Table Fellowship

by Talia Cottrell

"...they should make them days of feasting and gladness..." [9:22]

The *Gemara* in *Masechet Megillah* (12a) asks the question: why did the Jews of Mordechai and Esther's generation potentially deserve destruction? The answer given by the students of Rabbi Shimon bar Yocahi is that the Jews of Shushan deserved destruction at that time because "they benefited from the feast of that wicked man," referring to Achashverosh's feast in the first chapter of *Megillat Esther.* Achashverosh's sumptuous feast, as described in the *megillah*, was one of "royal wine in abundance... for so the king had established for every officer of his house to do according to each man's pleasure" (Esther 1:7-8). One of the primary characteristics of Achashverosh's party, at least according to the basic biblical text, was its hedonistic nature. Alcohol was free-flowing and each and every guest at the party was free to drink as much as he pleased. According to this opinion in the Talmud, Jewish participation in this feast was condemned and resulted in the near-disaster of the Purim story. Although drinking wine is obviously an important part of some Jewish rituals, this is not the only rabbinic source which discusses the problems that come of too much drinking (for example, see BT Sandhedrin 70a-7b). The Bible itself also seems to disapprove of the over-use of alcohol, as is evident from the story of Noah and Ham (Genesis), and from such verses as Proverbs 23:29-30, which blames "tarrying at wine" for "contentions," "ravings," and "wounds without cause." In placing the blame for the Jewish people's near destruction in the hands of participation in a feast of wine, Rabbi Shimon bar Yochai's students tap into a broader biblical and rabbinic awareness of the physical and spiritual dangers inherent in the overuse of alcohol.

Given this background, it seems very strange that Purim has become a holiday in which excessive drinking would be allowed, or even encouraged. Nevertheless, earlier in *Masechet Megillah* (7b), Rava suggests that there is actually an obligation to drink on Purim - "one is obligated to drink [or to be happy through wine] on Purim until he cannot tell the difference (*ad delo yada*) between 'cursed be Haman' and 'blessed be Mordechai.'" Before we address the question of how poskim deal with Rava's statement, we should contemplate why Rava would think that there is an obligation to drink on Purim. Drinking appears to be an aspect of the obligation to feast on Purim, the origin of which comes from the ninth chapter of the *megillah* – "as the days on which the Jews gained relief from their enemies, and the month which had been turned about for them from one of sorrow to gladness, and from mourning to festival, to observe them as days of feasting and gladness, and sending delicacies to one another, and gifts to the poor" (Esther 9:22). The days of Purim are supposed to be "days of feasting and gladness," and according to Rava it would seem that drinking wine is included in in the obligation of "feasting and gladness." This, by itself, is not surprising; wine is included in many Jewish rituals to bring a festive and celebratory air to the occasion. If Rava had stated that there was an obligation to say a blessing over wine on Purim like on other holidays, it would be more than understandable. Rava, however, goes further than that, and seems to suggest that there is an obligation not only to have a bit of wine on Purim, but to drink a seemingly substantial amount – until one cannot tell the difference between cursing Haman and blessing Mordechai.

"To make that celebration even more meaningful, we should take the joyous feasting and raise it to the next level, to a level where our feasting is really for the sake of Heaven."

But if, as we concluded above, the rabbinic tradition views such drinking as inherently problematic, and specifically suggests that one reason the Jews were almost destroyed in the Purim story was because of their participation in this drinking, why would any type of drunkenness would be encouraged on Purim? It seems to go against the whole nature of what Purim should be about! Rabbi Israel Meir Kagan, in his commentary on the *Shulchan Aruch* known as the *Beiur Halacha* (695:1), comments based on the *Eliyahu*

Rabbah, that despite the fact that drunkenness can be so problematic, it is encouraged on Purim because the Purim miracle specifically began with feasting and drunkenness and ended with feasting and drunkenness (since Haman's downfall occurs at Esther's feast) and therefore we celebrate by drinking more than usual. Adding on to this idea, perhaps the very theme of "*ve-nahafoch hu*" (Esther 9:1), the idea that everything was turned on its head on Purim, would indicate that perhaps we should celebrate in a similar manner that as our enemies would, that our enemies' celebration has become our celebration. However, perhaps it would be even more in keeping with the theme of "*ve-nahafoch hu,*" if we not only co-opted our enemies' celebration into our own, but we took the lavish feasting that Haman and Achashverosh did and infused it with our own meaning and values.

