

Bais HaVaad on the Parsha, Parshas Ha'azinu

A Drinking Problem

Excerpted and adapted from a *shiur* by Dayan Yosef Greenwald

October 7, 2022

https://baishavaad.org/wp-content/uploads/2022/10/DEV82_010_Haazinu_Bring_Your_Own_Bottle-Stam_Yayin_of_Non-Shabbos_Observers.mp3

Who ate the fat of their sacrifices and drank the wine of their libations? Let them arise and help you! Let them be your shelter!

Devarim 32:38

The Gemara (Avodah Zarah 29b) says this alludes to the halacha of *stam yeinam*, the prohibition to drink or benefit from the wine of a non-Jew.

The Steipler Gaon (Kehilos Yaakov, *Chadashim* 171) raises a fascinating question about this issue. If a *rav* serves as *mesader kidushin* for a nonreligious Jewish couple, how may he give them the wine to drink? If they are classified as publicly violating Shabbos (*mechalel Shabbos befarhesya*), they would have a quasi-non-Jewish status (Chulin 5a, Shulchan Aruch Y.D. 119) that should prohibit the wine.

R' Chaim Kanievsky is quoted as adducing proof that one may give them the wine (though the reason remains unexplained) from the Gemara (Chulin 87a) that says R' Nosson sent a *kos shel bracha* for *birkas hamazon* to a Tzduki, who would seem to be a *kofer bechol HaTorah kulah* (one who denies the entire Torah) and have a similar status.

Others suggest that *stam yeinam* is a *gzeirah* designed to prevent intermarriage, but it does not render the wine a *cheftza de'isura* (inherently forbidden object). For the same reason, it is logical that Chazal did not forbid a *mechalel Shabbos befarhesya* to drink wine that he himself rendered forbidden.