

ONEG SHABBAS



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Celebrating Hakhel

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.

(י) ויצו משה אוֹתם לאמֹר מקץ | שבע שנים במעד שָׁנַת הַשָּׁמְטֵה בְּחֵג הַסָּכַּוֹת: (יא) בָּבוֹא ָכָל־יִשְׂרָאֵל לֶרָאוֹת אֶת־פְּנֵי ה' אֱלֹלֵּיךְ בַּמָּקוֹם אֲשֵׁר יִבְחָר תִּקְרָّא אֱת־הַתּוֹרָה הַזֹּאָת נֶגֶד כָּל־יִשְׂרָאֻל בָּאָזְנֵיהֵם: (יב) הַקְהֵל אַת־הָעָב הָאַנָשִׁים וְהַנָּשִׁים וָהַטַּׁף וְגֵרָךָ אֲשֵׁרְ בִּשִּׁעָרֵיךָ לִמַען יִשְׁמְעוֹ וּלְמֵען יִלְמְדוֹ ווַרָאוֹ אֶת־ה' אֱלֹקֵיכֶּם וִשַּׁמְרָוּ לַעֲשׂוֹת אַת־כַּל־דַּבַרִי הַתּוֹרַה הַזֹאת: (יג) וּבְנֵיהֵם אַשֵּׁר לא־ידעו ישמעו ולמדו ליראה את־ה' אלקיכם כַּל־הַיַּמִים אֲשֵׂר אַתַּם חַיִּים` עַל־הַאַדַמָּה אֲשֵׂר אַתַּם עֹבָרָים אֱת־הַיַּרְדֵּן שַׁמַּה

This ceremony, which is often simply called Hakhel, as described Prof. Aaron Demsky in his "Historical Hakhel Ceremonies and the Origin of Public Torah Reading" essay:

The opening word of this verse, Hakhel "gather," from the root ק.ה.ל meaning "congregation" or "gathering," gives the commandment its name and reflects its outlook nicely. This reading was not meant for priests, scribes or other initiated literati alone, as we would have expected in antiquity, but rather for the widest possible audience, without regard to status, gender or age.

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? Perhaps one way we can think about Hakhel is to consider a Biblical event that seems to be like Hakhel. Prof. Demsky continues in that essay to share the following:

The most elaborate Hakhel-like reading appears in the book of Nehemiah, and is significant not just as a possible example of this mitzvah, but because of its place in the history of public Torah reading, to this day, a key feature of the Jewish prayer service.

On the first of the seventh month, which, according to my chronology, came out in September 443 B.C.E at the end of a sabbatical year, throngs of people had congregated at the wide plaza at the eastern gate of the Temple compound for the traditional sacrificial service of the New Year that would be conducted by the priests and Levites. They requested that Ezra bring out the Torah and read it to them.

The public reading here resonates with the description of hakhel with its emphasis on Torah being read to the entire nation, even using the same root ק.ה.ל, albeit in noun form, as that of the verb hakhel (הקהל). And yet, the text does not explicitly say that it was being done in accordance with Deut 31. In addition, the description of the audience is slightly different.

Indeed, when we read of Ezra's hakhel-like ceremony, he instructed them to enjoyably eat and drink (Neh. 8:10):

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Yom Kippur Through the Rabbinic Drinking Glass

Abstaining from Drinking as an Affliction

Amongst all the days of the year, the only one that the Torah outright forbids drinking on is that of Yom Kippur. While the language used does not specify withholding drinking - עִנִּיתֶם אַת־נַפְשׁׁמֵיכֵם "shall afflict yourselves" (Lev. 23:27, Lev. 23:32, & Num. 29:7), our sages make it clear that one of the key ways with which we afflict our bodies is through not drinking (Mishnah Yoma 8:1):

Yom Kippur is forbidden in eating, יוֹם הכּפּוּרים אסוּר בּאכילה drinking, in bathing, and in smearing [oil], **וּבַשַּׁתַיַּה** וּבַרְחִיצַה וּבַסִיכַה in wearing shoes, and in conjugal relations.

וּבָנָעִילַת הַסַּנָדָּל וּבָתַשְׁמִישׁ המטה.

In considering whence these derive, we read of the following thirdcentury rabbis considering these (Yoma 76a):

To what do these five afflictions correspond? הָנֵי חֵמְשָּׁה עָנּוּיִין כְּנָגֵד Rav Hisda said: "They are based on the five times [that the] afflictions [of Yom Kippur are mentioned] in the Torah:

'And on the tenth' (Num. 29:7), 'But on the tenth' (Lev. 23:27), 'a Shabbat of solemn rest' (Lev. 23:32), 'It is a Shabbat of solemn rest' (Lev. 16:31), and 'And it shall be for you' (Lev. 16:29)." Are these only five? There are six that were taught in the Mishnah!