In fact, the discussions of the *poskim* about how to apply Rava's statement that one is obligated to drink on Purim reflect the position that, in the vast majority of instances, drunkenness runs counter to our Jewish values. Many *poskim* note a story in the *Gemara* itself which emphasizes the dangers of Rava's approach. The *Gemara*, immediately following Rava's statement, tells a story about Rabbah, who gets drunk at his Purim feast and ends up killing R' Zeira, who, in the end, is miraculously revived. The next year, Rabbah invites R' Zeira to join him for the Purim feast and R' Zeira politely declines on the basis that one can't always depend on a miracle. This story, in quite an extreme fashion, warns us of the potential dangers of excessive drinking. Some *Rishonim*, such as the *Ba'al Ha-Me'or* and the Ran, go even further and suggest that this story is meant to reject the statement of Rava, and to argue that there is no such obligation to drink on Purim. Other *Rishonim*, such as the Rambam, assume that what the Gemara means by drinking until one does not know the difference between "cursed be Haman" and "blessed be Mordechai" means that one should drink until they are mildly intoxicated and fall asleep (see also *Aruch Ha-Shulchan* 695:3). The *Orchot Chayim* (Laws of Purim 38), as quoted by the Beit Yosef , takes a similar approach and suggests that excessive intoxication is problematic and will likely lead to sin and that one merely should drink slightly more than one usually does, as a means of celebration. While some of the *Rishonim*, such as the Rosh and Rif, later followed by the *Shulchan Aruch*, simply quote Rava's statement verbatim, which would indicate that Rava's statement is accepted as *halacha*, a large number of *Rishonim* limit, re-read or reject Rava's statement. Even if one accepts the *Shulchan Aruch*'s simple quotation of Rava, some of the commentaries on the *Shulchan Aruch* continue to insist that the *Shulchan Aruch* (along with Rava) are promoting a much more limited form of festive drinking. Regardless of exactly which approach one takes, there is an obvious discomfort among poskim about Rava's formula for drinking on Purim, and a serious attempt to clarify that while drinking might be a part of Purim, it does not mean that one should go over the top.

Another interesting and important approach that I would like to discuss is that of the Rema, who, after quoting some of the more compromising approaches discussed above, comments "one can [drink] a lot or a little, as long as one intends one's heart towards Heaven" (*Shulchan Aruch* 695:2). Essentially, the Rema makes the point that there are many potentially proper approaches to take towards the *halachic* question of drinking on Purim, but that the most important thing is that whatever one does, one must do it with the appropriate mindset. If one is capable of drinking with the right intentions, without that drinking leading to any physically, halachically, or legally problematic consequences, then getting drunk on Purim could theoretically enhance one's Purim experience. However, I would argue that in the vast majority of circumstances, it is difficult to get drunk on Purim while also maintaining this sense of acting for the sake of heaven. How many of us, as committed religious Jews, have unfortunately been in situations on Purim where we've seen a friend, an acquaintance, or even just some fellow Purim enthusiasts we see on the street do something embarrassing, improper or even dangerous in their attempt to fulfill the concept of "*ad de-lo yada*" in the extreme. One of the more traumatizing Jewish holiday experiences of my life, when I was just eighteen years old, was seeing the inappropriate way some otherwise "religious" people acted in the streets of Jerusalem, supposedly in the name of the *mitzvah* of Purim. The very nature of alcohol, in removing people's inhibitions, has the potential to turn our hearts away from heaven rather than towards it.

Additionally of course, over recent years, there have been problems in

some communities with teenage drinking on Purim, and numerous Jewish youth groups and organizations have had to explicitly come out against drinking for the sake of the holiday. I do not feel the need to add my voice to the multitude of Orthodox Jewish voices who have both come out against illegal teenage drinking and who have emphasized the very real dangers of taking this concept of drinking "*ad de-lo yada*" to the extreme. However, what I want to add, is that even in speaking to adults who are aware and mindful of the dangers of drinking (and obviously legally permitted to drink), it is important to recognize what the goal of drinking on Purim is supposed to be. If the goal of drinking on Purim is supposed to get across the theme of "*ve-nahafoch hu,*" the miraculous and shocking switching of positions between the Jews and their enemies, then perhaps we want to celebrate by taking on the celebratory manners of our enemies in the Purim story. However, to make that celebration even more meaningful, we should take the joyous feasting and raise it to the next level, to a level where our feasting is really for the sake of Heaven.

What might this look like? Imagine an intimate group of friends and/or family celebrating a Purim feast together, discussing the Purim story, singing songs, sharing words of Torah, some serious and contemplative, some silly and whimsical. Depending on the group, alcohol might or might not be part of the celebration, but if it is, each member of the group is looking out for the others, making sure that they aren't drinking too much, and making sure that the meal stays within the proper Purim spirit. The focus of the meal is on our relationships, on acting kindly, on finding joy within ourselves and others, on Torah, and of course, a healthy dose of Purim humor. This year, instead of being punished for "benefiting from the feast of that wicked man," let us be rewarded through a feasting which really brings out the best within us. This year, let us make Purim feasts where the primary focus of our feast is not drinking but rather other important values of this holiday, such as community, care for the poor, and our relationships with friends and family. As the Rema writes, the most important thing to remember at our Purim *se'udah* is that our hearts always be directed towards Heaven, and perhaps as a part of that, towards each other. ▲

