YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

**THE LAWS OF THE *BERAKHOT***

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**Shiur #14: *Netilat* *Yadayim* (9)**

**Eating Bread When There is No Water for *Netilat Yadayim***

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(This is the final shiur on the topic of *netilat yadayim*. I combined all of the shiurim into one file: <http://www.vbm-torah.org/archive/blessings/14netilatyadayim-combined.htm> . We will continue our study of the laws of *berakhot* next week.)

In previous *shiurim*, we discussed the importance of washing one’s hands (*netilat yadayim)* before eating bread. We recorded the harsh words that the rabbis employ when describing those who are not careful regarding *netilat yadayim* (see, for example, *Eduyot* 5:6, *Shabbat* 62b, and *Eiruvin* 21b). However, one might ask, when one has no water with which to wash one’s hands, may one eat without performing *netilat yadayim*? This situation has always been a source of great confusion; the *Mishna* *Berura* cites R. Shlomo Luria (*Yam* *Shel* *Shlomo*) who criticized those who would clean their hands in wet grass when they didn’t have water for *netilat yadayim*!

This week, we will discuss one who is unable to obtain water for *netilat yadayim*. The Gemara offers two solutions to this problem.

**Wrapping One’s Hands in a Cloth**

The Talmud (*Chullin* 107b) questions whether one may wrap one’s hand with a cloth and eat bread:

The question was raised: May one eat with a cloth [wrapped around the hand] or not? Must we fear that [the bare hand] will touch [the food] or not? … R. Tachlifa b. Abimi [said] in the name of Shmuel, “They permitted the use of a cloth for those that eat *teruma*, but they did not permit the use of a cloth for those that eat *taharot*.” And R. Ami and R. Assi were priests.

The Gemara distinguishes between “*okhlei teruma*” (kohanim who eat *teruma*) and “*okhlei taharot*” (those who eat *taharot*, i.e. people who eat non-sacred food as if they were eating sacrificial food). Rashi explains that since *kohanim* are accustomed to eating *teruma* they are particularly careful not to touch the *teruma*. Others, however, are not accustomed to eating in such a manner, and therefore they may not eat without first washing their hands.

 The *Rishonim* disagree as to whether this passage refers to the *netilat yadayim* performed before eating bread as well. Most *Rishonim*, including the Rosh (*Chullin* 8:18), Ra’avad (*Hilkhot Berakhot* 6:18) and Talmidei Rabbeinu Yona (*Berakhot* 42a s.v. *mahu*), explain that while the Talmud permitted a *kohen* who eats *teruma* to eat with his hands wrapped in a cloth, they did not also permit an ordinary person who wishes to eat bread to merely cover his hands. The Rambam (*Hilkhot Berakhot* 6:18), however, writes: “A person may wrap his hands in a cloth and eat bread … although he did not wash his hands.” The *Beit* *Yosef* (*OC* 163) concludes that one should *not* wrap one’s hands and eat bread, as most *Rishonim* disagree with the Rambam.

 The *Beit* *Yosef*, however, notes that another Talmudic passage may be relevant to our discussion. The Talmud (*Chullin* 122b), in the midst of discussing the halakhic significance of “four *mil*,” the time it takes to walk a distance of four *mil* (approximately 72 minutes), states:

R. Abbahu said in the name of Resh Lakish: For kneading, for prayer, and for washing the hands, the standard is four *mil*. … R. Yose b. R. Chanina said: This ‘teaching applies only to the distance ahead of him, but [as for going] back he need not turn back even one *mil*. R. Acha b. Yaakov said: From this [can be inferred that] a distance of one *mil* he need not turn back, but a distance of less than a *mil* he must turn back.

The Gemara, regarding *netilat yadayim*, implies that one who is traveling and does not have water with which to wash his hands should delay eating bread for the time it takes to travel four *mil* (72 minutes) in order to reach water. If he has already passed a place with water, but he is still within a “*mil*’s distance, he should return to wash his hands. The Gemara does not state what one should do if he is further than the above mentioned distances from water.

 The *Beit* *Yosef* cites the *Roke’ach* (328), who implies that in such a case one would be completely exempt from washing one’s hands. Indeed, the Gra (163:1) notes that this is the view of all authorities. The *Arukh* (*erekh gabal*), however, rules that when one is more than a four *mil* distance from water ahead of him or one *mil* behind him, he may eat bread without washing, as long as he wraps his hands in a cloth.

