



THE HAKUK EDITION

ENGLISH TOPICS ON THE DAF

Dedicated L'Refuah Shlaima of Moshe Kalman ben Rivka

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Daf Hashovua Yevamos Daf 14

Lo Sisgodedu and Mikrah Megillah

The Gemara continues discussing lo sisgodedu, with the argument between Abaye and Rava in the middle as the two fundamental approaches to the subject. We mentioned last week that the poskim differed over who to pasken like.

Abaye says that two Botei Din in one city cannot rule against each other. However, the earlier Gemara mentioned that Megillas Esther is read on different days, depending on one's location. Those from small towns (kefarim) would sometimes read it early, on Monday or Thursday prior to Purim, when they gathered in the bigger cities. According to Abaye, wouldn't this be a transgression of lo sisgodedu – the villagers read it early in the cities, while the city dwellers would wait until Purim itself?

Tosfos answer with a new way of learning that Gemara in Megillah. The small towns read it early, but not in the cities; they read it *in their own towns*. But, doesn't it say they read it on the "day of assembly" – in the bigger cities? No, say Tosfos. They would assemble in their own towns, in

the shuls there. Only on Monday and Thursday they could be assured of a minyan, so they pushed back the reading to then. This is implied in the comment of the Yerushalmi that a city-dweller cannot be motzei a town dweller. Clearly, the townspeople read it on their own, and Tosfos understood that it was in their own towns.

Other Rishonim contributed their own answers to Tosfos' question.

The way Tosfos understands "assembly" does not fit with Rashi in Megillah, notes the **Ramban**. On the first Mishnah there, Rashi clearly states that the townspeople would gather in the big cities and a city-dweller would read it for them, since they were not proficient in reading it themselves.

How then would Rashi explain Abaye's opinion? The Ramban suggests that two groups of people, even in one location, are *not* comparable to Botei Din of one city. Each group of people is distinguishable from the other. They have the status of Botei Din in two different cities. Apparently, all Botei Din of a city are essentially one union, and Abaye holds they cannot issue opposing rulings. But people from different sized towns may conduct themselves differently, since they are not associated.

Another resolution is offered by the **Rosh** here. Similar to our last discussion, he says lo sisgodedu applies only when there is a difference of halachic decision. Here, however, everyone agrees that townspeople read earlier and those in big cities read later. Indeed, if someone would move to the other city, he would switch to follow that place.

The **Ritva** backs up this answer with the fact that in the Beis Hamikdash they did certain things differently than in any other place. The lulav and esrog were shaken all seven days of Sukkos in the Mikdash, but only the first day elsewhere (during the time of the Beis Hamikdash). On Rosh Hashanah, only in the Mikdash was the shofar accompanied with chatzotzros as well. Lo sisgodedu means that the different groups do not agree with each other.

Now, our Tosfos quotes the Yerushalmi's ruling that a city-dweller cannot be motzei a town-dweller. Yet, as we mentioned, Rashi in Megillah

states explicitly that a city man would read for them? How can we resolve this contradiction?

The **Kehillas Yaakov** (Megillah Siman 1) notes that the wording of the Yerushalmi is subject to dispute. There is a third category regarding Megillah reading – those in a walled city, called a “krach.” Our version of the Yerushalmi states that a “ben ihr” – from a regular city – cannot exempt a “ben *krach*,” who is supposed to read it the following day, the 15th of Adar. The Bach edits the Yerushalmi quoted in Tosfos to read, “A ben ihr cannot exempt a ben *kfar* (town),” as Tosfos are emphasizing.

Therefore, the Kehillas Yaakov suggests that Rashi understood the Yerushalmi with the other girsa – “a ben ihr cannot be motzei a ben krach.” This is readily understood, as it continues by saying that one who is not yet obligated in something cannot exempt others in it. The person in the ihr is obligated to read the Megillah on the 14th and the one from the krach must read it on the 15th. People in bigger or smaller cities, however, have the exact same obligation, essentially – Purim for them is the 14th. It is just a special dispensation allowing the small towns to read it earlier, for their convenience. Since they all have the same obligation, Rashi says they may read it for each other.

Why don’t Tosfos see it like this? In **Kuntress Chanuka u’Megillah** the following thought is developed (Siman 2). Rashi explained the Gemara at the bottom of 13b – “I’m talking about issurim, you’re talking about minhagim” – that people from an ihr and a krach are not permitted to switch readings from 14 to 15 or vice versa. And Rashi, as explained, holds that townspeople are allowed to delay reading until 14, since that really should be their obligation.

But Tosfos see it differently. Once Chazal established that small towns read it on “the day of gathering,” that becomes their set time to read it. It is as fixed as kfarim reading it on the 15th! Thus, people from cities cannot read for people from towns, just like they can’t read for those in walled cities. That is why Tosfos were forced to originate a new interpretation in the Gemara in Megillah.