Partnership Building and the *Mitzvah* of *Mishloach Manot*

by Emily Winograd

"Hey Emily, how's school?" the cashier at a popular kosher restaurant used to ask me. No, I wasn't a regular with a signature order already waiting on the counter. In fact, I only came in every couple of months. Nevertheless, whenever I walked through the door, notebook in hand, Tav HaYosher Compliance Officer badge around my neck, she and I had a lot more to talk about than her paycheck. Like me, this young woman was a sophomore in college, balancing classes and extracurricular activities, debating whether to study abroad, and working a part-time job. However, her position as a cashier at a restaurant certified by the Tav HaYosher put us in an interesting situation, where *my* activism involved securing *her* rights. This meant that at some point in our formerly casual conversation, I would ask her how much she was paid in the past week, how many hours she had worked, and a series of other questions that don't normally pass one-sidedly between friends. In my compliance visits with her, and all the more so with workers who were more different from me, I aimed to deconstruct the misleading dynamic of "activist" and "beneficiary" and cultivate partnerships of equals.

Long after my friend the cashier had left her job and flown off to Paris for the semester, Dasi Fruchter and I were hard at work creating a Compliance Officer training curriculum that would drive this message home. It was Dasi who suggested that conveying the proper approach to restaurant workers was as important as teaching interview skills and state labor laws. This translated to a component of the training in which volunteers contrast the terms "partnership" and "helping," as well as the terms "justice" and "charity." Through this discussion, they develop a model for relating to workers which emphasizes partnership and cultural sensitivity.

Chapter 9 of *Megillat Esther* presents two *mitzvot* that were instituted for the holiday of Purim: *mishloach manot* and *matanot l'evyonim*. Whereas the *mitzvah* of *matanot l'evyonim* exemplifies the idea of charitable giving, *mishloach manot* is an exchange of gifts of food between friends or neighbors, which more closely resembles an act of partnership building. Each has its place in the context of the *chag* and in the world at large. The Tav HaYosher strives to forge partnerships between workers, owners, and consumers, in which all parties play a role in supporting ethical conditions in kosher restaurants. As such, we encourage volunteers to model their interactions with workers and restaurant owners after the *mitzvah* of *mishloach manot*, viewing them as allies in the effort to bring justice to the kosher food industry. ▲

Next Steps

The Tav HaYosher depends on trained volunteers who conduct regular compliance visits with all Tav HaYosher certified restaurants. Email info@utzedek.org to get involved.

Do you want restaurants in your area to be certified with the Tav HaYosher? Get your grassroots movement started by attending a Partnership Building Training. For more information, email info@utzedek.org.

Further Resources

To learn more about the Tav HaYosher, visit www.isupportthetav.com or http://www.utzedek.org/tavhayosher.html

Paying the Price of Civilization: Purim and Taxes

by Ari Hart

"And the king Achashverosh laid a tax on the land..." [10:1]

The concluding chapter of *Megillat Esther* is three verses long. Two of them, expectedly, celebrate the triumphs of Esther, Mordechai and the Jewish people. The other says the following: "And the king Achashverosh laid a tax upon the land, and upon the isles of the sea." (Esther 10:1)

At first glance, this seems like the strangest capstone for our triumphant story. What do taxes have to do with Esther's *megillah*, and why are taxes, with all their difficult connotations, included in the *megillah's* coda?

Supreme Court Justice Oliver Wendell Holmes, Jr. famously wrote that taxes are "the price of civilization." Judaism recognizes them as more. More than a price, they are a means of civilization, and their creation and collection reveals a tremendous amount about a society's priorities and values.

Upon closer inspection, the careful reader will find at least five times where taxes arise in the *megillah*, a story focused on society and its discontents. The first time they appear is during our opening: the story opens with a scene of tremendous government spending by Achashverosh's empire, built upon tribute from populations searching for a protection from an uncertain world and a fickle king. The gluttony in the opening verses is even more distressing when one considers how much money was probably squeezed from common and people by the King's tax collectors, to be wasted on a drunken bash by the privileged few.

The second appearance of taxes in the *megillah* is when the fickle king lowers taxes, according to Rashi, in Esther 3:8 in order to flatter and woo the queen: לכבודה הניח להם מן המס שעליהם. - in order to honor her he lowered the taxes.

Third, one can read Haman's offer of 10,000 *kikurs* to pay for his plan to destroy the Jews as a way for Haman to offset half-shekel tax the Jewish people would pay over their lives (Bakh, commenting on Tosafot, BT Megillah 16a).

