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לעילוי נשמת ר' יצחק מאיר בן אליהו ובריינא בת אברהם ע"ה ור' גדליה בן אברהם מנחם הכהן ומרים בת ישראל ע"ה

## Eating and Drinking before *Davening Shacharis* Part 2

### Rabbi Yosef Melamed

**May one take medicine or vitamins before davening shacharis?**

**May one eat breakfast before davening shacharis?**

In Part 1 of this series, some of the laws of the prohibition against eating and drinking before *davening shacharis* were discussed; specifically, the fundamentals of this limitation and its application to drinking. This article, Part 2 of the series, will focus on eating before *shacharis*, as well as possible leniencies allowing for eating or drinking.

**Synopsis of Part 1:** The Shulchan Aruch (Orach Chaim 89:3) rules that one may not eat or drink before *davening* in the morning. The Gemara (Brachos 10b) cites two *pesukim* (verses) to prohibit eating or drinking before praying in the morning: 1) The verse in Vayikra (19:26) warns “do not eat on the blood.” The basic meaning of this verse is a prohibition against eating *eiver min hachai*, a limb taken from a living animal (Rabbeinu Yona Brachos *dapei HaRif* 5a s.v. *lo sochlu*). However, the Gemara expounds the verse as prohibiting eating before praying on behalf of one’s “blood,” or one’s welfare. 2) “And you have thrown me after your bodies” (Melachim I 14:9). The Gemara presents an alternate, homiletic reading of this verse, “And you have thrown me after your haughtiness,” a rebuke to the one who acts haughtily by gratifying his physical needs and only afterwards accepts Hashem’s reign. The prohibition includes only eating or drinking that manifests the haughtiness inherent in gratifying one’s personal desires before *davening* and therefore does not apply to drinking water which, due to its simple nature, does not qualify as haughtiness, nor to food or drink taken for medical purposes. The Keren Lidovid and the Mishna Berura understand that the two aforementioned verses teach two separate prohibitions, one against eating or drinking before reciting *Shema* and a second one against eating or drinking before *Shemone Esrei*; this approach will have halachic ramifications that will be discussed below.

**Eating:** What is considered “eating” in this context? In other areas of halacha (see, for example, Shulchan Aruch Orach Chaim 235:2 with Magen Avraham 4; Shulchan Aruch *ibid.* 652:2 with Magen Avraham 4), the term “eating” refers specifically to eating a *kebeitzah* (egg’s-volume) of baked goods made from the five grains recognized by the Torah (wheat, barley, spelt, rye, oats), which is considered a meal. Less than a *kebeitzah* of such items, or any amount of other food items, are regarded as *te’ima* (lit., “tasting,” meaning a snack), and are not included in the definition of “eating” in those contexts (Shulchan Aruch *ibid.* 232:3 with Mishna Berura *ibid.*:34; Siddur Derech Hachaim 44:7)<sup>1</sup>.

That being the case, there is discussion among the *poskim* whether a snack that qualifies as *te’ima* is permitted before *shacharis* (Shu”t Heishiv Moshe 5; Shu”t Keren Lidovid 21:3). However, the consensus of the *poskim* (Bais Meir Orach Chaim 70; Shu”t Heishiv Moshe *ibid.*; Mishna Berura 89:21), based on the Rambam (Hilchos Tefila 6:4), is that *te’ima* is prohibited before *davening shacharis*. Even though the Shulchan Aruch uses the term “eating,” which

generally refers to a meal, the same halacha in the Shulchan Aruch rules that drinking is also prohibited, and drinking is inherently not considered a meal. Clearly, the term eating here does not refer specifically to a meal (Bais Meir *ibid.* and Shu”t Heishiv Moshe *ibid.*). Since the issue of eating before *shacharis* is one of haughtiness, as discussed above, eating a snack is also regarded as haughty and is forbidden (Shu”t Heishiv Moshe *ibid.*)<sup>2</sup>.

**Two possible views regarding situations of leniency:** Before discussing situations where leniency is possible, an important principle must be understood regarding such cases. There are two possible ways to view a case of leniency. One is that eating in such a case is not regarded as haughtiness and is not included in the prohibition at all. The second understanding is that such eating is, indeed, considered haughtiness, but the extenuating circumstance permits eating despite the manifestation of haughtiness. With these two views in mind, let us examine three scenarios: Eating for medical purposes, eating due to extreme hunger, and eating to alleviate weakness.