Drinking is included with eating, as Resh Lakish said: "Whence do we derive that drinking is included in the concept of eating? As it is stated: 'And you shall eat before the Lord your God...the tithe of your grain, your wine, and your oil' (Deut. 14:23) - tirosh is wine, but it calls [the action of consuming it asl 'and you shall eat'."

מי? אָמַר רַב חִסְדָּא: כִּנֵגֶד חַמִשָּׁה עַנּוּיִין שֶׁבַּתּוֹרַה: ״וּבֶעשׂוֹר״, ָו״אַרְ בֵּעָשׂוֹר״, ״שַׁבַּת שַׁבַּתוֹן״, וִ״שַׁבַּת שַׁבַּתוֹן״, ״וָהַיָתַה לַכֶם״. הָנֵי חֲמִשָּׁה הָווּ? וַאַנַן !שִׁיתָּא תִּנַן **שָׁתִיָּה** בִּכְלַל אֵכִילָה ָהִיא. דָּאַמַר רֵישׁ לַקִּישׁ: מִנַּיָן **לִשָּׁתִיַּה** שֵׁהִיא בַּכַלַל אַכִילָה, שַׁנַּאַמַר: ״וְאַכַלְתַּ לְפַנֵי ה׳ אֵלֹהֵיךְ מַעשַׂר דְּגַנְךָ תִּירוֹשָׁךָ

וַיִּצְהַרֶרֶ״, תִּירוֹשׁ חַמְרֵא

הוא, וקרי לֵיהּ ״ואַכלתַ״

While the number five is an easier number of afflictions to remember than six. Resh Lakish (200-275 CE), teaches here that drinking is subsumed under eating, highlighting how rabbinic interpretation can treat distinct physical acts as one legal prohibition when the Torah frames them under a single linguistic umbrella.

Rabbinic Minimum Measurement for Culpability

Instead of saying that drinking anything is outright forbidden, the rabbis provide a minimum measurement for which one is culpable of consumption (Mishnah Yoma 8:2):

One who eats a large date-bulk and its pit, or one who drinks enough to fill one's cheeks is liable.

All foods join together to make a datebulk, and all liquids join together to make the volume of filling one's cheeks. One who eats and drinks, these quantities do not combine.

כַל הַאַכַלִין מַצְטַרפִין לַכְכוֹתֶבֶת. כַּל הַמַּשָׁקִין מצטרפין למלא לגמיו. הַאוֹכֵל **וִשׁוֹתֵה**, אֵין מצטרפין

הַאוֹכֵל כָּכוֹתֶבֶת הַגַּּסָה,

וָהַשּׁוֹתֵה מַלֹא לַגְמֵיו, חַיַּב.

ָכַמוֹהַ וּכָגַרְעִינַתַהּ,

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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

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While the Mishnah clearly states that one is only culpable once their cheeks are full of beverage(s), a rabbinic opinion is published in the third

This amount of beverage-consumption is ratified in post-Talmudic

Ray Yehudah said: "Shmuel said: 'This does not mean two cheeks actually full. Rather, if one pushes the drink to one side of his mouth, and it appears as though his cheek were full."

אמר רב יהודה אמר שמואל: לא מלא לוגמיו ממש, אלא כל שאילו יַסלקנו לצד אחד ויַראַה כַּמַלֹא לוּגַמַיו





In this minimizing, Shmuel has now made the culpability minimum to only filling one of a person's cheeks with a beverage(s), perhaps a multiplicity of small sips. Later on in the third century, a rabbi seems to have a problem with these differing standards of measurements, which is met with a response from a turn-of-the-fourth century rabbinic leader (Yoma 80b):

Rabbi Zeira objected strongly to this quantity: "Why is there a difference with eating that there is one standard measurement for everyone, versus **drinking** where everyone has ומאי שנא שתיה, דכל their own relative measurement?" Abayyé said to him: "The sages have a tradition with the volume of the large date, that this amount settles one's mind, but less than this amount does not settle one's mind. With drinking, one's mind is settled with one's בָּשְׁתִיָּה, בַּדִידֵיהּ מִיַּתָּבָא own cheekful, but one's mind is not settled with someone else's cheekful."

מתקיף לה רבי זירא: מַאי שָׁנַא אֱכִילַה, דְּכַל חַד וְחַד – בַּכְכוֹתֶבֶת, חַד וְחַד בַּדִידֵיהּ? אַמַר לֵיהּ אַבַּיֵי: קִים לְהוּ לַרַבַּנַן בִּכְכוֹתֶבֶת, דְּבָהַכִי מַיַּתָבַא דַעתֵּיה, בַּצִיר מַהַכִּי – לַא מַיַּתַבַא. דַּעְתֵּיהּ, בִּדְחַבְרֵיהּ – לָא מְיַתִּבָא דַּעְתֵּיה

