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Dedicated in memory of
Joseph Y. Nadler *z”l*, Yosef ben Yechezkel Tzvi

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**Shiur#10: *Netilat Yadayim* (5)**

**Rav David Brofsky**

**Introduction**

 Last week, we discussed the requirement of “*ko’ach gavra.*” We noted that when one performs *netilat yadayim* by pouring a *revi’it* of water over his hands, the water must come from a vessel and must be poured through human force. The Shulchan Arukh (159:11-12; see also *Yadayim* 1:5) rules that anyone can pour water over one’s hands, including a *cheresh*, *shoteh*, and a *katan*. The *mishna* cites two views regarding whether an ape (*kof*) can pour water over one’s hands. This debate continues through the *Rishonim*, and while the Shulchan Arukh cites both opinions, the Rema rules that one should be stringent.

Finally, we discussed whether opening and closing a faucet constitutes an act of *ko’ach gavra*. We concluded, based on the *Rishonim* (see Rosh, *Chullin* 8:14; Mordekhai, *Berakhot* 200–201; see also Shulchan Arukh 159:9), that it is considered *ko’ach gavra* if one opens the spigot of a bucket filled with water and it pours onto one’s hands, the *Acharonim* (Zekan Aharon 2:1; Tzitz Eliezer 8:7; Yaskil Avdi, *OC* 5:26) discuss whether one can consider the “*dud*” (boiler) located on one’s roof and the pipe which brings the water to the faucet to be a vessel. We noted that nowadays, cold water is not stored in boilers on rooftops (often, neither is hot water), and therefore one should not wash his hands from a faucet.

This week, we will discuss the manner in which one performs *netilat yadayim*.

***Tumat Yadayim* – *Stam Yadayim Temei’ot***

This week, we will discuss how the hands should be washed. As the manner in which the hands are washed is a function of the intricacies of the laws of *tuma* and *tahara*, we must provide a brief background to the laws of *tumat yadayim* before proceeding.

 According to Torah law (*mi-de’oraita*), there are different levels of *tuma*. One who touches a dead body (*meit*), often called an “*avi avot ha-tuma*,” becomes a “*rishon le-tuma.*” In addition, there are other *tumot* which are themselves considered to be “*avot ha-tumea*,” such as a *nevela*, a *sheretz*, semen, a menstruating women, etc. Although a person who touches a *rishon le-tuma* is not *tamei*, a *rishon le-tuma* causes foods and vessels to become a *sheni le-tuma*.

The Talmud (*Shabbat* 15a) relates the Shlomo Ha-Melekh decreed that “*stam yadayim,*” hands which have not been supervised, are deemed to be a *shelishi le-tuma*, and therefore one must perform *netilat yadayim* before touching *kodashim*. In addition, the Talmud (*Shabbat* 14b – 15b) further reports that since one’s hands are “*askaniyot*” – that is, they are always active – we fear that they may have touched something impure or an unclean part of one’s body (see Rashi, *Shabbat* 14a, s.v. *askaniyot*), and Beit Shammai and Beit Hillel therefore instituted that one must wash his hands before eating *teruma*, as unwashed hands invalidate *teruma* (*Shabbat* 13b; see also *Eiruvin* 21b). According to this decree, “*stam yadayim*” are a *sheni le-tuma*, and therefore a kohen may not touch *teruma* before washing his hands (*netilat yadayim*).

As we discussed in a previous *shiur*, the Rabbis later decreed that even *chullin* (bread which is not *teruma*) may not be eaten without first washing one’s hands. They apparently wanted the *kohanim* to accustom themselves to washing their hands, and therefore demanded that everyone wash their hands before eating bread. This enactment is observed even after the destruction of the *Beit Ha-Mikdash* so that we will be ready for the speedy rebuilding of the Temple.

Thus, *netilat yadayim*, from a legal-halakhic perspective, is the process of removing *tuma* from one’s hands through the act of *netilat yadayim* before one may eat bread. The manner in which one washes ones hands, therefore, is a function of the intricacies of *tumat yadayim*.

**Raising One’s Hands During *Netilat Yadayim***

The *mishna* (*Yadayim* 2:3) explains that when washing *netilat yadayim*, although one purifies the hands, the washing leaves the impure water (*mayim temei’im*) on his hands. One is not permitted to eat bread while the impure water is one his hands, and therefore, according to some (see Bach ,*OC* 165, s.v. *ve’af al gav*), R. Abbahu teaches: “Whoever eats bread without first wiping his hands is as though he eats unclean food.” The *mishna* describes how one should wash his hands a second time in order to remove the impure water from one’s hands. As we shall see, most *Rishonim* maintain that if one pours a *revi’it* of water over both hands together or over each hand separately, the water remaining on the hands is *tahor* and a second washing is not necessary. The Ra’avad disagrees and mandates that a second washing be performed in any case.

The Talmud (*Sota* 4b) cites Rav, who raises an additional concern:

Chiyya b. Ashi said in the name of Rav: With the first washing [before the meal], it is necessary to lift the hands up; with the latter washing [after the meal], it is necessary to lower the hands.