**Eating for medical purposes:** Eating for medical purposes is permitted before *davening*. This includes not only non-food medications, but also eating a food for medicinal purposes, such as a candy to relieve a sore throat (Mishna Berura *ibid.*:24). This is permitted even if it is not necessary to take the medicinal item specifically before *davening*, because eating a medicinal item is not considered haughty. Since it is not an infraction in the first place, there is no need to wait until after *davening* to take it (Pri Chadash *ibid.*:3, cited in Bi’ur Halacha *ibid.*:3 s.v. *vichain*<sup>3</sup>). The medical need discussed here does not need to be urgent; medicinal items may be eaten to alleviate minor pain and discomfort as well (Aruch Hashulchan Orach Chaim 89:24; Ishei Yisrael 13:28). It is likewise permitted to take vitamins before *davening* for the same reason (Ishei Yisrael *ibid.* with fn. 83 based on Aruch Hashulchan *ibid.*).

**Someone who is hungry:** The Shulchan Aruch (Orach Chaim 89:54) rules that someone who is hungry or thirsty may eat or drink before *davening*. The Mishna Berura qualifies this ruling as referring to one who is very hungry or very thirsty (Mishna Berura *ibid.*:25). The source of this halacha is the Rambam (Hilchos Tefila 5:2), who writes that in this case, one is obligated to eat or drink before *davening* in order to facilitate proper concentration for *davening*. However, the Shulchan Aruch only writes that someone who is hungry is allowed to eat, which implies that one is not obligated to do so (Magen Avraham *ibid.*:13). This is because nowadays there is a general lack of concentration when people *daven*, and it is assumed that one will not have the proper level of concentration even if he eats before *davening*. However, one still may choose to eat if his intention is to better his concentration (Magen Avraham *ibid.* based on Bais Yosef 89)<sup>4</sup>.

<sup>2</sup> See there for an additional possible reason why a snack is included in the prohibition.  
<sup>3</sup> If eating medicinal foods would be considered an act of haughtiness but still permitted due to extenuating circumstances, they would only be permitted when waiting until after *davening* is not feasible; see below regarding someone who is hungry or weak.  
<sup>4</sup> It would seem that one need not be so hungry as to have trouble concentrating at the

<sup>1</sup> Snack items of more than a *kebeitzah* include items made from the five grains so long as they are not baked. Many breakfast cereals fall into this category, as do other cooked items made from grain such as pasta. Fruit, vegetables, fish, meat, and eggs are also snack items even in amounts larger than a *kebeitzah*.

The Pri Megadim (Orach Chaim 89 Eishel Avraham 13) explains that the reason for this *heter* (allowance) is that one is eating for the purpose of serving Hashem better, not to gratify his own desires, and so this eating is not regarded as haughtiness. According to this view, the prohibition does not apply at all.

However, the Mishna Berura (Bi'ur Halacha 89:3 s.v. *vichein ochlin*) disagrees. He cites Acharonim that if one has a choice between *davening* without a *minyan* immediately without having to eat before *davening* or waiting to *daven* with a *minyan* but then having to eat first since the long wait will be too difficult to endure, it is preferable that one *daven* alone without a *minyan*, eat, and join the *minyan* afterwards for *barchu*, *kaddish*, *kedusha*, and *kriyas hatorah* rather than impinge on the prohibition of eating before *davening*.

Rabbi Simcha Bunim Cohen (Laws of Daily Living Ch. 2:fn. 36) explains that the Mishna Berura and the other Acharonim he cites seem to be of the opinion that eating before *davening* for the purpose of concentration is still considered haughty<sup>5</sup> and is only allowed because the need to *daven* with proper concentration outweighs the prohibition against eating. Accordingly, *davening* with a *minyan* is not important enough to allow someone to eat due to extreme hunger; it is better to *daven* immediately and not need to eat before *davening*.

According to the opinion of the Pri Megadim, however, one would be permitted to eat and *daven* later with the *minyan*. The eating is intended to enable *davening* with proper concentration and with a *minyan*, and, according to the Pri Megadim, this removes the issue of haughtiness altogether (Shu"t Mahari Shteif 41; see also Laws of Daily Living *ibid.*).

One who wishes to follow the lenient opinion and eat before *davening* in order to concentrate properly while *davening* with a *minyan* should preferably recite the first chapter of *Shema* (see below), as well as a minimum prayer containing a praise, request, and thanks to Hashem<sup>6</sup>, as this fulfills the minimum obligation of prayer and thus suffices for the purpose of relying on this leniency (see Shu"t Mahari Shteif *ibid.*, Shemiras Shabbos Kihilchasa 52:fn. 48).

**One who is weak:** It is permitted for someone who feels weak to eat before *shacharis* in order to gain strength (Chayei Adam 16:1, Mishna Berura *ibid.*:22, Bi'ur Halacha *ibid.* s.v. *vichein ochlin*). This is allowed because it is considered eating for a medicinal purpose – alleviating weakness – and is not regarded as personal gratification and haughtiness (Aruch Hashulchan Orach Chaim *ibid.*: 89:24).

