

# ONEG SHABBAS

THE UNOFFICIAL PARASHAH SHEET FOR KIDDUSH CLUBS

פרשת אחרי מות - 3-4 May 2024 - Vol. 3, Iss. 28 - כ"ו ניסן תשפ"ד

## Distancing Through Drinking

Rabbi Drew Kaplan

When reading this week's Torah portion while there is nothing outright about drinking there is however the following verse which are sages saw as involving drinking (Lev. 18:19):

Do not come near a woman during her menstrual period of impurity to uncover her nakedness. **וְאֵלֵּאשָׁה בְּנִדְתָּהּ טְמֵאָתָהּ לֹא תִקְרַב לְגִלּוֹת עֶרְוָתָהּ**

### Diluting Husband's Wine

One early Talmudic statement that provides a rabbinic fence around this verse is the following (*Ketubot* 61a):

Rav Yitzhak bar Hananya (late 3rd c.) said: "Rav Huna (216-296) said: 'All tasks that a wife performs for her husband, a menstruating woman may perform for her husband, except for: Pouring [his] cup; and making [his] bed; and washing [his] face, hands, and feet.'" **אָמַר רַב יִצְחָק בַּר חֲנַנְיָא אָמַר רַב הוּנָא: כָּל מְלָאכּוֹת שֶׁהָאִשָּׁה עוֹשֶׂה לְבַעֲלָהּ, נִדָּה עוֹשֶׂה לְבַעֲלָהּ, חוּץ מִמְזִיגַת הַכּוֹס, וְהַצְעַת הַמַּטָּה, וְהַרְחַצַּת פָּנָיו וְיָדָיו וְרַגְלָיו.**

These activities are not ostensibly arousing or necessarily on the way approaching physical relations with one's wife, nevertheless, perhaps there is something else going on, as Rabbi Shlomo Yitzhaki (1040-1105) (popularly known as Rashi) describes (ד"ה חוץ ממיזגת, רש"י על כתובות ס"א, ד"ה חוץ ממיזגת):

All of these are activities that cause closeness, create fondness, and bring them to matters to which they are accustomed. **כָּל שֶׁהוּא דְבָרִים שֶׁל קִירּוּב וְחִבָּה וּמְבִיאִין לִידוֹ הִרְגֵּל דְּבַר**

As we read Rashi's description of these activities that may provide some affection for the husband, what about diluting the wine, specifically? One explanation is provided by Rabbi Shlomo ben Avraham ibn Aderet (1235-1310) (popularly known as Rashba), who wrote (רש"י על כתובות ס"א, ד"ה אמר רב הונא):

The explanation of wine is that it is a symbolic matter, as it is written, "Do not look upon wine when it reddens" (Prov. 23:31). **פִּירוּשׁ: שֶׁל יַיִן (שֶׁהוּא) סִימּוֹן לְדַבֵּר, כְּדַכְתִּיב (מִשְׁלֵי כֶּ, לֹא) אֵל תִּרְא יַיִן כִּי יִתְאֲדָם.**

While he provides a symbolic explanation, perhaps there's something about these two liquids coming together or maybe even just her motion while doing so that may conjure up some feelings of affection for his wife during this time that are best to be avoided.

The Talmud records the changed practice of menstruating wives doing something differently for their providing of diluting their husbands' cups of wine (*Ketubot* 61a):

Shmuel (165-254)'s wife would change toward him with her left hand. Abaye (278-338)'s [wife would] place [his cup] on top of a barrel. Rava (280-352)'s [wife would place it] on his pillow. Rav Pappa (300-375)'s [wife would place it] on the bench. **שְׁמוּאֵל מְחַלְפָּא לֵיהּ דְּבִיתָהּ בִּידָא דְשִׁמְאֵלָא. אֲבַיִי מְנַחֵא לֵיהּ אֶפּוּמָא דְכוּבָא. רַבָּא אֲבִי סְדָיָא. רַב פַּפָּא אֲשֶׁרְשִׁיפָא.**

From the actions of these rabbis and their wives, it was important to do something differently than they would have done when they were not menstruating. Indeed, this is something that is adopted later on in practice for Judaism.



