# ONEG SHABBAS

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# Simḥat Torah: When Liturgy & Liquor Collide


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While all of our holidays have some element or aspect of drinking, perhaps none is greater than that of Simḥat Torah. The drinking on this holiday affects even the prayer services and what is typically done, owing to the amount of drinking taking place on this holiday.

For a little background, Simḥat Torah was created in the diaspora, specifically, on the second day of Shemini Atzeret. Not only is there no second day of Shemini Atzeret in Israel, but the communities in Israel many centuries ago used to read the Torah on a triennial reading cycle, whereas the Babylonian Jewish communities would read it on an annual basis. The Jewish communities in Babylonia carved out this second day of Shemini Atzeret to serve as the final day of the reading of the Torah and to reset their reading.

As the name implies, Simḥat Torah (Joy/Rejoicing of Torah), the festivities of the day are filled with celebrating the reading through of the Torah, whether through reading, dancing, or other activities. And, yes, drinking is one of those activities (cf. *Pesaḥim* 109a). In the words of Rabbi Mordekhai ben Avraham Yaffe (1530-1612), one of the activities of the day is עושין משתה ושמחה וי"ט לסיומה של תורה "making drinking-parties and joy for the holiday and the completion of the Torah" (לבוש או"ח תרס"ט).

Perhaps the most well-known challenges of the day when it comes to the priestly blessing. While ברכת כהנים prayer services is the ritual of this activity takes place on a daily basis in Israel, Ashkenazi communities customarily have it only taking place at Mussaf on holidays (Sefardic communities have a different practice). Since kiddush is typically conducted by those who have been called up to the Torah following Shaḥarit and drinking ensues, this generates a quandary, since kohanim (priests) are not permitted to provide the priestly blessing having consumed a few ounces of wine (שו"ע או"ח קכ"ח:ל"ח) (while it is certainly possible that one could conceivably drink only an ounce or two of wine and then proceed to provide the priestly blessing, owing to the joy of the day, that does not seem like a reasonable expectation). Thus, what should be done with this blessing?


Apparently, three different approaches were created to respond to providing the priestly blessing on Simḥat Torah. Rabbi Yaffe advocated doing away with this blessing altogether in the diaspora: ואין נוהגין לעלות לדוכן מפני שמחת העם שטרודין בשמחתן ושכיחי שכרות "we are not accustomed to [have the kohanim] ascend [on Simḥat Torah] to provide the priestly blessing, since the nation is so busy with their rejoicing that drunkenness is common" (לבוש או"ח תרס"ט). Of course, this is a reasonable suggestion, since this avoids the problem of drunken priestly blessing, but it also makes it so that it is not even an option to be provided.

Instead of doing entirely away with this blessing, commenting on this text, Rabbi Eliyahu Spira (1660–1712) strove for two alternative options, seeking to still allow for the priestly blessing to be provided: פה פראג נוהגים לעלות במוסף רק בבית הכנסת פנחס נוהגים בשחרית כמו שכתבו המנהגים "Here in Prague, we are accustomed to have the kohanim ascend to provide the priestly blessing at Mussaf. It's only in Pinḥas' shul that they ascend in the morning service, as written in the books of customs" (אליה רבה או"ח תרס"ט:כ).

Similar to Rabbi Yaffe, Rabbi Yeḥiel Michel ha-Levi Epstein (1829-1908) wrote ואין עולין לדוכן, מפני שרגילין לשתות יין ויין שרוף אחר קריאת ספר תורה..... "Kohanim do not ascend to provide the priestly blessing, since they normally will be drinking wine or whiskey after reading the Torah" (ערוך השולחן, אורח חיים תרס"ט:ג׳).

However, not being satisfied with simply dismissing this opportunity, a kohen, Rabbi Yisrael Meir ha-Kohen Kagan (1838-1933) mentions all three of these practices, quoting both Rabbi Spira and Rabbi Yaffe, and then concludes, וכל מקום לפי מנהגו ויזהרו שלא ישתו "And every place should practice according to their custom, as long as they are careful to have the kohanim ascend to provide the priestly blessing prior to drinking" (משנה ברורה תרס"ט:י"ז).

