

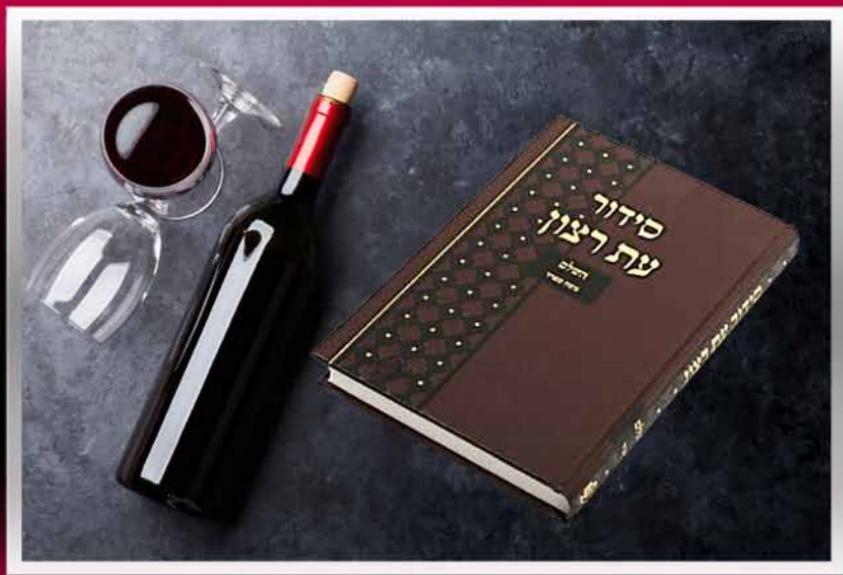
# HALACHICALLY SPEAKING

Volume 15 Issue 4



{ TOPIC }

## Drinking Wine and *Davening*



SPONSORED BY:



KOF-K KOSHER SUPERVISION

Compiled by  
**Rabbi Moishe Dovid Lebovits**

Edited by: **Rabbi Chanoch Levi**

Website Management and Emails:  
**Heshy Blaustein**



לז"נ

ר' שלמה בן פנחס ע"ה

SPONSORED :  
לז"נ מרת רחל בת אליעזר ע"ה

SPONSORED :  
לעילוי נשמת  
מרת ברינדל חנה ע"ה  
בת ר' חיים אריה יבלח"ט גערשטונער

Design by:

  
**vividesign**

SRULY PERL 845.694.7186

**SUBSCRIBE  
FOR FREE**

and view archives @

[www.thehalacha.com](http://www.thehalacha.com)



# HALACHICALLY SPEAKING

## HALACHICALLY SPEAKING

► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of *Yeshiva Torah Vodaath* and a *musmach* of *Harav Yisroel Belsky Shlita*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, Shlita* on current issues.

## WHERE TO SEE HALACHICALLY SPEAKING

► Halachically Speaking is distributed to many shuls. It can be seen in Flatbush, Lakewood, Five Towns, Far Rockaway, and Queens, The Flatbush Jewish Journal, [baltimorejewishlife.com](http://baltimorejewishlife.com), The Jewish Home, [chazaq.org](http://chazaq.org), and [frumtoronto.com](http://frumtoronto.com). It is sent via email to subscribers across the world.

To sponsor an issue please call

**718-744-4360**

© Copyright 2018  
by Halachically Speaking

# Drinking Wine and *Davening*

Wine plays an important role in many aspects of our lives. It is used for Kiddush and Havdalah, on Purim, the four cups of wine at the Seder, and many other occasions. It must be used carefully, however, as intoxicating beverages can disqualify someone from being able to *daven*, say *Krias Shema*, and recite other *brachos*. How much wine would disallow him from doing so? How long must he wait until he sobers up? These and many other issues relating to this very important topic will be discussed below.

## Source

The Gemara<sup>1</sup> says that one who is drunk and *davens* (*Shemoneh Esrei*) is considered as if he worships *avodah zarah*. The Gemara<sup>2</sup> also mentions that one who is careful not to *daven* when he is drunk is saved from pain and suffering.