 The *Shulchan* *Arukh* (*OC* 163:1) rules in accordance with the *Arukh*, that if one has no water within four *mil* ahead of him or one *mil* behind him, he should wrap his hands in a cloth. The Rema adds that one may eat with a spoon. The *Mishna* *Berura* (163:4-5) notes that the *Acharonim* disagree with the Rema. In fact, many *Acharonim*, including the *Chayei* *Adam*, *Kitzur* *Shulchan* *Arukh*, and *Arukh* *Ha*-*shulchan*, don’t even mention this leniency. Furthermore, although according to the Rema covering one hand might be sufficient, the *Acharonim* conclude that one should cover both hands.

The *Bi’ur* *Halakha* explains that when one is on a train, which can obviously travel four *mil* in much less time than 72 minutes, he still calculates the time it takes to *walk* four *mil*, i.e. 72 minutes, and not that actual distance of four *mil*. Similarly, when one is traveling by car and has no water with which to wash his hands, he should continue traveling up to 72 minutes, or return up to 18 minutes, in order to find water for *netilat yadayim*.

If one is not traveling, but rather sitting in his house or in an area without access to water, the *Acharonim* debate whether he must travel the time it takes to walk four *mil*, 72 minutes (*Magen* *Avraham* 163:1, *Shulchan* *Arukh* *Ha*-*Rav* 163:1), or one *mil*, 18 minutes (*Chayyei* *Adam* 40:11, *Mishna* *Berura* 163:3), in order to obtain water for *netilat yadayim*.

 The discussion above applies not only to one who has water, but to one who does not have a vessel with which to pour the water over one’s hands as well.

The Ritva (*Pesachim* 48a) writes that one should only rely upon such leniencies in extenuating circumstances, such as when one is weak due to the journey. Furthermore, some *Poskim* rule that one should preferably wash one’s hands with soda, or even fruit juice (see *Shulchan* *Arukh* 160:12; see also http://www.vbm-torah.org/archive/blessings/08berakhot.htm) when water is not available. Generally, the *Acharonim* suggest being stringent and not eating bread without washing one’s hands unless one is very weak or ill.

**Relying Upon the Morning *Netilat Yadayim***

The Talmud (*Chullin* 106b – 107a), seemingly, provides another solution for one who knows that he will not have access to water for *netilat yadayim* during the day.

Rav said: A person may wash his hands in the morning and stipulate that it shall serve him the whole day long. R. Avina said to the inhabitants of the valley of Aravot: People like you that have not much water, may wash the hands in the morning and stipulate that it shall serve the whole day long. Some say: This is allowed only in a time of need but not at ordinary times; hence it is at variance with Rav's view. Others say: This is allowed even at ordinary times, and so it corresponds with Rav's view.

Rav suggests that one may wash one’s hands in the morning, keeping in mind that this washing will also serve as the *netilat yadayim* before eating bread later in the day. The Gemara cites a debate regarding whether Rav’s suggestion could be used in any ordinary circumstance, or only in extenuating circumstances.

 This passage raises a number of questions. First, is the *halakha* in accordance with those who limit Rav’s suggestion, or with Rav himself? Secondly, what is the nature of this stipulation, when and how can one make it, and how can the *netilat yadayim* performed in the morning serve as the *netilat yadayim* for the entire day?

The *Rishonim* debate whether the halakha is in accordance with Rav himself, or the more limited variation of Rav. Rabbeinu Chananel (cited by Talmidei Rabbeinu Yona, *Berakhot* 41b s.v. *u-le’inyan*) rules like the stricter opinion and only allows one to wash in this manner in extenuating circumstances. Most *Rishonim*, however, including the Rosh (*Chullin* 8:12), the Rashba (*Chullin* 106b s.v. *u-le’inyan*), Talmidei Rabbeinu Yona (*ibid*.), and the Rambam (*Hilkhot* *Berakhot* 6:17) allow one to wash in this manner in any circumstance. The *Shulchan* *Arukh* (164:1) rules in accordance with the lenient opinions. Many *Acharonim*, however, including the Maharshal (*Yam* *Shel* *Shlomo*, *Chullin* 8:22, *Teshuvot* 94), permit one to rely upon Rav only in extenuating circumstances. Based upon the comments of Rabbeinu Peretz on the *Semak* (181), they consider a traveler to be in extenuating circumstances.

