

ONEG SHABBAS

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Celebrating *Hakhel*

Rabbi Drew Kaplan

In this week's parashah, we read the following (Deut 31:10-13):

And Moses instructed them as follows: Every seventh year, the year set for remission, at the Feast of Booths, (11) when all Israel comes to appear before The LORD, your God, in the place that [God] will choose, you shall read this Teaching aloud in the presence of all Israel. (12) Gather the people—men, women, children, and the strangers in your communities—that they may hear and so learn to revere The LORD, your God, and to observe faithfully every word of this Teaching. (13) Their children, too, who have not had the experience, shall hear and learn to revere The LORD, your God, as long as they live in the land that you are about to cross the Jordan to possess.

(ו) וַיֹּצֵא מֹשֶׁה אוֹתָם לְאֶמֶר
מִקֵּץ | שִׁבְעַת שָׁנִים בְּמַעַד שְׁנַת
הַשְּׁמִטָּה בְּחַג הַסִּכּוֹת: (יא)
בְּבֹא כָל־יִשְׂרָאֵל לְרֵאוֹת
אֶת־פְּנֵי ה' אֱלֹהֶיךָ בְּמִקּוֹם אֲשֶׁר
יִבְחַר תִּקְרָא אֶת־הַתּוֹרָה הַזֹּאת
נֶגֶד כָּל־יִשְׂרָאֵל בְּאַזְנוֹתָם: (יב)
הַקְהֵל אֶת־הָעָם הָאֲנָשִׁים
וְהַנְּשִׁים וְהַטָּף וְגֵרךְ אֲשֶׁר
בְּשַׁעֲרֵיךָ לְמַעַן יִשְׁמְעוּ וְלִמְעַן
יִלְמְדוּ וְיִרְאוּ אֶת־ה' אֱלֹהֶיכֶם
וְשָׁמְרוּ לַעֲשׂוֹת אֶת־כָּל־דְּבָרֵי
הַתּוֹרָה הַזֹּאת: (יג) וּבְנֵיהֶם
אֲשֶׁר לֹא־יָדְעוּ יִשְׁמְעוּ וְלִמְדוּ
לְיִרְאָה אֶת־ה' אֱלֹהֵיכֶם
כָּל־הַיָּמִים אֲשֶׁר אַתֶּם חַיִּים
עַל־הַאֲדָמָה אֲשֶׁר אַתֶּם עֹבְרִים
אֶת־הַיַּרְדֵּן שָׁמָּה לְרִשְׁתָּהּ

While there is no aspect of this septennial occurrence that directly mentions drinking (or eating, for that matter), how can there be no such celebration? I cannot imagine that, especially at this festive occasion, there would not be massive parties to eat and drink following this gathering. Indeed, when we read of Ezra's similar ceremony, he instructed them to enjoyably eat and drink (Neh. 8:10), which they did (Neh. 8:12). So, when thinking about this ceremony, this is an important aspect to also consider.

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Drunkennes in The Mishnah

Rabbi Drew Kaplan

When considering how Judaism regards anything, it is important to not only read the foundational scriptural texts (see, for instance, last month's essay in this publication of "Drunkennes in the Torah"), but also rabbinic texts. When considering rabbinic texts, it's important to start with the most foundational rabbinic text, The Mishnah.

While we may not typically consider nor even necessarily expect that one would even encounter The Mishnah to discuss people getting drunk, yet it appears a handful of times. So what are these situations and how does The Mishnah discuss it or otherwise describe them?

When we read of a כהן priest being invalid for service while drunk (Mishnah *Bekhorot* 7:6), this is not at all surprising considering the explicit prohibition against priests serving, even if they drank even a small amount of alcohol, as we read in Leviticus 10:9. Nevertheless, The Mishnah makes sure to clarify that, even if one had drunk alcohol and then got drunk, that is unacceptable. While drinking on the job and certainly getting drunk on the job are never good to do in any

occupation, when slaughtering animals, this is certainly a situation where the priest needs his mind about him. Of course, there are massive amounts of wine around the Temple, as there are the daily libations, along with whichever situational libation needs to take place, so access to wine is not an issue; rather, having it with such ease of access might seem to be quite the temptation. Moreover, there is also a necessity for being of sound mind and slaughtering with intentionality, so having a drunk priest slaughter is not a good situation.



Here is the sentence in which the drunk priest is mentioned:

Concerning the <i>kushi</i> , the <i>gihor</i> , the <i>lavkan</i> , the <i>kipe'ah</i> , the dwarf, the deaf-mute, the imbecile, the drunk, and those with ritually pure marks - they are unfit [to serve] for humans, but they are valid [to be sacrificed] as animals.	וְהַגִּיחֹר, וְהַלְבָּקָן, וְהַקֶּפֶחַ, וְהַנָּנֵס, וְהַחֵרֵשׁ, וְהַשׂוֹטָה, וְהַשְּׂכֹר, וְזֵבֻלֵי נְגָעִים טְהוֹרִין, פְּסוּלִין בְּאָדָם, וְכִשְׂרִין בְּבֵהֵמָה
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When we read this sentence, it is fascinating, as it mentions the possibility of not only humans being drunk, but animals, as well. As opposed to the priests, who are working and need the precision and mindset to properly sacrifice the animals, the animals do not. For them to be sacrificed does not require sobriety, which is certainly fascinating. It is also the only instance in the entirety of The Mishnah in which we read of non-humans as being depicted in the state of drunkenness. Of course, this makes for some great party (or kiddush) trivia.