Fourth, we see taxes used for good. In 4:16, Esther demands a spiritual tax from the Jewish community of fast and prayer.

And our fifth final tax, the one cited at the beginning of this article, is ambiguous. How are we to understand "And the king Achashverosh laid a tax upon the land?"

Before delving into the sources, a quick primer on different types of taxes:

Capita tax (also known as a poll tax or head tax) - a set amount that is taxed on every individual in a community, regardless of income.

Flat tax - A percentage based tax that is applied to all, regardless of wealth. Both the capita tax and the flat tax are commonly referred to as "regressive" taxes, since it imposes a greater burden on the poor than on the wealthy.

Progressive tax - A tax that takes a larger percentage from the wealthy than it does from the poor.

To articulate a Jewish conception of taxes, we must begin with the Torah. The Torah lays out several forms of taxes. *Terumah* was levied to support the communal institution of the Temple at a level of between 1/40th, 1/50th or 1/60th of total produce, depending on the generosity of the payer. *Ma'aser rishon*, a tenth taken after *Terumah* was taken, was given to support the landless Levi'im in their service educating and serving the Jewish people. Other taxes included *ma'aser sheini*, a tax on produce that had to be brought to the capital, Jerusalem, and ma'aser ani, a ten percent tax that went exclusively to the poor. In addition to these flat taxes, the Torah also requires all citizens to pay the *machatzit hashekel* tax. This per capita tax was used initially to perform a census (Shemot 30:11-15).

"If a community were to create new taxes, how should they be created? What sources could they turn to, and what values would they use?"

These taxes, however, are fixed and legislated by the Torah. Most are not applicable to communities today. If a community were to create new taxes, how should they be

created? What sources could they turn to, and what values would they use?

The *Gemara,* in Bava Batra 7b, discusses building a wall that will protect the community from thieves and robbers. Should those who are closest to the wall, and would therefore the most, pay the most? Should all the residents pay an equal amount regardless of their proximity to the wall? Or should those who have more pay more, even if they might least?

בעא מיניה רבי אלעזר מרבי יוחנן: כשהן גובין, לפי נפשות גובין, או דילמא לפי שבח ממון גובין? אמר ליה: לפי ממון גובין, ואלעזר בני, קבע בה מסמרות. איכא דאמרי, בעא מיניה רבי אלעזר מרבי יוחנן: כשהן גובין, לפי קירוב בתים הן גובין, או דילמא לפי ממון גובין? אמר ליה: לפי קירוב בתים הן גובין, ואלעזר בני, קבע בהמסמרות.

R. Eleazar inquired of R. Yochanan: When these communal taxes are levied, are they levied by the person [where every person would pay the same amount]? He replied: It is levied according to means; and Eleazar my son, fix this ruling firmly in your mind. According to another version, R. Eleazar asked R. Yochanan whether the impost was levied in proportion to the proximity of the resident's house to the wall or to his means. He replied: In proportion to the proximity of his house to the wall; and you, Eleazar my son, fix this ruling firmly in your mind. (BT Bava Batra 7b)

It is clear that, whatever the ruling, it was important to R. Yochanan that his son understand and internalize it; how taxes are levied is a critical matter. But the multiple *girsa'ot* (versions) of R. Yochanan's statement leave the reader unsure. What is the priority?

The Rambam makes it clear which version he views as primary in *Hilchot Shechainim*, the section of the *Mishneh Torah* treating the laws of neighbors, 6:4

כשהן גובין מאנשי העיר לבנות החומה גובין לפי קריבת הבתים מן החומה כל הסמוך לחומה נותן יותר

When they asses a tax to build a wall, they asses according to kiruv batim, [proximity of the house to the wall, which assumes more benefit]. Whoever is closer pays more.

With this Rambam alone, the Jewish tax ethic seems pretty clear. We hold like the second statement of Rav Yochanan; taxes should be assessed by use with those who benefit more from public goods (in *halachic* language, *kiruv batim*) paying more.

Rabbeinu Tam, however, is not content with the Rambam's read.

Commenting on the second half of the *sugya*, the same as the Rambam, Tosafot writes,

לפי קירוב בתים הן גובין - פירש ר"ת ונותנין עניים קרובים יותר מרחוקים וכן עשירים קרובים יותר מעשירים רחוקים אבל עשירים רחוקים נותנין יותר מעניים קרובים דלפי שבח ממון נמי הן גובין.

The poor who are close to the wall give more than the poor who are far, and the wealthy who are close give more than the wealthy who are far. However, the wealthy who are far give more than the poor who are close, since the wealthy are also assessed by their wealth [in addition to their proximity].

