

Video Conferencing the Megillah

Most mitzvos are performed in private, and there is no inherent value to the specific mitzvah when performed in public. Conversely, there are many halachic obligations that require a minyan, such as Kedusha, Kaddish and Krias HaTorah. These mitzvos cannot be performed at all privately. Megillah is rare in that it is a mitzvah that can be performed privately, and yet we recommend it be read with a minyan.

This unique quality of reading the Megillah raises interesting questions based on today's technology. Can we combine ten people who can see and hear the reader via the internet? Alternatively, if ten people are together in one room and that reading of the Megillah was broadcast live via video-conference, would others watching on their phones or computers at home be considered part of the minyan? [Note: according to the majority of poskim, hearing the Megillah via the internet does not constitute "hearing" the Megillah at all. However, for the purposes of this article, we will assume the lenient position of the Chazon Ish, quoted by Rav Shlomo Zalman Auerbach, zt"l, (*Minchas Shlomo* 9, fn 4) who permits the use of a digital sound if the listener hears it without a delay.] This article will analyze the enhancement of the megillah when read in a minyan, the qualifications needed for those to form and participate in a minyan and



Rabbi Aryeh Stechler

Rosh Yeshiva, Heichal Hatorah, Teaneck, NJ

whether video-conferencing meets those qualifications. [This article is not intended for psak halacha or to address the meta-halachic issue of use of technology to perform mitzvos in a different manner than previous generations. These matters should be discussed with poskim.]



HEICHAL
HATORAH
ישיבת היכל התורה

Is a Minyan Needed for Megillah?

The Gemara, in *Megillah* 5a, debates whether a minyan is needed for Megillah. According to Rav, Megillah read at its normal time, on the 14th, does not require a minyan. Rav Asi argues that all Megillah readings require a minyan.

The Mordechai, *Megillah* no. 782,

quotes many authorities who rule that Megillah should be read only with a minyan, and if no minyan is present, the Megillah is read without a beracha. Why would Megillah require a minyan? He quotes Rabbeinu Gershom, "that there is no obligation on each individual to read the Megillah."

The Mishnah in *Megillah* 23b, lists many obligations that require a minyan, such as Krias HaTorah. The Gemara there explains that this is derived from the Torah, "*venikdashti besoch bnei Yisrael*" — I will be sanctified among the Jewish people (*Vayikra* 22:32), which teaches us that all "*devarim she'b'kedusha*" — sanctifications of G-d's name may only be performed among members of klal Yisroel. *Devarim she'b'kedusha* are not obligations on the individual, rather each congregation (*tzibur*) of ten men is obligated to complete these communal responsibilities as a collective unit. Krias haTorah is the obligation of the *tzibur* and thus is an act that can only be performed by a *tzibur*. Therefore, if you miss Krias haTorah, you are not required to make it up. According to the Mordechai, Megillah, although not listed in the Mishnah as a *davar she'b'kedusha*, is

subsumed under Krias HaTorah, and therefore may not be read without a minyan.

However, most Rishonim codify the opinion of Rav that Megillah does not require a minyan. The Rema adds (OC 690:18) that a beracha before the Megillah may be recited at a reading without a minyan. The Ramban proves that Megillah does not require a minyan from the fact that the Mishnah does not list Megillah as a *davar she'b'kedusha*.

And yet, the *Shulchan Aruch* (OC 690:18) recommends that all efforts be extended to read the Megillah with a minyan. According to these Rishonim, Rav agreed that the optimal way to read is with a minyan, and only believed that *b'dieved*, *ex post facto*, if read privately, one fulfilled the mitzvah. Furthermore, according to most poskim, the beracha following the Megillah is only recited at Megillah readings of ten.

If the role of minyan at Megillah is not required, then Megillah is not a *davar she'b'kedusha*. In that case, what is this unique enhancement to Megillah when read with ten?

Pirumei Nisa: Marketing the Miracle

A popular explanation for seeking a minyan for Megillah is based on the comments of the Ramban (*Milchamos HaShem*, Megillah 3a). The Ramban suggests that in the cases of the *devarim she'b'kedusha* listed in the Mishnah, such as Krias haTorah, there is no personal obligation on any individual. Rather each *tzibur* of ten men is obligated to complete these communal responsibilities as a collective unit. In contrast, reading the Megillah is a personal obligation

that each Jew must fulfill. The goal of reading the Megillah is *pirumei nisa*, publicizing the miracle. Educating ourselves individually about the Megillah is considered a sufficient fulfillment of *pirumei nisa*. However, the bigger the audience, the greater the *pirumei nisa*. According to this approach, the recommendation of an audience of ten relates to how information is most effectively publicized. The Gemara in *Kesubos* (7b) relates that when Boaz wanted to spread the newly derived laws permitting marrying Moabite women, he was advised to communicate the ruling to ten people. Ten individuals represent the critical mass that enables information to effectively become public.

Based on this unique role of minyan for Megillah, poskim suggest many differences between the minyan of Megillah and the minyan of *davar she'b'kedusha*. According to most poskim, women, who cannot make up a minyan for *devarim she'b'kedusha*, can make up the minyan for Megillah (see Rema OC 690:15). The reason that women are counted only for the minyan of Megillah is that women, as an audience, are no different than men. For *davar she'b'kedusha*, a sleeping man may count toward a minyan. However, a sleeping person cannot be counted for Megillah, because the miracles are not publicized during their nap. Those who have been excommunicated cannot count toward a minyan for *davar she'b'kedusha*, since it is reserved for members of the community. However, they may be counted for a minyan of Megillah, because the miracles are still being publicized.