## Reason

The reason for this restriction is that he will not be able to concentrate properly.<sup>3</sup> It is a disgrace to start *davening* when

1 *Maseches Brachos* 31b.

2 *Maseches Eruvin* 65a.

3 *Rambam, Hilchos Tefillah* 4:17. On this see *Aruch Hashulchan* 99:1-4.



one knows that he cannot concentrate.<sup>4</sup> Therefore, one who does so has *davened* a *tefillah* which is an abomination.<sup>5</sup>

## Different Stages

There are different levels of inebriation that are addressed by these *halachos*. To make it simpler, we will divide it into a few groups.

### Stage one:

If one drank less than a *revi's*,<sup>6</sup> or more than a *revi's* of wine or other intoxicating beverages<sup>7</sup> during a meal,<sup>8</sup> and has a clear mind,<sup>9</sup> he may *daven l'chatchilah* and of course say *brachos*, etc.

### Stage two:

One who drank more than a *revi's*<sup>10</sup> of wine or other intoxicating beverages, or he drank during a meal and his mind is not clear. However, he can speak clearly. The following applies:

He may not *daven* or recite *Krias Shema*<sup>11</sup> and *birchos*

---

4 *Aruch Hashulchan* 4.

5 *Shulchan Aruch* 1; *Aruch Hashulchan* 4.

6 See *Mishnah Berurah* 1.

7 *Ibid.* 1.

8 *Ibid.* 2. Even before a meal as well (*Magen Avraham* 1; *Kaf Hachaim* 3).

9 *Mishnah Berurah* 2.

10 If one drank exactly a *revi's* then it depends if he drank it at one time or not, as well as whether or not water was added to it (*Magen Avraham* 1; *Elyah Rabbah* 1; *Mishnah Berurah* 2; *Kaf Hachaim* 1).

11 *Rema* 1. See *Kaf Hachaim* 12 who brings those who make a difference between one who recited the first *pasuk* in this state and the rest of *Krias Shema*.



*Krias Shema*<sup>12</sup> until he sobers up.<sup>13</sup> Other parts of *davening* are permitted, such as *Baruch She'amar*, *Yishtabach* etc.<sup>14</sup>

Even if one is used to drinking a lot and drinking a *revi's* (or more) does nothing to him, he still may not *daven*.<sup>15</sup>

One who drank the above amount can still *daven* if waiting will cause him to miss the proper time for *davening* (*zman tefillah*).<sup>16</sup>

However, if one drank a *revi's* and knows that his mind is clear then he would be able to *daven*.<sup>17</sup>

### Stage three:

If one drinks to the point that he cannot talk properly in front of a king<sup>18</sup> or walk straight, he is forbidden to *daven* (or say *Krias Shema*<sup>19</sup> and its *brachos*)<sup>20</sup> even if the time frame for *davening* will pass.<sup>21</sup> There are those who maintain that he may not be counted toward a *minyan*,<sup>22</sup> while others are lenient with this.<sup>23</sup> If he did *daven* then his *tefillah* is an abomination.<sup>24</sup>

12 *Mishnah Berurah* 7. See *Mishnah Berurah* 8.

13 *Shulchan Aruch* 1.

14 *Piskei Teshuvos* 99, footnote 8.

15 *Mishnah Berurah* 4.

16 *Mishnah Berurah* 3.

17 *Toras Chaim* 1.

18 *Shulchan Aruch* 1. See *Kaf Hachaim* 6 which says it means even to an important person. If one can talk in front of a king, it is called a drinker "*shasui*," and if he can't he is called a "*shikur*" – a drunkard (*Erwin* 64a; *Tur*; *Kaf Hachaim* 6).

19 *Shulchan Aruch* 1. See *Levush* 1 which is lenient with *Krias Shema*.

20 *Mishnah Berurah* 8.

21 *Shulchan Aruch* 1.

22 *Mishnah Berurah* 10. See *Orach Ne'eman* 1. It is possible that he may be counted for a *zimun* to *bentch* (*Mishnah Berurah* 10).

