



# SHOULD I TAKE THE DAY OFF FROM WORK? THE NATURE OF THE MELACHA PROHIBITION ON PURIM

Perhaps the primary feature of any Jewish festival is its *issur melacha*, the prohibition to engage in forbidden labor. Although Yom Tov, in contrast to Shabbat, allows for *melechet ochel nefesh*, activities necessary for food preparation, such as cooking and baking, the *melacha* prohibition is what endows Yom Tov with its unique sanctity and thus distinguishes it from a typical weekday. How are we to view the concept of *issur melacha* with respect to Purim? Shouldn't Purim's festive character, highlighted by the mitzva of eating a festive meal, reflective of any typical Yom Tov, confer upon it the full status of a Yom Tov? Upon investigation, however,



none of the thirty-nine forbidden labors of Shabbat are technically prohibited, yet the text of Megilat Esther and a passage in the Talmud give Purim an interesting history and a singular status regarding the *melacha* prohibition.

## History

At first glance, it seems almost axiomatic that Purim, notwithstanding its Rabbinic origin, be graced with a classic Yom Tov status and its concomitant *issur melacha*. This is highlighted in the text of the Megila itself.

על כן היהודים הפְּרוֹזִים היְשָׁבִים בְּעָרֵי הַפְּרוֹזוֹת עֲשִׂים אֶת יוֹם אַרְבַּעַה עָשָׂר לְחֹדֶשׁ אֲדָר שְׂמֵחָה וּמְשֻׁתָּה וְיוֹם טוֹב וּמְשֻׁלוֹחַ מְנוּחַת אִישׁ לְרֵעֵהוּ.

Therefore, the village Jews, who live in open cities, observe the fourteenth day of the month of Adar and make it a day of joy and feasting and Yom Tov."

Esther 9:19

Indeed, the Talmud (*Megila* 5a-5b)

relates that Rebbe (Rabbi Yehuda Hanasi) planted a tree on Purim. The Gemara at first challenges Rebbe's behavior, which seems to violate the first of the thirty-nine *melachot*, on the basis of the aforementioned pasuk, which prominently characterizes Purim as a Yom Tov. The Gemara proceeds to defend Rebbe's practice with several arguments. First, perhaps Rebbe planted the tree on the fifteenth of Adar, Shushan Purim, and Rebbe celebrated Purim along with most Jews, on the fourteenth of Adar. The Gemara rejects this possibility as untenable, since Rebbe lived in Tiveria, which the Gemara assumes had a wall surrounding it from the days of Yehoshua and thus its inhabitants celebrated Purim on the fifteenth of Adar. Although the status of Tiveria is complex, the Gemara concludes that in Rebbe's view there was no doubt that the day of Tiveria's celebration was the fifteenth of Adar. The Gemara concludes that Rebbe must then have planted his tree of the fourteenth of Adar, which was perfectly acceptable since he would only be celebrating Purim the following day.

Rabbah the son of Rava, however, provides another justification for Rebbe's actions. In his view, the Jews during the days of Mordechai and Esther never accepted the prohibition of *melacha* upon themselves. Indeed, this too is reflected in the text of the Megila. In the description of Purim as a Yom Tov (Esther 9:19), just a few pesukim later, the text reads, "to make

them days of feasting and joy" (Esther 9:22). The same descriptions as above of feasting and joy are mentioned but the feature of Yom Tov is absent.

The Gemara then offers a third and final explanation for Rebbe's tree-planting on Purim, explaining that this was some type of planting for joy and celebration and would not fall into the category of a prohibited labor of Yom Tov at all.

In summary then, we have three possible justifications for Rebbe's planting of a tree on Purim: First, Rebbe planted it on the fourteenth of Adar when he was celebrating Purim on the fifteenth. Second, Rebbe was permitted to plant a tree on Purim since there was never an *issur melacha* associated with Purim. Third, Rebbe's planting was not a prohibited *melacha* because it was for simcha purposes.

### Custom

Rambam (*Megila* 2:14) and *Tur* (*O.C.* 696:1) both rule that although Purim has certain features of a Yom Tov, there is no *issur melacha*. Nonetheless, Rambam writes:

ומותר בעשיית מלאכה ואעפ"כ אין ראוי לעשות בו מלאכה. אמרו חכמים כל העושה מלאכה ביום פורים אינו רואה סימן ברכה לעולם.