There is a similar teaching: One who washes his hands [before the meal] must lift them up, lest the water pass beyond the joint, flow back, and render them unclean.

Rav instructs that when washing one’s hands before eating bread (known as “*mayim rishonim*”), one should raise his hands. He expresses concern that the water remaining on one’s hands after being washed will somehow return and render one’s hands impure a second time. The *Rishonim* disagree as to how to understand his concern; we will present two approaches.

 Some *Rishonim* (Rosh, *Chullin* 8:18 and *Teshuvot* 48:11; Semag, *Asin* 24, *Hilkhot Netilat Yadayim*; Rash, *Yadayim* 2:3) explain that the Rabbinic decree of *tumat yadayim* applies only to the hands until the wrist. Furthermore, only water poured on the hand below the wrist has the ability to purify the *mayim temei’im* from the first pouring. Therefore, they explain, Rav is concerned that after washing one’s hands, if he does not keep his hands raised until they are dried, the impure water which flowed above the wrist may flow back down onto one’s hand after the second washing and be *metamei* his hand again. Therefore, one should keep his hands elevated until the hands are dried.

Rashi (*Sota* 4b, s.v. *shema*) offers a slightly different explanation based upon a variant text. He explains that the second washing *can* purify the impure water which flowed above the wrist. However, if the second washing only reached the wrist and did not reach the water which flowed above the wrist, then the water above the wrist will return to the hands and render them impure.

 The Rashba (*Teshuvot* 3:260) offers a completely different approach. He explains that the passage in *Sota* in which Rav rules that one who washes should raise his hands assumes that one must only wash until one’s knuckles. However, water which is poured above the knuckles, until the wrist, *also* becomes *tamei*. Therefore, Rav fears that that impure water may return to the fingers and render them impure. However, since the *halakha* is not accordance with that passage, but one must rather wash until one’s wrist, there is no reason why one should raise one’s hands, as the Rashba maintains that water which flows above the wrist does not return and render the hand impure.

 In summary, while most *Rishonim* assume that one who washes his hands must elevate them until they are dried out of concern that water from the first washing may flow up the arm and then retreat, rendering the hands impure, the Rashba believes that one who washes his entire hands, as one halakhically should, has no reason to raise his hands.

The Shulchan Arukh (162:1) rules that one who performs *netilat yadayim* should raise his hands in order that water should not flow above his wrists and then return and render his hands impure. He continues to write, however, that while one who does not wash his hands until the wrist must raise his hands, one who washes his hands until the wrist need not raise his hands. The Rema comments that some disagree with this leniency, and the Mishna Berura affirms that indeed the majority of the *Rishonim* do not distinguish between one who washes until one’s knuckles and one who washes until one’s wrist.

 Interestingly, the Beit Yosef asks why one should raise his hands when one could seemingly simply keep them facing down for the duration of the washing. He conclude that that might indeed be true; it is possible that the only reason that Rav suggests raising one’s hands is based on the verse, “*va-yenatlem ve-yinasem*” (*Yeshayahu* 63:9). The Rema records this suggestion. The Mishna Berura (9) raises both technical and kabbalistic objections to this proposal.

**How Many Times Water Is Poured Over the Hands**

 As we saw above, the Shulchan Arukh rules in accordance which the *mishna*, which requires that one wash each hand twice. The first washing purifies the hand while the second washing purifies and removes the impure water.

The *Rishonim* (see Tosafot, *Chullin* 107a, s.v. *de-lo*; Rosh, *Chullin* 8:18; see also *Yadayim* 2:1) write that one who pours a *revi’it* over both hands or a *revi’it* over each hand separately does not need to pour water over his hands a second time, as the water from the first pouring is not *tamei*. The Beit Yosef (162) explains that the Rabbis treated one who pours a *revi’it* over his hands as akin to one who immerses in a *mikveh*, in which case he would not be required to remove the impure water. Therefore, one who pours a *revi’it* over both hands, or a *revi’it* over each hand separately does not need to raise his hands, and the water left of the hands is not impure. Similarly, as we learned previously, one who immerses his hands in a river or lake does not need to dip his hands twice into the body of water.

Although R. Yosef Karo, in his Beit Yosef (ibid.), writes that the Ra’avad does not agree and he requires a second washing even after washing one’s hands with a *revi’it* of water, in his Shulchan Arukh (162:1) he rules that one who washes his hands with a *revi’it* of water on each hand does not need to wash again, as the water left on the hands is not considered to be *mayim temei’im.*

 The Mishna Berura (9) reports that nowadays, it is not customary to raise one’s hands while performing *netilat yadayim*. He suggests that this is because one generally pours a *revi’it* of water over each hand. However, he warns that one should be careful to wash one’s entire hand, ensuring that the water reaches even the tips of one’s fingers, and not merely the sides of one’s hands.

 Next week, we will demonstrate how additional questions relating to *tuma ve-tahara* also impact upon the manner in which one washes one’s hands. For example, what if after successfully washing one’s hands, one touches the hands of another person who has not yet washed his hands? Furthermore, must one dry the handles of the *natla* before washing *netilat yadyaim*?