In an insightful article on this topic, Rabbi Akiva Males provided further insights into these possibilities ("Friends Don't Let Friends Drink and *Dukhen*: *Birkat Kohanim* and *Simhat Torah* in the Diaspora", *Tradition* 49.2 (Summer 2016), 60-62):

> Custom 1: As we have seen, R. Moses Isserles staunchly defended the longstanding Ashkenazic custom of restricting *Birkat Kohanim* throughout the year to Musaf on the holidays alone. His explanation of this custom was based on the integral role that a


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true state of happiness plays in *Birkat Kohanim*. The need for happiness is so great that *Birkat Kohanim*. simply cannot take place when that state cannot be fully felt. According to R. Isserles, such a state can only be achieved at the Musaf service during the holidays. Accordingly, the same limitations which apply to *Birkat Kohanim*. during any other holiday apply on *Simhat Torah* as well. Therefore, *Birkat Kohanim* can only take place during Musaf and at no other point — on *Simhat Torah*. Engaging in *Birkat Kohanim* at that time, however, needs to be carefully supervised to ensure that no Kobanim who have imbibed intoxicating beverages bless the congregation.

Custom 2: While fully agreeing with the need to limit *Birkat Kohanim* to the narrow window of Musaf during the holidays, some communities realized this would cause serious challenges on *Simhat Torah*. Having completed a full year's worth of weekly Torah readings, people would feel a strong urge to celebrate the occasion by toasting one another. In the midst of such a celebratory atmosphere, it would be too difficult to control which Kohanim remained eligible to bless the congregation and which ones needed to refrain from doing so based on how many toasts they had enjoyed.

Such locales were left with just two options: A) completely omitting *Birkat Kohanim* on *Simhat Torah*, and B) moving *Birkat Kohanim* from *Musaf* to *Shaharit* on that day.

Many of those communities did not consider cancelling *Birkat Kohanim* on *Simhat Torah* to be an option. After all, with so few opportunities for Kohanim to bless the congregations of Ashkenazic lands, Simhat Torah was a precious opportunity to receive those blessings. As such, many congregations hoped to find a way to make that happen. Not willing to lose out on *Birkat Kohanim*, they took the bold step of moving *Birkat Kohanim* to *Shaharit* on *Simhat* Torah. By moving those blessings to a point in the service which preceded the Torah reading — and celebratory toasts — they ensured that all of their Kohanim were in fact eligible to participate in *Birkat Kohanim*.

How did those communities justify this break from the classic Ashkenazic custom which limited *Birkat Kohanim* to the Musaf service of the holidays alone? It is possible to say that their thought process was similar to the above-cited observation of the *Arukh ha-Shulhan* (O.H. 128:64):

> Behold, there is certainly no proper explanation of our custom to neglect the Biblical precepts of *Birkat Kohanim* all year long... However, what can we do? It is as if a heavenly voice called out and will not allow us to engage in *Birkat Kohanim* throughout the year...

In the view of those communities, the ultimate reason behind this Ashkenazic custom to limit *Birkat Kohanim* to Musaf during the holidays alone was never fully clear. As such, some communities recognized they could not engage in *Birkat Kohanim* during Musaf on *Simhat Torah* since there would be no way to properly monitor which Kohanim should bless the congregation, At the same time, they were not prepared to omit *Birkat Kohanim* altogether on that day. As such, those communities felt justified in taking the bold step of moving *Birkat Kohanim* from Musaf to Shaharit on *Simhat Torah*.

Custom 3: Now it is easy to understand how a third custom — that of omitting *Birkat Kohanim* altogether on *Simhat Torah* - developed.