A hierarchy of values emerges. In building a communal wall, responsibility falls as follows:

- Wealthy who benefit more
- Wealthy who benefit less
- Poor who benefit more
- Poor who benefit less

In building a wall, Rabbeinu Tam is proposing a hybrid system, where both benefit from the public good and relative wealth should influence the amount one pays in taxes. But this hybrid system turns out to be the exception, not the rule! In his commentary on the *sugya*, Tosfat cites a *sugya* from Bava Kama:

ת"ר: שיירא שהיתה מהלכת במדבר ועמד עליה גייס לטורפה - מחשבין לפי ממון ואין מחשבין לפי נפשות, ואם שכרו תייר ההולך לפניהם - מחשבין אף לפי נפשות

Our rabbis taught: a band of merchants that was traveling in the desert and a group of robbers threatened them, we assess [the ransom] according to wealth (*mamon*) [where the wealthy would pay more than the poor] and not according to head (*nefashot*) [where everyone would pay the same]. But if they hired a guide to walk in front of them, we asses per capita (*nefashot*). (BT Bava Kama 116b)

Tosafot notes out that the difference between these two cases is that in the first, we do not assume that the kidnappers would kill the group of merchants; their desire is purely for their property. There is no life or death threat, so we assess according to wealth/*mamon*. In the second case, there is a life or death threat: without the guide, the group would be lost in the desert and die. In that case we assess by capita/*nefashot*. The distinction between taxes that are levied for life and death purposes and those that are not is picked up by the Mordechai:

The Mordechai picks up on Tosafot's distinction, writing:

כל מילתא דלית בה סכנת נפשות לא אזלינן ביה אלא בתר ממון

Everything that does not have a element of life and death is assessed exclusively by wealth / *mamon*. (Mordechai on BT Bava Batra, §474-9)

The Rosh, Tur (103, *Choshen Mishpat*), and Pitchei Teshuva continue in this vein, writing that taxes for services and goods like water, communal ritual needs, *sifrei Torah*, and more are assessed only according to wealth. In the case of the wall, however, the Tur writes that there is an element of life and death as well. That is why the wall is a hybrid case of both assessing according to wealth and capita.

We can now flesh out a fuller Jewish tax ethic: taxing according to capita in matters of life and death, taxing according to a mixture of benefit and wealth if it is not wholly clear (like our case with the wall), and taxing according only by wealth. It seems as if a majority of taxable causes fall into the third category - individual benefit from the service provided plays no role in how much one should pay for that service.

The twentieth century *posek*, the Tzitz Eliezer, (Shu"t Tzitz Eliezer, 2:22) takes the Jewish tax ethic a step further.

איזה שיטת מסים יש לחייב לאורה של התורה. שיטת מסים פרוגרסיבית מה שנקרא בפי ההלכה לפי ממון. או שיטת מסים אחידה. דהיינו שכל תושב משלם אותו הגובה של המס מבלי הבדל בין עשיר ודל.

"What approach to taxes does the Torah obligate? Is it a progressive approach, where we tax according to the level of wealth, or is it uniform, meaning that every resident pays the same tax rate regardless of poverty or wealth." perspective on taxes?

Using the above cited sources, among others, the Tzitz Eliezer concludes almost all taxes are assessed progressively. He lists water, road repair, lights, hospitals, social services, nursing homes and more as taxes that are assessed by *mamon*, which means in his words, *progresivit*. It is fascinating to note that the Tzitz Eliezer here has confidently asserted that assessing according to *mamon* does not only mean that the rich pay more than the poor. After all, in a flat tax people with more money will pay more, since 10% of a lot is more than 10% of a little. For the Tzitz Eliezer, almost all communal taxes are assessed by progressive means - the wealthy paying more, both in sum and in percentage, than the poor.

What about taxation by capita in life or death or situations? This seems like a strange value. After all, wouldn't we want to raise as much money as possible in life or death situations, ensuring that whatever communal good or ransom that is desperately needed is able to be built? Perhaps a different ethic is at play here - when it comes to saving lives, we do not want to communicate that some lives are worth more than others. Just as with the half-shekel tax, each life is worth the same amount. However, we recognize that this may not generate enough to pay for the good. That is where the hybrid model of Rabbeinu Tam comes into play: we need to be able to raise necessary funds to save lives, so we do half the tax *l'fi mamon*, but we do so in a way that acknowledges that each life is worth saving, the other half of the tax *l'fi nefashot*.

What modern implications might this have for the Jewish community today? Let us explore, for example, those who send their children to private school and do not wish to pay taxes for schools their children do not use. Should they be able to opt out of taxes that go to public education? Should they advocate for lower education tax rates in general since their segment of the community does not benefit from those services? As we saw from our sources, there is little Jewish ethical or *halachic* ground to stand on to advocate these positions. The amount of individual benefit from a public good (*kiruv batim*) is only taken into account for tax rates in very specific situations involving life or death considerations. Otherwise we asses one's responsibility to contribute to the communal needs according to one's wealth (*govin l'fi mamon*). Distressing stories heard from municipalities where Orthodox Jews move in, take control of the school board, and slash budgets of public school institutions should be recognized as against this Jewish tax ethic.