23 See *Piskei Teshuvos*, footnote 19 in depth.

24 *Shulchan Aruch* 1. See *Mishnah Berurah* 16.

אין לל להקצי"ה בעולמו אלא י אמות של הלכה בלבד... (ברכות ה)

One is allowed to say *birchas hamazon* while he is drunk.<sup>25</sup>

It is preferable that someone in this stage not say other *brachos* as well, but if he did recite them he was *yotzei*.<sup>26</sup>

### Stage four:

The Rema<sup>27</sup> adds that if one is slightly drunk, and although he cannot talk straight does know that he can say the words in a siddur, he may *daven*. However, the overwhelming custom is not to permit this.<sup>28</sup>

### Stage five:

One who drinks so much that he has no idea what he is doing may not *daven*, nor recite *brachos*.<sup>29</sup> If he did *daven* or recite a *brachah* it was not valid.<sup>30</sup>

### Grape Juice

The entire discussion in this article applies to intoxicating beverages. However, one may drink as much grape juice as he wishes and there would be no issue of *davening* afterwards.<sup>31</sup>

### Kiddush on Shabbos

One who makes Kiddush on Shabbos or Yom Tov with wine and drinks the *shiur* of *rev'i's* may still *daven Mussaf*, since his mind is clear and he eats a *mezonos*.<sup>32</sup> Another

25 Ibid. 9. See *Levush* 1; *Kaf Hachaim* 13.

26 *Mishnah Berurah* 11. See *Mishnah Berurah* 9.

27 99:3.

28 *Bach*; *Mishnah Berurah* 17.

29 *Mishnah Berurah* 11.

30 Ibid.

31 *Az Nidberu* 7:7, 8:40:3.

32 *Piskei Teshuvos* 99, footnote 7.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (גדה עב)

SPONSORED  
BY:



option would be to drink less than a *revi'is* or make Kiddush on grape juice.<sup>33</sup>

## How to Calculate When Wine Wears Off

The *Shulchan Aruch*<sup>34</sup> says that if one drank a *revi'is*, then walking a *mil* (about 18 minutes) and sleep make the wine wear off. However, if one drank more, then sleeping a little<sup>35</sup> and walking do not help unless he walks three *mil* (54 minutes)<sup>36</sup> on foot, as opposed to riding in a car.<sup>37</sup> Others say that this calculation is difficult to put into practice.<sup>38</sup> Therefore, one should simply evaluate as to whether the alcohol still affects him. If one is drunk, this may be hard, and he will need a friend to evaluate for him.<sup>39</sup>

## Yom Tov and Purim

One of the most common times to drink wine is on Yom Tov and Purim. The *poskim* discuss this and say that Yom Tov<sup>40</sup> and Purim<sup>41</sup> are times when it is a mitzvah to be happy<sup>42</sup> and drink. On these days, some opine that one does not have to wait until the wine wears off in order to *daven*.<sup>43</sup> (This is referring to a situation where he drank but can speak before a king.<sup>44</sup>)

---

33 Ibid.

34 99:2.

35 *Mishnah Berurah* 13.

36 *Mishnah Berurah* 15.

37 See Ibid. 14.

38 *Aruch Hashulchan* 7-8.

39 *Piskei Teshuvos*, footnote 9.

40 *Magen Avraham* 6; *Elyah Rabbah* 5.

41 *Elef Hamagen* 99:8.