### Drinking After Each Other

Another item regarding another matter regarding drinking regards to this matter is not something that occurs in the Talmud, which is written concisely by Rabbi Ya'akov ben Asher (1270-1340), who wrote (טור יו"ד) (קצ"ה):

They are permitted to drink one after the other from the same cup. **מוֹתְרִין לְשִׁתּוֹת זֶה אַחַר זֶה מִכּוֹס אֶחָד**

In discussing this, Rabbi Yosef Karo (1488-1575) goes through a slew of medieval authorities on the matter that agree with this permission (בית יוסף יו"ד קצ"ה, ד"ה ומ"ש ומותרים לשתות):

Rabbi Yitzhak ben Yoseph of Corbeil (d. 1280) wrote similarly in his *Sefer Mitzvot Katan*: "And we are not concerned about him drinking from the same cup, since they are accustomed to drink one after the other." And also Rabbi Moses ben Maimon (1138-1204), Rabbi Shlomo ben Avraham ibn Aderet (1235-1310), Rabbi Asher ben Yehiel (1250-1327), Rabbi Yeruham ben Meshullam (1290-1350), Rabbi Moses ben Ya'akov of Coucy (first half of the 13th century), and Rabbi Barukh ben Yitzhak (1140-1212), permitting this, since there hasn't been any prohibition mentioned against it at all [in the Talmud]. And Rabbi Mordekhai ben Hillel HaKohen (1250-1298) also wrote, "Rabbi Eliezer ben Yoel HaLevi of Bonn (1140-1225) said a menstruant who drank from a cup and a little amount [of beverage] remained in her cup - I have received a halakhah from my teachers to permit [him to drink from it], since this

כ"כ בסמ"ק וז"ל ואין קפידא לשתות בכוס אחד אחר שהם רגילין לשתות בזה אחר זה וגם הרמב"ם והרא"ש ורבי ירוחם וסמ"ג וסו"ת מתירים שהרי לא הזכירו שום איסור בדבר כלל וגם המרדכי כתב בפ"ב דשבועות א"ר אבי"ה נדה ששתה בכוס ונשאר בו קצת הלכה קבלתי מרבותי להיתר דאין זה שותה

{continued on next page}

{from previous page}

[drinking] is not actually drinking with her, since eating and drinking are not among those activities that cause people to approach sexual encounters more than spreading the bed, which is permitted not in front of him" (2nd ch., *Shevuot*).

עמה ממש  
דבאכילה ושתייה אין  
קרובי ביאה יותר  
מהצעת המטה  
דשריא שלא בפניו  
עכ"ל

Following this laying out of this move to prohibit a husband from drinking from the remnants of his menstruant wife's cup, he concludes (ibid.):

And we are accustomed to either rinsing out the cup between her drinking of it and his drinking of it, which is an appropriate practice. And it seems that the reason for doing this practice is only concerned with him not to drink after her so that he might think about her and come to do something that he has become accustomed. But no one is concerned about her drinking after him [from the same cup], since she is not accustomed to doing so.

ואנו נוהגים או להדיח  
הכוס בין שתיה דידיה  
לשתיה דידיה ומנהג  
כשר הוא ומשמע  
דטעמא דמילתא דלא  
קפדינן אלא שלא ישתה  
הוא אחריה כדי שלא  
יבא ליתן לבו עליה ויבא  
לידי הרגל דבר אבל  
לשתות היא אחרי לית  
לן בה דאיהו לא מרגלא  
ליה

Following his collection of these rabbis who wrote to permit this behavior, however, he continues in a different fashion (ibid.):

Rabbi Meir HaKohen (end of the 13th century) wrote in a language like this: "Even to drink from a beverage in a vessel that she drank from - Rabbi Eliezer ben Shmuel from Metz (1140-1237) wrote, 'There seems to be an implied proscription against drinking together regarding the incident of a young man as described in a beraita from Eliyahu's academy in which [the young widow] said, "He ate with me and drank with me, etc." - upon each of her statements, they responded to her, "Blessed is the Omnipresent Who uprooted him" (*Shabbat* 13a-b), implying that he was punished for each of these actions. Otherwise, why mention this story in the Talmud at all? But if he poured this beverage that she drank from this vessel into another vessel, even if he returned it to the original vessel, it is permissible for him to drink from it, since he has changed it when he poured from one vessel to another. And, similarly, if he drank it first, she is permitted to drink what remains in his cup afterwards.... And if she drank it and he doesn't know, she does not need to tell him, rather she sets it down for him to drink, since there is no affection at all!" (ch. 11, Prohibited Sexual Encounters). And similarly has Rabbi Mordechai ben Hillel HaKohen (1250-1298) written (first chapter of *Shabbat*). And such is the global practice not to drink the remnants of [the beverage in] the cup from which a menstruant has drank.