In addition, looking at the American tax system, we might be struck how some parts of our tax code function opposite the *halachic* model. As we saw from the *gemara*, Rabbeinu Tam, the Mordechai, and the Tzitz Eliezer, in the *halachic* system the wealthy are taxed more according to their wealth. Recently, Warren Buffet, the world renowned investor, reported that he was paying a lower tax percentage on his billions of dollars (16.5%) than his middle class office workers (%25).

Buffet writes:

"Since 1992, the I.R.S. has compiled data from the returns of the 400 Americans reporting the largest income. In 1992, the top 400 had aggregate taxable income of $16.9 billion and paid federal taxes of 29.2 percent on that sum. In 2008, the aggregate income of the highest 400 had soared to $90.9 billion — a staggering $227.4 million on average — but the rate paid had fallen to 21.5 percent."

Do *halachic* values compel us to work change? As an Orthodox Jew, I believe the answer is yes. As Rav Soloveitchik wrote in *Halachic Man*: "The *halachah* is not hermetically enclosed within the confines of cult sanctuaries, but penetrates into every nook and cranny of life. The marketplace, the street, the factory, the house, the meeting place, the banquet hall, all constitute the backdrop for the religious life."

Perhaps the reason why the *megillah* ends with "And the king Achashverosh laid a tax upon the land" is indeed, to end with a note of celebration. At the end of this complicated economic saga, we finally see a fair and just tax from this most foolish of kings. Perhaps, after encountering the wisdom and righteousness of Mordechai and Esther, two Jews who were not afraid to bring their deepest Jewish values and commitments into the public sphere, King Achashverosh levied a tax whose purpose was not to punish, privilege unfairly, score political points, or destroy. Rather, the king levied a tax that was equal and fair, across land and sea, and truly in the interests of all the people of the empire. And that, truly, was something to celebrate. ▲

Shushan Shangri-La

by Gilah Kletenik

"...speaking peace to all his people" [10:3]

Megillat Esther is a magnificent tale of Jewish triumph. It tells of scattered and disparate Jews living in exile and of the evil villain who plots to annihilate them. Through a series of twists and turns, the Jews are saved, prevail over their enemies and unite in celebration. To be sure, this is the quintessential story of "all's well that ends well" in a Shushan Shangri-La. Things seem too good to be true, especially considering there is not even a mention of God's name. Everything fits in place a tad too well, thanks to Esther and Mordechai, who are always in the right place at the right time.

Our suspension of belief is heightened as the *megillah's* plot develops. The Scrolls suggests it is normal to select queens through nationwide beauty pageants, that a legal system would not allow for the emendation of laws, and that lots are drawn to decide domestic policy. Not to say the least of Achashverosh's insomnia-induced perusal of the kingdom's chronicles, which mention Mordechai at coincidentally the most critical of moments. Haman learns that it is not he whom Achashverosh would like to honor, but in fact precisely the one who he, Haman, has been conspiring to murder.

The *megillah* sensational content does not exist in a vacuum. A close examination of the scroll reveals that its form is as equally unbelievable. Everything is exaggerated: an immoveable feast lasting one hundred and eighty days, an extreme makeover extending for twelve months and a gruesome gallows fifty cubits steep. These fantastical elements, and others, of both content and form, have led scholars to classify Esther as a carnivalesque comedy, replete with the requisite vulgarities and hilarities, veiled identities and hidden conspiracies.

Thus, the *megillah* mirrors and engages the very conditions of its own creation. It tells a tale of unbelievable salvation through unimaginable means, innovating in turn, a carnival holiday of exaggerated celebration and excessive revelry. The comedy that is the *megillah* allows us to take pause from reality and imagine a paradise where Jews are empowered, controlling of their destinies and even live in peace with one another. Purim, like the *megillah*, is an oasis in time pushing us to retreat from reality and lose ourselves partying, before life's sobriety sets in once again.

But, what kind of a message is this? Does the *megillah* merely convey the actuality that there is no paradise here on earth? Does Purim teach that happy endings are the exclusive realm of the carnival and comedy?

The text of *Megillat Esther* is dynamic. Not only is it intentionally written as a comedy. It is also purposefully composed to allude to, indeed to converse with, other books in Scripture. Esther is uniquely rich in terms of intertextuality, the notion that no text is static but is in infinite dialogue with other texts. The *midrash* picks up on a number of these connections, tying *Megillat Esther* to no small number of biblical heroes: among them, Jacob and Joseph, Saul and David. These literary and thematic connections pulsate through the *megillah*.