For *davar she'b'kedusha*, we can't always count those who have already

discharged their obligation. However, Rav Tzvi Pesach Frank (*Mikraei Kodesh* 50) argues that if one person still has not read Megillah, he may read in front of nine others who have already fulfilled their obligation, and he is considered to have read the Megillah with a minyan. This is because the minyan for Megillah is a personal reading whose goal is to spread the miracles to a large audience. Marketers often repeat the same message to further and deepen their message.

Geographic Location

How close do the ten people need to be to each other in order to combine to form a minyan? The Bavli (*Berachos* 50b) says that two groups who eat in the same house and can see each other form a *zimun* of ten. Tosafos quotes from the Yerushalmi that even if they are in two houses, as long as the groups can see each other and hear the benching, they may combine. The Rashba in a teshuva (1:96) posits the possibility that this same criteria applies to all *devarim she'b'kedusha*. Based on this, the *Shulchan Aruch* (OC 55:14) quotes from the *Orchos Chaim* that someone standing outside the shul is part of a minyan as long as the following conditions are met: he can see some of the people in the shul, they can see him, and he can hear the chazan. The *Mishnah Berurah* 55:52, decides that it is ideal not to rely on this ruling unless absolutely necessary.

Can we infer from the ruling of the *Shulchan Aruch* that ten people hearing the Megillah via video-conference can form a minyan? The *Shulchan Aruch* (OC 55:13) also says that the minyan for a *davar she'b'kedusha* must be in the same

physical location — “*bemakom echad*.” If the *Shulchan Aruch* requires everyone to be in the same location, why does the *Shulchan Aruch* include those outside the shul? The most logical understanding is that while all ten must be in one location, for the purposes of *davar she'b'kedusha*, one location is defined as those who can see/hear each other, even if they are outside of the room. However, those who are clearly in different locations, despite the fact that technological advances allow video-conference participants to see and hear, could not combine to form a minyan.

However, *Shulchan Aruch* (OC 55:13) rules that if someone can hear the chazan, regardless of how far he is from the chazan, he can answer and respond to *devarim she'b'kedusha*. This is based on the opinion of Rabbi Yehoshua ben Levi (*Pesachim* 85b) that “there is no iron wall that can blockade the Jewish People from Hashem.” The commentators debate whether this only permits the person far away to **respond** to *devarim she'b'kedusha*, or whether he is actually part of the minyan.

With regard to the geographic location of the minyan for Megillah, the Gemara (*RH* 27b) states that someone listening to the Megillah outside the shul has fulfilled his responsibility of Megillah with a minyan. The Ritva writes, “to combine for a *davar she'b'kedusha*, we require one domain ... but anything that does not require ten, such as shofar and Megillah, one fulfills the obligation even if not in the same domain.” Rav Tzvi Pesach Frank (op. cit) argues that there is no requirement that all ten people be located in the same physical location to form the minyan of Megillah. Perhaps, according to the Ritva and Rav Frank, combining

ten via video-conferencing would be considered a valid minyan for Megillah.

However, *Birchas Refael*, Purim no. 51, quoting the Ran, argues that the Gemara refers only to a case where there are ten people in the shul, and the one standing outside is the eleventh man. Even though for a *davar she'b'kedusha* one can only fulfill the mitzvah in the location of the minyan, the need for ten differs with regard to Megillah. As long as there is a group of ten who are in the same location, the mitzvah of *pirsumei nisa* has been fulfilled, and anyone else who can hear that reading is participating in the enhanced *pirsumei nisa*.

These Rishonim, although they equate forming a minyan for *pirsumei nisa* and Megillah, seem to be suggesting the following major difference: in order to be a full-fledged member of the minyan for *pirsumei nisa*, a person might need to be in the same room as ten others. However, with regard to Megillah, as long as the chazzan is in a location with ten, everyone else who can see and hear, perhaps even via video-conferencing, despite being in a different physical location, are part of the minyan.

Furthermore, it could be suggested that not only *can* the Megillah be read publicly in this way, but the community *should* provide a Megillah-reading via video-conference. This would afford those individuals who are unable to attend a minyan to hear the Megillah with a minyan. In addition, we can debate whether it would be a “super *pirsumei nisa*” if all the Jews in the entire world (or in a particular time zone) would combine via video-conference to form one global Megillah reading. [This assumes the position that hearing the

Megillah through a digital medium is a valid form of hearing the Megillah.]

Megillah as Model for the Power of Technology

Considering that a video-conference of the Megillah might lead to a “super *pirsumei nisa*” highlighted for me that we must work to expand the ways in which technology can spread Torah to all Jews across the world. Most Orthodox discussions about internet and technology center on extremely important areas of concern, such as access to inappropriate material, the waste of time and loss of focus. Our Rabbis teach us that all great weapons of destruction were placed in the world because they have much greater powers to do good. I believe that Hashem has placed us in a generation of such great technological tools with the expectation and challenge that we spread and enhance the messages of the Torah in ways never fathomable to previous generations. Hashem has afforded our generation this nuclear Torah weapon in order to increase knowledge and honor of G-d the world over, and we have only scratched the surface of its potential power. Certainly the existence of numerous Torah websites and apps, Skype shiurim, and shiur banks highlights our successes. But if a popular music video can have 4.7 billion views on YouTube, then it is clearly within our communal power to spread Torah to the entire world. It should be our mission to use the technological tools to do no less than publicize G-d’s miracles to all of the land and to hear every Jew and all of the world’s children proclaim “HaShem Melech.”