This custom adheres most closely to the ancient Ashkenazic custom which R. Isserles detended. As R. Isserles explained, Birkat Kohanim can only be recited when the Kohanim are in an absolute state of happiness. In the Diaspora, such a level of joy can only be achieved during Musaf on the holidays. As such, there were simply no other times of the year when Ashkenazim living outside the land of Israel could honestly experience such happiness.

Since allowing Birkat Kohanim during Musaf on Simhat Torah was highly problematic, and moving those blessings to Shaharit was simply not an option for some communities, there remained no way for Kohanim to recite the priestly blessings in those locales. As such, for those who felt compelled to take R. Isserles' explanation of a perplexing but longstanding Ashkenazic custom seriously, no option for performing Birkat Kohanim on Simbat Torah in the Diaspora remained. Hence, odd as it sounds, in some Ashkenazic communities — outside the Land of Israel —the custom developed to completely omit the priestly blessings on Simhat Torah.

Another challenge is that drinking is not relegated only to the day of Simḥat Torah, but even the night, as Rabbi Kagan wrote (משנה ברורה תרס"ח:ט:ז):

מה שנוהגין באיזה מקומות שאחר מנחה של יו"ט ראשון קובעין עצמן לשתות עד מערב ולפעמים נמשך ד"ז עד שעה ויותר בלילה שלא כדין הוא מפני כמה טעמים א) דקי"ל בסימן צ"ט דאם שתה יין כדי רביעית אל יתפלל אף שיכול לדבר עדיין בפני המלך וה"ה אם שתה שאר משקין המשכרין עי"ש בסק"א ואפילו אם שותה שאר משקין שאין משכרין כיון שהגיע ספק חשיכה חל עליו חובת קידוש ואסור לטעום עד שיקדש ואפילו לאחר קידוש הלא מעוכב לאכול מחמת ק"ש של ערבית ואינו מותר רק טעימה בעלמא דהוא מיני פירות או פת כביצה ולא יותר אכן יש לחפש עליהם זכות דרבים מדכרי אהדדי ולא יבואו לשכוח תפלת ערבית אבל עכ"פ יש ליזהר שלא לשתות אז משקה המשכר ומבואר הכל לעיל בסצ"ט ס"ק א' וב'

Regarding the practice of those in certain places, that, after minḥah on the first day of Shemini Atzeret, they set themselves to drink until ma'ariv. And sometimes, they continue this activity until an hour or so into the night, not in accordance with the proper practice, on account of many reasons. The first of which is as we have read in §99 that if one drank a quarter-log of wine, one should not pray, even if one is still able to speak in front of The King. And this is also the case if one drank other intoxicating beverages; see there in §99:1. And even if one drank non-intoxicating beverages, once it reaches the time of possible darkness, then one needs to make Kiddush, and it is forbidden to taste anything until they make Kiddush. And even after Kiddush, behold, it holds them back from eating on account of Shema-reading of the evening. And the only tasting that is permitted is simply a taste, such as types of fruits or an egg's-worth of bread, but no further. Indeed, one should seek out a merit on their behalf, to remind them so they should not forget the evening prayer. But, in any event, one should be careful not to drink intoxicating beverages. And everything is explained above, in §99:1-2.

Rabbi Kagan has an issue with praying under the influence, referencing Rabbi Yosef Karo's Shulḥan Arukh. While Rabbi Karo (1488-1575) did, record in his work to not pray if one had consumed a few ounces of wine, he then cites the Talmudic standard of still being able to pray as long as one is able to speak before The King. Rabbi Kagan does not like that allowance. Fortunately, he then moves on to another issue: that of kiddush. Indeed, one needs to make kiddush when it gets dark. While there is not much to work in their favor, he kindly advised readers to seek out merit on the behalf of those who continue to drink during this time without having made kiddush. While he concludes with dissuading anyone from drinking intoxicating beverages at this time, one also senses that he is suggesting that as a best practice, even if it will not be followed. L'chaim🍷