Let us focus on but one of these intertextual instances, that of Joseph. The thematic parallels are immediately apparent: a Jew, exiled, maintaining a concealed identity, is promoted to high rank in a powerful foreign empire and uses this newfound influence to secure the Jewish future. In case we might miss this connection, Mordechai is identified in our *megillah* as a Benjaminite, of the extended family of Joseph. These thematic parallels, coupled with lexical connections as well, lead our rabbinic sages to draw many a comparison between the Joseph saga and the story of Esther.

Sifre de-Aggadita, a medieval *midrash* on Esther, goes so far as to suggest that Haman's planned ethnic cleansing is actually a punishment for the sale of Joseph: "God said to the tribes, 'You sold Joseph your brother at a time of eating and drinking' as it is says ['And they sat to eat bread' (Gen. 37:25)], on this account, Achashverosh will sell your children at a time of eating and drinking, as it is written 'and the king and Haman sat to drink.'" According to this Midrash, the rift between Joseph and his brothers reverberates for generations, and it is only finally reconciled in the *megillah* through the rabbinic notion of *midah ke-neged midah*, measure for measure.

It is not surprising that the Midrash links these events. After all, Haman describes the Jews as "*am echad mefuzar u-mefurad bein haamim* –a certain people scattered and dispersed among the other peoples." (Esther 3:8) This tension and overt fracture among the Jews is hardly new. In fact, it goes all the way back to that first fissure between the Children of Israel, when

fraternity turns to near-fratricide, and siblings sell one of their own into slavery. However, by the end of the *megillah*, the Jews are unified and victorious. It is a grandiose salvation, redemption par excellence and the resolution of a generations-old rivalry.

No doubt the rabbinic exegetes of this *midrash* are capitalizing on the *megillah's* spirit of unbelievable endings, making it the locus of another impossible resolution, that of Joseph and his brothers. If this was the full picture, however, the authors of the *megillah* and its rabbinic interpreters would be leaving us with an unachievable image, a mere paradise in time, so distant from our own lives and reality. Like a party reveler, we are left leaving the carnival that is the *megillah* high and happy only to wake up the next morning hung-over and bloated by the heavy weight of reality.

A subtle message lurks beneath the surface of the *megillah*. It is a simple step in the direction of all's well that ends well, a party-favor prescription for bringing a fragment of the fun back home, a bit of bliss to earth. For this prize, we must return to Joseph in Genesis.

How is it that tensions escalate so intensely, that brothers are actually able to sell their own brother? What goes awry? The text provides us with background. Jacob favors Joseph and Joseph is a tattletale and a dreamer. There is one more clue, often overlooked that the text sends our way: "*ve-lo yakhlu dab'ro le-shalom*," (Genesis 37:4) the brothers are unable speak a peaceful or kind word to Joseph. Their inability to communicate is crucial to the relationship's breakdown.

But why is communication key to their relationship? What is it about language that makes it the medium through which Scripture describes the hatred that the brothers harbor towards Joseph? Language is about a relationship. Communication requires not merely a mouth to speak, but also an ear to listen. This is precisely why Ludwig Wittgenstein argues that there is no such thing as a private language, a theory Emmanuel Levinas develops further.

Ethics as first philosophy is Levinas' philosophy and is expressed through the epiphany of the face-of-the-other, which places infinite ethical responsibility upon our shoulders. It is not the image of the other's face that obligates us, so much as the face's verbal potential; that it is the beginning of language, the genesis of relationships. Why is language integral to relationships and by extension ethical obligation? Language, argues Levinas, "is inseparable from giving, for it opens reserves from which the hand that gives draws without being able to dissimulate anything."[1] Speaking is giving; it is turning towards the other. Thus, in describing what leads brothers to sell their own brother, it is critical that Scripture alludes to their inability to speak effectively towards Joseph. This problem of speech signifies the core matter at hand, which is their profound inability to turn towards Joseph with ethical responsibility, to speak with sincerity, to give.

This fraternal fissure is finally eased generations later in the *megillah*. Not, however, through the *Midrash's* just deserts of *midah ke-neged midah*, but rather through a very subtle intertextual allusion, which links the Joseph story pointedly to the final verse of the *megillah*. Mordechai is described as "*ve-doveir shalom le-khol zaro*," someone who is engaged in the speaking of kind words to all. The *megillah's* authors intentionally employ the same phrase Scripture uses in describing the brothers' inability to speak with Joseph. Mordechai, unlike the brothers, is able to be a communicator, an agent of ethical behavior towards all people, to speak with sincerity, to give.

Ethical responsibility is the message beneath the *megillah's* carnivalesque commotion. Paradise beyond the party doors is elusive. However, striving towards ethical engagement built upon giving in both word and practice is neither in heaven nor beyond the sea, it is within our reach. Indeed, this de-

"Striving towards ethical engagement built upon giving in both word and practice is neither in heaven nor beyond the sea, it is within our reach."

scription of Mordechai is the most believable part of the entire *megillah*; we are capable of living up to our ethical responsibility, if only we turn towards the face of the other.