However, the Mishna Berura (*ibid.*:22) rules that one should preferably recite *Shema* before eating (the first *parsha* [chapter] of *Shema* suffices for this purpose [see Mishna Berura *ibid.*]). The Bi'ur Halacha (*ibid.* s.v. *vilo le'echol*) explains that the need to recite *Shema* before eating in this case is based on the idea mentioned earlier (in the Synopsis of Part 1) that there are two separate prohibitions, one against eating before reciting *Shema* and one against eating before reciting *Shemone Esrei*. The *heter* to eat before *davening* does not necessarily apply to eating before reciting *Shema*, and so it should be recited first when possible. The reason for this distinction is because waiting until after reciting *Shemone Esrei*, which entails reciting the rest of *shacharis* beginning of *davening*; it suffices if one expects that he will be extremely hungry at a later point in the *davening* and be unable to concentrate then. The same would apply to the case discussed later of eating to alleviate weakness.

<sup>5</sup> Eating for medicinal purposes is not considered haughtiness according to all opinions, because the act of eating is not for the purpose of sating one's hunger. This differs from eating to alleviate hunger or weakness (see further), where the act is meant to sate oneself and thus has an element of self-gratification and, by extension, haughtiness.

<sup>6</sup> *Birchas Hatorah* contains all of these elements.

prior to *Shemone Esrei*, as well, takes a significant amount of time and effort. However, reciting the first chapter of *Shema* takes but a few moments, and so it is difficult to argue that one who is weak should be allowed to eat before reciting the first *parsha* of *Shema*.

This explanation is based on the aforementioned understanding of the opinion of the Mishna Berura that eating before *shacharis* for purposes of concentration is still considered haughty, and one is permitted to eat due to the extenuating circumstances. Here, too, when eating to alleviate weakness, the act of eating is still considered haughty and is outweighed only by the urgency of the need to alleviate the weakness. This need does not warrant eating before spending a few moments reciting *Shema*.

It follows that the Mishna Berura's ruling that one should preferably recite *Shema* before eating applies in the case of eating for concentration, as well, for it, too, is still considered an act of haughtiness according to the Mishna Berura, and one can manage the few moments of reciting *Shema* without having to first eat.

However, according to the view that eating in the case of concentration [and, by extension, to the case of eating to alleviate weakness] is allowed because eating for such purposes is not considered haughty in the first place, it would seem that there is no need to recite *Shema* before eating (see Sefer Siach Halacha 2:89:21).

Practically speaking, since it is not usually difficult to recite the first *parsha* of *Shema*, it is preferable that one be stringent and recite it before eating (see Shu"t Mahari Shteif 41). It should be noted that before reciting *Shema*, it is preferable that *Birchas Hatorah* be recited<sup>7</sup> (Ishei Yisrael 13:fn. 77).

There are two important caveats regarding the above leniencies: First, the *heter* of eating to help concentration or to alleviate weakness only allows eating as much as is necessary to accomplish those needs, and is not an all-out *heter* for a person to eat to his heart's content (Teshuvos from Rav Chaim Kanievsky in the back of Sefer Ishei Yisrael, question 85). Second, there is a general prohibition against eating before fulfilling any mitzvah obligation (Shabbos 9b; Shulchan Aruch Orach Chaim 232:2, 235:2, 431:2, and elsewhere). That prohibition normally restricts eating a meal, which, as explained above, means eating more than a *kebeitzah* of baked goods from the five grains, while eating a snack (as defined above) is permitted. That prohibition applies to eating a meal before *davening shacharis* as well (Shulchan Aruch *ibid.* 89:5)<sup>8</sup>. The Mishna Berura (Sha'ar Hatziyun 286:9) seems to understand that if necessary, even eating such a meal is permitted. However, if a snack suffices, eating a meal is prohibited (see Mishna Berura *ibid.*:9). Some communities take a more lenient approach and consider eating even more than a *kebeitzah* of non-bread baked goods from the five grains, such as cake or cookies, as a snack. See Aruch Hashulchan (Orach Chaim 232:18) and Shemiras Shabbos Kihilchasa (52:52) for a basis for this leniency.

In conclusion, there are leniencies that allow eating and drinking before *davening shacharis*. The exact details of when these leniencies apply, however, is subject to debate, and so it is a good idea to consult with a competent halachic authority to determine the best course of action when faced with a need to eat before *davening*.

<sup>7</sup> Although *Shema* is part of the prayers, it is technically a passage of Torah, and so one should preferably recite *Birchas Hatorah* before reciting *Shema* when possible, since one may not study Torah before saying *Birchas Hatorah*.

<sup>8</sup> See Shulchan Aruch Orach Chaim 89:5 with Mishna Berura as to the practical relevance of this halacha considering that eating is already prohibited due to the prohibition against eating before *shacharis*.

## **Points to Ponder:**

***May one eat or drink before shacharis to enhance concentration for pre-shacharis Torah study?***

***May a shli'ach tzibbur or a ba'al korei eat or drink in order to facilitate a better davening or kriyas hatorah?***

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