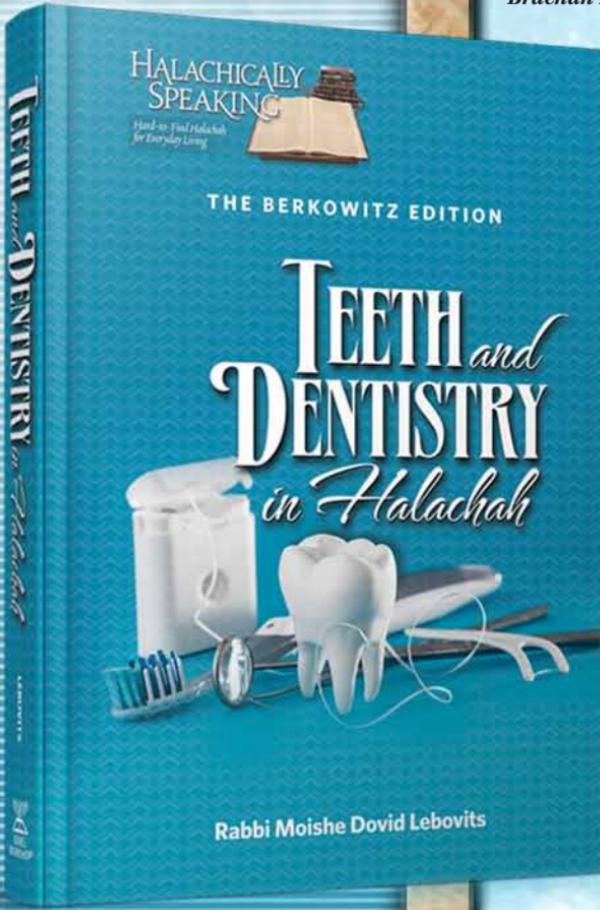
42 *Tehillah L'Dovid* 3.

43 *Mishnah Berurah* 17.

44 *Kaf Hachaim* 23.

איזן על להקדיש"ה בעולמו אלא י  
אמות של הלכה בלבד... (ברכות ה')

**IN PREPARATION!**



Hashems Wonderful Creation – Our Teeth  
Teeth in *Tanach*, *Gemara* and *Chazal*  
Bathroom and Morning  
*Tzitzis* and Teeth  
*Davening* and *Shul*  
*Brachah* Related

*Erev Shabbos*  
*Shabbos* Miscellaneous  
*Shabbos* Carrying  
*Shabbos* – *Muktzeh*  
Brushing Teeth on *Shabbos*  
Dental Emergencies on *Shabbos*  
*Moadim* – General  
*Pesach* – General  
*Pesach* - *Kashering* Teeth  
*Pesach* – *Matzah*  
Waiting Between Meat and Dairy  
Kashrus of Mouthwash / Toothpaste / Listerine  
Pocket Packs and Dental Floss  
*Niddah*  
Day of Mikvah and Teeth  
*Chatzitzah* and Teeth  
Dentist Treating a Parent  
Teeth and *Tumah*  
*Avel* and Teeth  
*Yoreh Deah* Miscellaneous  
Forensic Dentistry

Modesty Related  
*Yichud* Related  
Correcting a Tooth – Injuring Oneself  
Cancelling Dentist Appointments  
Malpractice  
Chewing Gum  
Miscellaneous *Halachos*  
Keeping our Teeth Healthy

**JUST RELEASED!**

**Volume 7 Topics:**

*Parshas Hamann*

*Tefillin* and Chol Hamoed

*Tefillin* and Bar Mitzvah

Running to and from Shul

Women and *Davening*

Reciting One Hundred *Brachos* Daily

Mashed, Ground and Crushed Fruits and Vegetables

*Brachah* on Wise People and Kings (Presidents)

