YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

**THE LAWS OF THE *BERAKHOT***

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**Shiur #13: *Netilat* *Yadayim* (8)**

**The Laws of *Chatzitza* for *Netilat Yadayim***

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**Washing One’s Entire Hand at Once**

The Talmud (*Gittin* 15b) teaches that one must wash the entire hand at once, and not part by part: “It has been determined in the school of R. Yannai that the hands cannot be made clean by halves.” The Gemara also suggests that “if the hand is still considerably wet, i.e. wet enough to make something else moisten something else upon contact, then it is considered to be one long washing.”

The *Rishonim* disagree as to whether to accept this last suggestion, that if the hands are still wet one may pour more water over them, thereby completing the “first washing.” The Rambam (*Hilkhot* *Mikva’ot* 11:7) accepts this leniency, and writes:

If one washed a portion of his hand and then washed the rest of his hand, his hand is impure as it was originally. If there is enough water to impart moisture to another substance on the portion of the hand washed first while the other part was being washed, [the hand] is pure.

The Ra’avad, however, rules that one may not wash the hands part by part even if they are still wet.

The *Shulchan* *Arukh* (162:3) rules in accordance with the Rambam. Some *Acharonim* (*Magen* *Avraham* 162:5) explain that preferably one should not do this, and others (see *Taz* 162:5) insist that even *be-di’avad* this may not suffice.

In practice, if one washed only part of his hand, and that part then dries, one must then wash the entire hand, and not just the part which wasn’t initially washed. Regarding this case, the *Acharonim* disagree as to whether one must first dry the hand completely before washing again (see *Mishna* *Berura* 162:27). If the hand is still wet after water has been poured over only part of the hand, although the *Shulchan* *Arukh* maintains that one may pour water over the rest of the hand, others insist that one should wash his hand entirely again.

The *Mishna* *Berura* (162:30) writes that when washing from a bottle with a narrow spout, similar to today’s soda bottles, one should be careful that a steady flow of water leaves the bottle when flowing over one’s hands. .

The Rosh (8:18) writes that although one may not wash only part of one’s hand, if one has a bandage, “it is similar to one whose hand was cut off.” In other words, that area of the hand is completely exempt from *netilat yadayim*. However, one should be sure that water does not reach that area and then return to the rest of the hand, thereby bringing ritual impurity to the entire hand. The *Shulchan* *Arukh* (162:10) cites this law as well.

***Chatzitza***

In previous *shiurim*, we discussed the process of washing the hands, as well as the area of one’s hand which must be washed. In addition to properly pouring the water over one’s hands, drying them, and reciting the blessing, one must also ensure that the hands are clean, and that there is no separation between the water and his hands. This separation is called a *chatzitza*.

The Talmud (*Chullin* 106b) strongly implies that the laws of *chatzitza* apply to all *tevilot* – i.e. the immersion of both people and vessels for purification. The Gemara states: “whatsoever is deemed to be a *chatzitza* with regard to the immersion of the body is also a *chatzitza* with regard to the washing of the hands for *chullin*.” Most *Rishonim* assume that the Gemara refers to the *netilat yadayim* performed before eating bread. Some *Rishonim* (see *Sefer* *Ha*-*teruma* 79; see also *Or* *Zaru’a* 1:363), however, explain that this passage refers to *chullin* which are eaten in the manner in which *kodashim* are eaten, but not to actual *chullin* (i.e. regular bread). Although the Rema (161:1) cites this view, thereby explaining the custom to be lenient regarding *chatzitza* for *netilat yadayim*, he insists that the *halakha* is in accordance with the majority view. Therefore, before we study the laws of *chatzitza* regarding *netilat yadayim*, a brief introduction to the laws of *chatzitza*, in general, is necessary.

The Talmud (*Eiruvin* 4a) states in the name of R. Chiyya b. Ashi, who cites Rav: “[The laws relating to] *shiurim*, *chatzitzot*, and *mechitzot* [are a part of] the halakhic code [that was entrusted] to Moshe at Sinai.” In other words, the laws of *chatzitza* are a *halakha le-Moshe mi-Sinai*. The Gemara (*Eiruvin* 4b) challenges this assertion and insists that these laws are actually Biblical in origin (*mi-de’oraita*), as it was taught: “Since it is written in Scripture: ‘Then he shall bathe all his flesh’ (*Vayikra* 12:6), [it follows] that there must be no *chatzitza* between his flesh and the water.”

The Gemara concludes in accordance with R. Yitzchak, that while the verse indeed teaches that there must not be a *chatzitza* between the water and one’s skin, the *halakha le-Moshe mi-Sinai* further defines this halakha: only a *chatzitza* which covers the majority (*rubo*) and regarding which one objects (*makpid*) is considered to be a *chatzitza*. The Gemara continues and relates that the rabbis prohibited a case in which the *chatzitza* covers a majority even though one does not object (*rubo ve-eino makpid*), and a case in which the *chatzitza* covers only a minority, however the person does object (*mi’ut ve-makpid*). The Gemara says that the rabbis did not prohibit a case in which the *chatzitza* is a minority and regarding which one does not object (*mi’ut ve-eino makpid*), as “we [do not] go so far as to institute a preventive measure against another preventive measure.”