The first step towards this is enshrined in the *megillah's* instructions for Purim: "*u-mishloah manot ish le-reiehu, u-matanot la-evyonim*," (Esther 9:22) it is a day of offering delicacies to one another and gifts to the poor. Mordechai is able to move beyond himself, to give of himself, which is described through his ability to speak kindly with all people. We are similarly called upon to step beyond ourselves and turn towards the face of the other, which calls out at all times.

It is difficult to face the sobering effects of reality. Injustice proliferates. Our unemployed friend, the underpaid Chinese iPhone worker, the elderly couple who cannot afford to pay for medical care, the sex-slave in Thailand, the wrongfully imprisoned, the millions of American children with unequal education, the alienated co-worker one cubicle over and the political dissident in Syria. It is easy and convenient to blind ourselves from this brokenness or throw our hands-up in surrender, knowing that we cannot right every wrong.

Megillat Esther's comedic veneer and carnivalesque thrill remind us that there is no respite from responsibility. Through Mordechai's behavior and Purim's prescriptions, however, the *megillah* pushes us to face the sobering reality. While paradise is an illusion that begins and ends at the party doors, there is a great deal we can and must do to uphold justice here on earth. Appreciating the humanity in others and upholding our infinite responsibility towards them, is not only possible, it is necessary. Giving to others, through word and deed, is the first, necessary and decisive step towards tasting a little bit of that Shushan Shangri-La. ▲

1 Lévinas, Emmanuel. *Otherwise than Being, Or, Beyond Essence*. Pittsburgh, PA: Duquesne UP, 2009, 184.

Reading is Praise: Connecting the Articles to the *Megillah*

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Launched by **Uri L'Tzedek**, the **Tav HaYosher** is a local, grassroots initiative to bring workers, restaurant owners, and community members together to create just workplaces in kosher restaurants.

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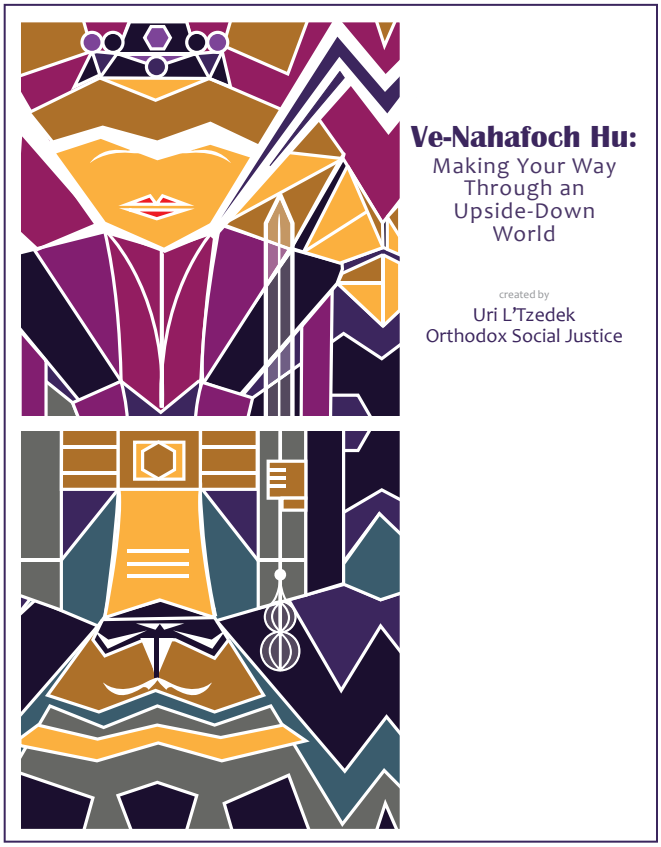

Cover Art designed by Aliza Weiss

The cover design of *Ve-Nahafoch Hu: Making Your Way Through an Upside-Down World* is inspired by themes of power and justice framed within the compartmentalized story of Purim. The leading figures, Queen Esther and King Achashverosh, are presented in a reflected composition, highlighting the duality of their roles. Queen Esther holds a sword and King Achashverosh a scepter, each representing their alternate forms of leadership, justice and power in the story of Purim. The composition references the whimsy and festivities of Purim through its allusion to playing cards and games of chance, a key element in our story. The color palette of playful holiday cheer is reinforced with the duality of light and dark, or good and evil, separating our two figures. Finally, the overall illustration is fragmented into a series of small individual shapes, similar to a stained glass window, that together unite to form our composed cover illustration. Similarly, the story of Purim is one of many seemingly separate pieces that ultimately come together to highlight a story of triumph and strength of the Jewish people.

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