*Baruch Shepitarani*

Noise and Shabbos

*Birkas Habanim*

Women and Working on Rosh Chodesh

Eating on Erev Pesach

Buying *Chametz* after Pesach

Hallel on Yom Ha'atzma'ut

Working on Tishah B'Av

When to Light the Chanukah Menorah

*Al Hanissim* on Chanukah

*Avel* Leaving His Home during *Shivah*

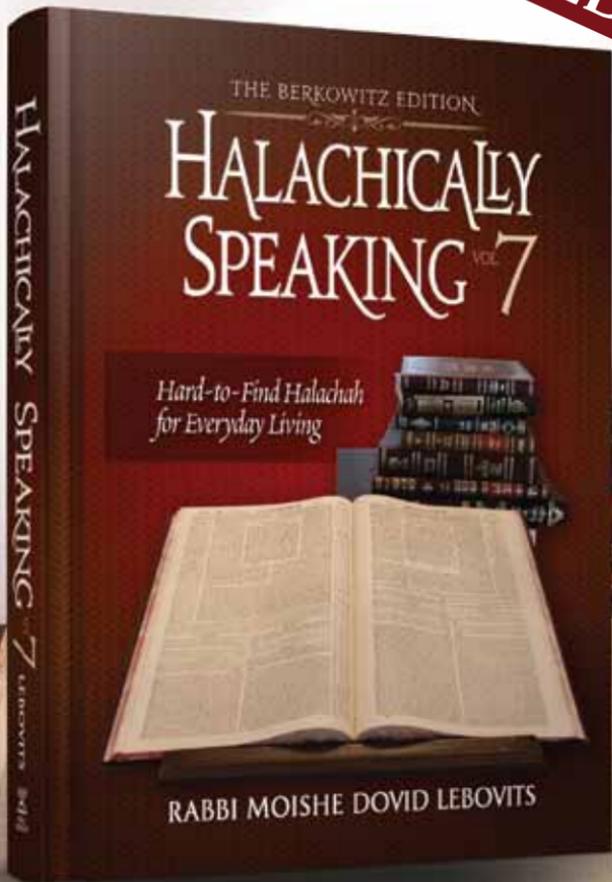
*Nichum Aveilim*

Select Workplace *Halachos*

Spouses with Differing Customs

Opening One's Mouth to the Satan

Summer *Halachos* Section



www.israelbookshop.com 694-7156

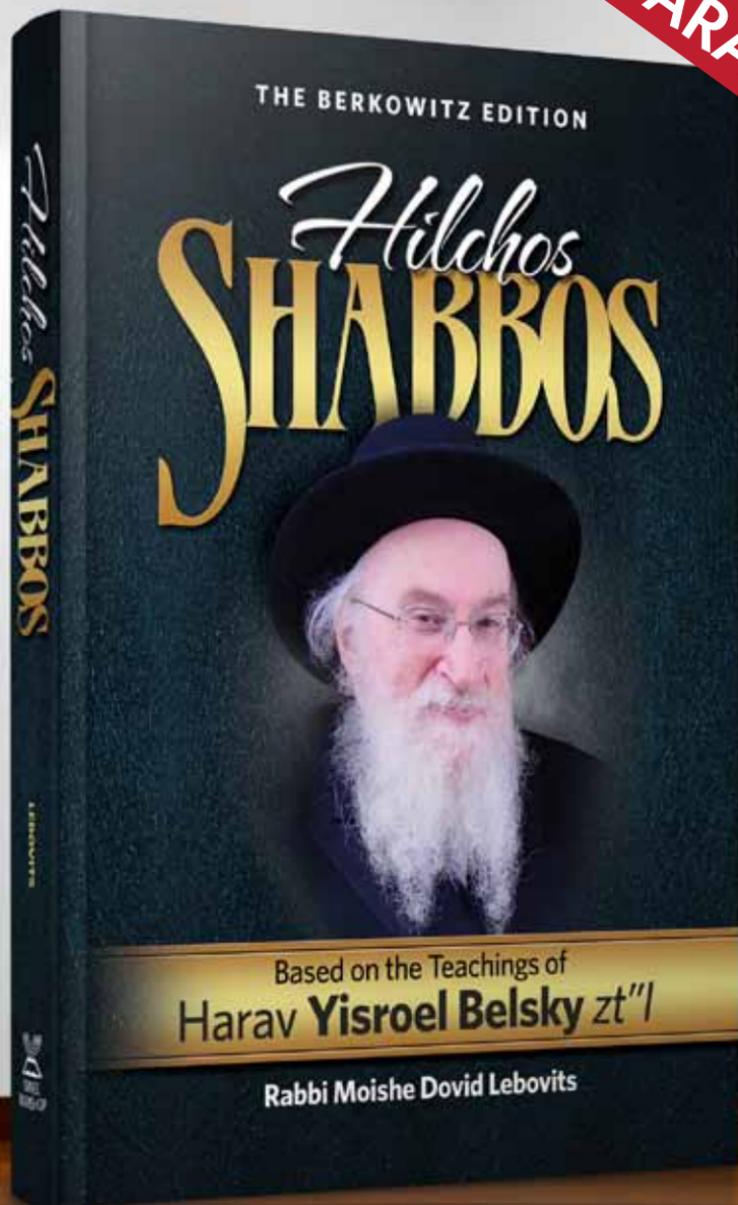


ISRAEL BOOKSHOP  
*Publications*

Also by  
the author:



IN PREPARATION



To submit psakim you obtained from Harav Belsky zt"l  
please email [piskeihvol1@gmail.com](mailto:piskeihvol1@gmail.com)



**BJ's**  
WHOLESALE CLUB

**EXCITING NEWS!**  
Cakes, Cookies, Muffins,  
Pastries and Croissants at  
BJ's Bakery are now  
**KOF-K Kosher Certified**



A large variety of  
pre-packaged kosher pareve  
products are available in our  
bakery

Kosher pre-packaged Chicken,  
Meat, Cheese and Appetizers  
available in Kosher Clubs!!

Look for over 100  
Kosher Certified  
Wellsley Farms  
items throughout  
the store



Brooklyn, NY – Shore Parkway  
Gateway Mall, (Erskine) NY

Buffalo, NY

Rochester, NY

Albany, NY

Ithaca, NY

Valley Stream, NY

Freeport, NY

Levittown, NY

Garden City, NY

Middle Village, NY

College Point, NY

Farmingdale, NY

East Setauket, NY

Westbury, NY

Monroe, NY

Bellport, NY

Bronx, NY

Pelham, NY

Canarsie, Brooklyn, NY

Yorktown Heights, NY