*And it is permitted for one to engage in melacha but nonetheless it is improper ("ain ra'uy") to do melacha. And the Sages have said, that anyone who engages in melacha on Purim will not see any blessing from his work.*

If we have presumably accepted the second defense of Rebbe's actions, that there never was an *issur melacha* on Purim, then what is the rationale for the rulings of Rambam and *Tur*, that we should be discouraged from engaging in *melacha* on Purim? Additionally, why should we be deprived of the profit earned from our work on Purim?

The Gemara (*Megila* 5b) provides the answer when it relates a story of a man who was sowing flax on Purim, and the Amoraic sage, Rav, cursed him for his behavior. The Gemara wonders, if *melacha* is permitted, why would Rav curse this individual? The Gemara responds that since it was customary in Rav's town to abstain from *melacha* on Purim, one who violates the local custom by permitting something from which the local inhabitants abstain from (assuming there is a logical rationale for the custom, see *Megila* 5b, *Tosafot* s.v. *Devarim*), deserves to be cursed.

Although Rambam and *Tur* merely note the absence of divine blessing from our work, the *Hagahot Maimoni* (400) notes that Rav Achai Gaon (*Vayikra*, *She'ilta* 67) maintains that one who violates local custom in the above manner should be excommunicated. The fact that Rav only cursed the man and did not place a ban upon him, in the view of Rav Achai Gaon, can be explained by the fact that the flax failed to grow and "since the flax did not grow, this is his excommunication" (*ibid*). The source of the severity of violating the



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local custom is the celebrated pasuk in Mishlei (1:8), “*Shema beni mussar avicha ve’al titosh Torat imecha*” — Listen my son to the instruction of your father and do not neglect the teaching of your mother.

## Halacha

Although the *Shulchan Aruch* (O.C. 696:1) rules that work is permitted on Purim except in places where the custom has been adopted to abstain from work (and that those who engage in *melacha* will not see any blessing from their work), the Rama (ibid) rules that nowadays, the custom in all places is to abstain from work.

Interestingly, although the Gemara at first mentioned Purim’s status as a Yom Tov and then only seemed to have preserved that status in places where it was customary, nonetheless, even for communities where the custom is to abstain from *melacha* (or according to Rama, all communities), Purim doesn’t ever seem to be characterized as a Yom Tov even with respect to this custom-based *issur melacha*. In fact, Rav Chaim Kanievsky (*Torat Hamoadim* #1) writes that Purim has attained the status of chol hamoed or Erev Pesach after midday in many respects. Questions about laundering and hair and nail cutting become topics of discussion by contemporary authorities.

Additionally, the classic leniencies that are associated with chol hamoed (e.g. potential financial loss of principal known as “*davar ha’aveid*”) would aptly be employed. Of course, as with chol hamoed, any *melacha* that contributes to the joy of the holiday (e.g. driving one’s car to a family Purim seuda) would be permitted and in consonance with the character of the day.

## Purim Night

A further discussion involves the issue of *issur melacha* the night of Purim, which hinges on the status of Purim night in the broader scope of the Purim festival. The need to repeat the beracha of Shehecheyanu upon the reading of the Megila during the day, and the fact that we can only fulfill the mitzvot of Purim during the day (as derived from the pasuk “*yemei mishteh vesimcha*,” Esther, 9:22), accents the prominence of the day as the exclusive or at least the primary time for celebration. If, indeed, the custom of abstaining from work on Purim relates to its celebratory Yom Tov status, we could argue that the prohibition of *melacha* be designated as a daytime prohibition only. Additionally, just as the custom of doing *melacha* before midday was based on local custom and restricted only beginning at sunrise on Erev Pesach (See *Pesachim* 50a and *Mishna Berura* O.C. 468:11), logic would dictate that Purim’s customary *melacha* prohibition should follow the same pattern. Thus, even if we would maintain a strict stance regarding laundering and the like, we would be permitted to engage in these *melachot* during the night of Purim without reservation. This, indeed, was the view of Rav Yosef Shalom Elyashiv zt”l (*Ashrei Ha’ish*, 3:48:3, *Halichot Vehanhagot Purim*).

## Conclusion

The prohibition of *melacha* on Purim has been accepted in all Ashkenazi communities and has its roots in the Gemara’s conception that Purim be given full-fledged Yom Tov status. Although there is room to ease these restrictions on the night of Purim for all, as well as on Purim day for those

who find that abstaining from work would propose a financial hardship (“*davar ha’aveid*”), nonetheless, halacha’s exhortation denying any blessing from our work encourages a day of celebration devoid of mundane activities that may distract us from the requisite celebratory mood necessary for the optimal fulfillment of the mitzva of simcha on Purim.



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