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Speaking of priests, when it comes to *terumah* (agricultural gifts to the priests), The Mishnah clearly states that one should not in a drunken state, as we read (Mishnah *Terumot* 1:6):

Five may not give *terumah*, but if they do, their *terumah* is *terumah*: A mute person, a drunk person; a naked person, a blind person, and one, who has had a seminal emission. They may not give *terumah*, but if they do their *terumah* is valid.

חמשה לא יתרמו, ואם תרמו, תרומתן תרומה. האלם, והשכור, והערום, והסומא, ובעל קרי. לא יתרמו, ואם תרמו, תרומתן תרומה

It seems that a drunk person should not separate *terumah*, since it probably needs a clear sense of mind and mathematical abilities. However, The Mishnah then states that nevertheless it satisfies the requirements for *terumah*, as one does not actually need to be sober to effectuate a successful *terumah*-separation.

What about declaring a vow? We read (Mishnah *Nazir* 2:3):

If they mixed for him a cup of wine, and he said, "Behold, I am a nazirite in regard to it," he becomes a nazirite.

מזגו לו את הכוס, ואמר הריני נזיר ממנו, הרי זה נזיר.

There was an incident with one woman who was drunk and they mixed a cup for her and she said, "Behold, I am a nazirite in regard to it."

מעשה באשה אחת שהיתה שכורה ומזגו לה את הכוס, ואמרה הריני נזירה ממנו, אמרו חכמים, לא נתכונה אלא לומר הרי הוא עלי קרבן

The sages ruled that she only meant to forbid it to herself as a sacrifice.

This is utterly fascinating as we see a gendered aspect in that we have a very specific story involving a drunk Jewess, which is already fascinating. Furthermore, as this is the only story in the entirety of The Mishnah describing a drunken incident, yet it offers no condemnatory aspect, whether of gender or otherwise.

Beyond the gender aspect, though, is can we take the declaration of becoming a Nazirite or a Nazirite seriously while someone is drunk? It seems to be that, as opposed to the theoretical case at the outset, that it's one thing for someone to refuse a glass of wine when offered and to understand that that person has now taken upon this vow of naziritess upon himself, versus the situation of when someone is not only engaged already in drinking, but already in the state of drunkenness, they cannot be taken fully seriously, whether they are simply being silly or just not of sound mind. The sages still did not want to absolve this Jewess of all responsibility, though, as they still obligated her to at least offer up a sacrifice. So there's not a full absolvment, but still maintaining some sense of responsibility.

Wine Wednesdays

Jewish Drinking's monthly Cincinnati Wine Wednesdays continue this month with more Israeli wines. Taking place on September 13th at 8pm at a private residence, we will enjoy three Israeli wines courtesy of KosherWine.com, along with an intriguing gin from Israel.



As part of Jewish Drinking's Texts-and-Tasting series, the accompanying discussion will be on Drinking Inside/Outside of Sukkot. While there is no charge to attend, a suggested minimum donation of \$18 to Jewish Drinking is requested. Any questions, please reach out to Rabbi Drew at Drew@JewishDrinking.com.

The final example of drunkenness in The Mishnah is certainly something that is perhaps quite relatable in everyday life (Mishnah *Makhshirin* 5:1):

One who immersed himself in a river and then there was in front of him another river and he crossed it, the second [water] purifies the first [water].

מי שטבל בנהר, והיה לפניו נהר אחר ועבר בו, טהרו שניים את הראשונים.

If his friend pushed him in while drunk, or whether his beast [pushed him in], the second [water] purifies the first [water].

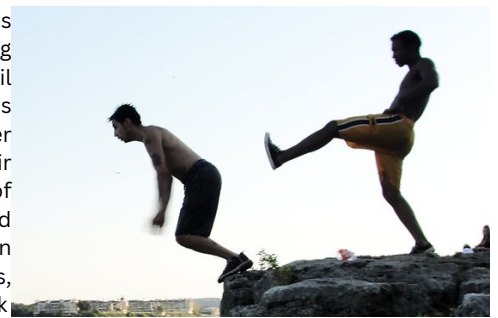
דחהו חברו לשכרו, וכן לבהמתו, טהרו שניים את הראשונים.

But if [he did it] out of playfulness, it comes under the law of 'if water be put'.

ואם כמשחק עמו, הרי זה כבי יתן

What is fascinating to me when reading this text is that the rabbis acknowledge that it happens that people push their friends into rivers when drunk. The rabbis are fully acknowledging that when people get drunk, they can sometimes push their friends into bodies

of water. It is certainly something that persists until this day. While it is possible that sober people push their friends into bodies of water, the likelihood goes way up when drunk (and, yes, people still get drunk



with their friends around bodies of water to this day). I'm also fascinated by the very matter-of-fact tone that this text takes in not admonishing these people. In fact, it might be fair to describe it as drunkenness happens amongst people or, more specifically, Jews get drunk and things happen

Taken as a whole, what is very clear about how The Mishnah treats drunkenness is the absence of any judgment on the matter. It seems to be focused on drunkenness when that interfaces with certain ritual responsibilities. It neither valorises nor denigrates drunkenness. And this extends beyond categories: it's not only men, but women; it's not only Jews, but also priests; it's not only humans, but also animals. In sum, drunkenness happens; how does it affect certain ritual matters?

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The Jewish Drinking Show

Continuing the "Toast to Israel at 75" mini-series, the most recent episode of *The Jewish Drinking Show* features Adam Montefiore, the wine columnist for *The Jerusalem Post*, where shares about contemporary wine trends in Israel. The episode is available at JewishDrinking.com/IsraelWineNow.



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