

Is One Culpable for Actions He Performed While Intoxicated?

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Question: A man becomes intoxicated on Purim. The next day, he comes to shul and finds two papers in his *shtender*. One of them is a signed contract for a business deal that he doesn't remember making. The other is a bill for damages he caused when he was drunk. What responsibilities does he have for these two documents?

Answer: When it comes to sobriety, Halacha only recognizes two categories of people – one who is aware of what he is doing and one who is “as drunk as Lot.” Anyone who is not so intoxicated as to be unaware of what he is doing is considered a *bar daas* and any deal he makes is binding.

Accordingly, we would have to verify if this person was aware of his actions at the time of this business deal. If he was, the deal is binding. If he was not, he is not bound by the agreement.

As far as the damages are concerned, the general rule is that a person is always liable to pay for the damage he does while drunk. The Maharshal writes that a person is required to ensure that he doesn't get so intoxicated that he is unable to prevent himself from causing damage; therefore, if he does allow himself to get that drunk, he is obligated to pay for any damage he causes. On Purim, however, there is a special dispensation because there is a mitzvah to get drunk as a part of the simcha of the day. Thus, the Rema rules that if a person inadvertently damages something while he is drunk for simchas Purim, he is exempt from liability.