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He further said to them. "Go. eat וַיִּאמֵר לַהַּם לְכוֹּ אַכְלוֹּ choice foods and drink sweet drinks מַשְׁמַנִּים וּשָׁתוּ and send portions to whoever has מַמְתַקִּים וְשִׁלְחוְ מָנוֹת` nothing prepared, for the day is holy to לָאֵיִן נָכַוֹן לוֹ כֵּי־קָדָוֹשׁ our Lord. Do not be sad, for your הַיָּוֹם לַאֲדֹנֵיֵנוּ rejoicing in The LORD is the source of וְאַל־תַּעָצֵבוּ כֵּי־חֵדְוַת your strength." ה' הֵיא מֵעזָכֵם

We then read of them having done so (Neh. 8:12):

Then all the people went to eat and וַיֵּלְכוֹ כָל־הַעַם לֵאֱכִל drink and send portions and make וְלִשָּתוֹת וּלְשַלַח מַנּוֹת great merriment, for they וַלַעשׂוֹת שַּׁמַחַה גַּדוֹלַה כַּי understood the things they were הַבִּינוּ בַּדְּבָרִים אֵשֶׁר הוֹדִיעוּ לַהֱם:

So, when thinking about hakhel, this is an aspect to consider that otherwise might be overlooked. Indeed, I cannot imagine that, especially at this festive occasion, there would not be massive parties to eat and to



drink following this gathering. When we consider the event in Ezra's ceremony, it seems that drinking, as well as eating, were certainly part of the experience.

L'chaim 🝸

Temporal Quantification of Drinking

literature (cf. שולחו ערור. אורח חיים תרי"ב:טי), although another aspect to consider is that of timing, as we read elsewhere in what Rabbi Yosef Karo (שולחן ערוך, אורח חיים תרי"ב:יי) wrote in his Set Table (שולחן ערוך, אורח חיים תרי"ב:יי):

One who drinks a little and drinks (again) if there is from the beginning of the first drinking until the end of the last drinking the amount of time needed to drink a quarter of a log, they are combined to the stated measure (i.e., he is guilty of punishment), but (if it takes longer) they are not combined. There are those who say that the measure of time that combines the drinkings is the time needed to eat a half a loaf of bread, just as is the case with the combination of different foods.

שתה מעט וחזר ושתה אם יש מתחלת שתיה ראשונה עד סוף שתיה אחרונה כדי שתיית רביעית מצטרפין לכשיעור ואם לאו אין מצטרפין ויש אומרים ששיעור צירוף השתיות כדי אכילת פרס כמו צירוף אכילות

In this consideration, the amount of drinking that triggers culpability is not an absolute amount of simply this cheekful for the entire duration of Yom Kippur, but, rather, it is only for a limited amount of time. How much this amount of time it takes to drink this amount is debatable (something covered in issue 23 in our run up to Passover), although it seems to be a matter of minutes. Thus, if one were, for whatever reason, to drink a small amount of water that is less than a cheekful at one point in the day and then an hour or so later drinking another less than a cheekful, it would not seem to trigger culpability for this person.

Yom Kippur's Departure

While we avoid drinking (and eating) throughout Yom Kippur, when it comes time to officially mark its conclusion, we ritually conclude the holiday with Havdallah, with our first consumptive act to be carried out over wine (although I've also seen beer used) (שו"ע או"ח תרכ״ד:ג׳י). Following this first consumptive act to made upon wine, this need not conclude our consumption post-fast. Indeed, Rabbi Moshe Isserles (1530-1572) wrote that our post-Yom Kippur behavior is to include celebratory consumption (מפה לשו"ע או"ח תרכ״ד:הי):

We eat and rejoice upon the departure of אוכלים ושמחים במוצאי יום Yom Kippur, since it's sort of a holiday. כיפורים דהוי קצת יום טוב While the word Rabbi Isserles uses is ושמחים "we rejoice", I cannot help but think he uses that word to also include celebrating over further drinking beyond wine for havdalah....

Conclusion

While there is a severity to our drinking even a cheekful of beverages for the duration of Yom Kippur, this day seems to stand out amongst our calendar, as it is sandwiched between drinking. Indeed, it is considered a mitzvah to eat and drink on erev yom Kippur, including eating more (SA OH 604:1). Moreover, as opposed to erev Tisha b'av, there is no prohibition against consuming alcoholic beverages (although I do not know if it is a good idea to do so). Nevertheless, one should stop their eating and drinking with time to go before Yom Kippur in order to add holy time to their non-holy time (SA OH 608:2).

This ultimately results in is this single day that is devoid of drinking (and eating), amongst other activities, yet notably bounded by drinking on both ends. Of course, there are certain exceptions, including utilizing the minimum amount of beverage loophole the rabbis created, should one need (although one should consult one's rabbi for such circumstances). All of this boils down to a day devoid of drinking in order to achieve a cleansing of our sins (cf. Lev. 23:28), amongst other behaviors. May we withhold our drinking on Yom Kippur to enjoy more l'chaims. Wishing you a meaningful fast. L'chaim T



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