The *Acharonim* debate the nature of this “stipulation.” Some (see *Magen* *Avraham* 164:6) claim that there is actually no need to stipulate (*tenai*), but rather one must have the intention to keep one’s hands clean until he eats bread. Others assume that the Gemara does refer to a stipulated condition, and they debate whether one must verbalize this condition or whether it is sufficient to merely have this condition in mind. The *Eliya* *Rabba* (164:1) summarizes the opinions and concludes that one should merely have the condition in mind. The *Arukh* *Ha*-*Shulchan* (164:1), however, rules that one should verbalize the condition, in order that it be clear that he is washing in order to eat bread as well.

Furthermore, although Rav stated that “one may wash his hands in the morning and stipulate that it shall serve him all day long,” the *Acharonim* discuss whether this only works when one stipulates during the morning *netilat yadayim*. The *Tur* (164; see Rabbeinu Tam cited by *Tosafot* *Chullin* 106b s.v. *notel*) writes that this only works for the morning washing. R. Yoel Sirkis, in his commentary to the *Tur*, the *Bayit* *Chadash* (*Bach*), explains that since the blessing of “*al netilat yadayim*” is recited only in the morning, one may only use the morning washing for the rest of the day.

The Rema (164:1; see *Beit* *Yosef* 164), however, explains that there is nothing unique, *per* *se*, about the morning *netilat yadayim*. Rather, “[a stipulation] only works when the washing was not performed for the sake of eating, *similar* to the *netilat yadayim* of the morning. However, if he washed for the sake of eating then the stipulation does not work.” The *Acharonim* explain that when the washing is done with the intent of eating, one must eat immediately (see *Pesachim* 106b). However, when the washing is done for another purpose, such as for prayer, or after leaving the bathroom, then as long as one has in mind to keep one’s hands clean until he eats, the *netilat yadayim* can permit one to eat bread later in the day. In such a case, he would not recite the blessing of *al netilat yadayim*. The *Magen* *Avraham* (164:6) notes that one may certainly wash for one meal, and have in mind that it will serve for a meal later in the day as well.

The *Shulchan* *Arukh* writes that one should be careful “not to divert one’s thoughts from them (i.e. his hands).” The Rema adds that one should be careful that they do not become soiled. The *Mishna* *Berura* (164:4) explains that one’s hands should not come into contact with feces, nor should they touch areas of the body which are normally covered and therefore often sweaty (see *Shulchan* *Arukh* 164:2).

**Conclusion**

In conclusion, when one is unable to obtain water for *netilat yadayim* later in the day, one may wash his hands in the morning, or for prayer, or after leaving the bathroom, and stipulate, preferably verbally, that “with this washing I will be permitted to eat for the entire day.” He should not divert his attention from his hands, and should ensure that they are not soiled, by feces or by touching parts of the body which are usually covered, before he eats bread. Some even suggest wearing gloves (*Mishna* *Berura* 164:4).

The *Eliya* *Rabba* (164: 2) cites the *Sheyyarei* *Kenesset* *Ha*-*Gedola*, who writes that “nowadays, it is not customary to stipulate… as even in extenuating circumstances one cannot be careful not to soil one’s hands, and therefore they refrain completely from employing this stipulation.” He cites the *Agur*, who expresses a similar sentiment. The *Arukh* *Ha*-*Shulchan* (164:2) concurs, and adds that indeed he has never heard of anyone adopting this practice. He concedes, however, that one who is traveling among non-Jews and cannot find water may rely upon this ruling. The *Mishna* *Berura* (164:4) also concludes that it depends upon the circumstance and the degree of need, and that under extreme circumstances one can rely upon this stipulation as long as he is careful not to be distracted from protecting his hands. He even suggests keeping one’s hands covered by his sleeves, and certainly if he finds water later in the day he should wash again.

 As mentioned above, the *Yam* *Shel* *Shlomo* observed that many people mistakenly believe that one can wipe one’s hands on wet grass and then eat bread. The *Chayyei* *Adam*, in a similar vein, writes that this halakha is often misunderstood or misapplied, and many people wash their hands once and then eat the entire day, without properly protecting their hands, and often without reciting the *birkat ha-mazon* after eating.

Interestingly, R. Eliezer Waldenberg, in his Responsa *Tzitz* *Eliezer* (8:7) asks: which method discussed above is preferable for a person who knows that he will not have access to water later in the day – wrapping one’s hands in a cloth or stipulating that the morning *netilat yadayim* should be effective for the entire day? He opines that wrapping one’s hands is the preferable method, as the conditional washing of one’s hands is simply too difficult to perform properly. He notes that the *Kaf* *Ha*-*Chayim* arrived at a similar conclusion.

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 We now conclude our series of *shiurim* on the laws of *netilat yadayim*. Next week we will resume our study of the laws of *berakhot*.