Howell (Lakewood), NJ

Paramus, NJ

Columbia, MD

Owings Mills, MD

Clermont, FL

Jacksonville, FL

Port Orange, FL

University Heights, FL

Royal Palm Beach, FL

Pembroke Pines, FL

Hollywood, FL

Fort Lauderdale, FL

Parkland, FL

Boynton Beach, FL

Coral Springs, FL

Framingham, MA

Waltham, MA

Stroughton, MA

Warrensive Heights, Ohio

Philadelphia, PA

Norfolk, VA

Virginia Beach, VA

Richmond, VA

Any questions please call

**Rabbi Moishe Lebovits**

*Rabbinical Administrator KOF-K Kosher Supervision*

at 718-744-4360 • email: [mlebovits@kof-k.org](mailto:mlebovits@kof-k.org)

2018 BJ's Wholesale Club, Inc.

# Passover 2019

at the  
Hyatt Regency

# Orlando

We Make  
Passover Memorable  
and Orlando Unforgettable

- ◆ Non-Gebrochts
- ◆ Cholov Yisroel
- ◆ Shimura Matzo
- ◆ Delectable Yom Tov Meals
- ◆ Around-The-Clock Tearoom
- ◆ Luxurious Hyatt Spa
- ◆ Tennis Courts
- ◆ Ashkenaz & Sfardic Minyanim
- ◆ 20 Minutes from Disney & Universal
- ◆ World Class Entertainment
- ◆ Inspirational Speakers
- ◆ Swimming Pools, Waterslides & Waterfalls



For more details on activities amenities services and more visit  
[www.PassoverGetaway.com](http://www.PassoverGetaway.com) Follow us @   
(201) 778-7450 | [info@passovergetaway.com](mailto:info@passovergetaway.com)



HYATT  
REGENCY

Orlando



Mordechai  
Ben David



Yeodie



Shira Choir



Lior Suchard



Comedian  
Ashley Baker



Magician Shlomo  
Lovinger



Rabbi Melach  
David Lebovitz



Tevi  
D. Troy



Rav Haimshir  
Rabbi Marcel



Aron Rabin



Your host  
Novio