והגמ"י כתב בפ"א  
מהא"ב כלשון הזה  
אפ"י לשתות ממשקה  
שבכלי ששתה ממנו  
כתב רא"ם דאסור  
כדמשמע התם גבי  
עובדא דתנא דבי  
אליהו דאמרה אכל  
עמי ושתי עמי וכו' על  
כל דבריה השיב לה  
ברוך המקום שעקרו  
משמע שעל כל אלה  
נענש דאל"כ למה  
הזכיר אותו בגמרא  
אבל אם הורק זה  
המשקה ששתה מכלי  
זה לכלי אחר אפ"י  
הוחזר לכלי ראשון  
מותר לו לשתות ממנו  
אחר שנשתנה  
כשהורק מכלי לכלי  
וכן אם שתה הוא  
תחילה היא מותרת  
לשתות אחריו דלא  
יאכל הזב עם הזבה  
תנן וה"ה לא ישתה  
אבל לא תאכל ולא  
תשתה לא תנן ואם  
שתה והוא אינו יודע  
נראה שא"צ להגיד לו  
אלא מניחתו לשתות  
שאין כאן חבה כלל  
עכ"ל הר"מ ז"ל עכ"ל  
הגהות. וכ"כ ג"כ  
המרדכי בפ"ק דשבת  
וכן נוהגים העולם  
שלא לשתות משיורי  
הכוס ששתה הנדה.



Following this, Rabbi Karo writes quite succinctly (and noticeably different than Rabbi Ya'akov ben Asher) (שו"ע יו"ד קצ"ה:ד):

He may not drink from what remains in a cup from which she drank.

It would seem that the matter got concluded in this fashion, despite the many medieval rabbinic authorities who explicitly permitted such conduct, as previously mentioned.

What happens if there is nothing remaining in that cup? May he drink from that same cup? This is something that Rabbi Shabbatai ben Meir HaKohen (1621-1662) discusses (קצ"ה:ט):

It would seem that even if he returned it and filled it up, such as if she drank half [of the beverage in the vessel] and then went and filled it up, it would be prohibited for him [to drink from it], since, nevertheless, he would be drinking from her remnants. But if she drank all of the [beverage in the] cup and filled it back up, it would seem that it would be permitted for him [to drink from the beverage in the cup]. And similarly has Rabbi Yoel Sirkis (1561-1640) written about this situation, even though Rabbi Yosef Karo (1488-1575) wrote in his *Beit Yosef*: "We are accustomed to rinse the cup out immediately between her drinking and then his drinking, it is an appropriate practice", nevertheless, we do not practice this [behavior].

משמע אע"פ  
שחזרו ומלאוהו  
כגון ששתתה היא  
חצי ואח"כ מלאוהו  
אסור דמ"מ הוא  
שותה משוורה  
אבל אם שתתה  
היא כל הכוס  
ומלאוהו נראה  
דמותר וכ"מ בב"ח  
ואע"ג שכ"ב ו"אנו  
נוהגין מיד להדיח  
הכוס בין שתי'  
דידי' לשתיה דידיה  
ומנהג כשר הוא  
עכ"ל אגן לא  
נהגין הכי

One difference here is how important it is that the husband not drink from her cup after she drank from it, or does it have to be the beverage she was drinking from that cup.

## Conclusion

In sum, as we consider the many ways we can uphold the prescription of not coming close to engaging in sexual behavior with one's menstruant wife, one aspect is that of drinking. While drinking may certainly be something that can lead to marital activities happening, many rabbis saw from a Talmudic story that drinking together was off-limits, as it can lead to other activities. But what about drinking after each other? This was quite a matter of debate, although it seems rabbinic tradition has landed on the side of the husband refraining from drinking from the remnants of his menstruant wife's cup. Another matter is her diluting the wine, which may have been quite a different experience back when such practices were done. Ultimately, drinking is a realm of behavior that relates to the rabbinic fulfillment of this Torah verse.

L'chaim 

**SPRING  
OVERSTOCK  
SALE**



Restock for the warm weather  
with sizzling hot *Overstock deals*

With Passover now in our rearview mirror, you may be looking to replenish your wine supply. If you need a discount on wines, go to [JewishDrinking.com](http://JewishDrinking.com) and click on the [KosherWine.com](http://KosherWine.com) discount logo and you get \$15 off orders of \$200 or more.

Disclosure: Jewish Drinking, Inc. may receive affiliate commission on qualifying purchases.

If you are, or know of someone, who struggles with alcohol abuse, alcoholism, or other substance abuse, there are resources out there to help: [JewishDrinking.com/AlcoholAbuse](http://JewishDrinking.com/AlcoholAbuse)