The *Rishonim* disagree as to the correct understanding of this *halakha le-Moshe mi-Sinai*. Rashi (*Eiruvin* 4b s.v. “*rubo*”) explains that the *halakha le-Moshe mi-Sinai* relates only to one’s hair; however, even a small *chatzitza* to which one does not object (*mi’ut ve-eino makpid*) on one’s flesh would be considered a *chatzitza*. *Tosafot* (ibid. s.v. “*devar Torah*”) disagree, and insist that even if the majority of one’s body, including all of his hair, is covered with a substance to which one does not object (*rubo ve-eino makpid*), *mi-de’oraita* this is not considered to be a *chatzitza*. Interestingly, some *Rishonim* (see Rambam, *Hilkhot* *Mikva'ot* 2:15; see also Ritva, *Eiruvin* 4b) suggest that one measures the majority and minority of one’s head separately, and not as part of one’s body.

 The *Shulchan* *Arukh* (*YD* 198:2) rules in accordance with *Tosafot*, that a *chatzitza* which is *mi’ut ve-eino makpid* does not invalidate the immersion. Furthermore, the *Magen* *Avraham* (*OC* 161:3) explains that in the context of *netilat* *yadayim*, “*rubo*” refers to the majority of one’s hand.

 How does one define “*makpid*” regarding the laws of *chatzitza*? The *Rishonim* relate to a number of scenarios.

What if this particular person is *makpid*, even though most people are not *makpid*? The Rambam (*Hilkhot* *Mikva’ot* 2:15) writes that if a woman is particular about a single hair which is knotted, even if most women are not *makpid,* the knot is considered to be a *chatzitza*. The Rashba (*Torat Ha-Bayit* 32b), on the other hand, disagrees and rules that we are concerned with whether most women are *makpid*, and not whether this specific woman objects. Although the Rema (161:1) rules that we are only concerned with the opinion of the individual, the *Magen* *Avraham* (161:5; see *Mishna* *Berura* 161:7) insists that we should follow the opinion of most people. Regarding the opposite case, in which most people are *makpid* even if he personally is not *makpid*, the Rashba (*Torat* *Ha*-*bayit* *Ha*-*katzar*, *bayit* 7 *sha’ar* 7) rules that this is considered to be a *chatzitza*. Alternatively, the *Beit* *Yosef* explains that the Rambam, cited above, must maintain that it is not a *chatzitza*. Once again the *Magen* *Avraham* (161:5) rules that we follow the opinion of the majority of people, while others are lenient.

 The authorities also discuss different cases of *chatzitza*. For example, the *Shulchan* *Arukh* (161:2) rules that that if a painter’s hands have paint on them, since the painter is not generally *makpid*, the paint is not considered to be a *chatzitza*. However, for others, paint is considered to a be a *chatzitza*, unless the paint cannot be felt upon the skin (*ein bo mamashut*). Therefore, if one’s hands are stamped, or if one hands have ink on them, one may still wash his hands. The *Shulchan* *Arukh* adds that regarding “women who are accustomed to paint their hands, for decoration (*noy*), that paint is not considered to be a *chatzitza*.” However, when one’s nail polish begins to chip it may be considered to be a *chatzitza*, as the woman would most likely want to remove the nail polish in order to paint her nails again.

The Rosh (*Hilkhot* *Mikva’ot* 26) cites the Tosefta (*Mikva’ot* 6:4), which states that rings which are loose are not a *chatzitza*, while those which are tight are a *chatzitza*. Regarding *netilat yadayim*, the *Hagahot* *Ashri* (*Berakhot* 2:11) writes that one should remove one’s rings before washing his hands. Although one might wonder why a tightly fit ring is not considered to be a *mi’ut ve-eino makpid*, a *chatzitza* found on a small part of one’s body regarding which one does not object, the Rosh cites the Ra’avad who asserts that a woman is careful to remove the ring when kneading bread, and it is therefore considered to be a *chatzitza*. *Beit* *Yosef* (161) concludes that one should remove even a loosely fitting ring before washing one’s hands, either because we are unable to determine the difference between a loose and tight fitting ring, or lest we come to permit washing one’s hands while wearing a tightly fit ring.

 The *Shulchan* *Arukh* (161:3) rules that one should remove his ring before washing his hands. The Rema cites the *Beit* *Yosef’s* conclusion, that one should even remove a loosely fitting ring, and even if one does not ordinarily remove the ring before washing, since one removes the ring before doing labor (i.e. kneading bread), the ring should be removed. He concludes by adding that although some are lenient not to remove loosely fitting rings, one should preferably be strict and remove such rings, as it is difficult to distinguish between those rings which are considered to be loosely fitting, and those which are tightly fit.

R. Ben Tzion Abba Sha’ul (1924 – 1998), in his *Or* *Le*-*Tzion* (2:11), writes that nowadays, when many women are not accustomed to remove their rings even when kneading bread, women do not need to remove their rings before *netilat yadayim*. He notes that although the *Kaf Ha-chayim* (*parashat Acharei Mot*) distinguishes between a ring with an expensive stone, which is a ring that must be removed before washing, and a simple ring, which need not be removed, R. Abba Sha’ul concludes that a person who does not remove rings before kneading bread does not need to remove even rings with stones for *netilat* *yadayim*. He concludes that it is still customary to remove one’s rings before immersing in the *mikveh*.

Indeed, nowadays, many women who do not ordinarily remove their rings, even when kneading dough, are not accustomed to remove their rings before washing. Similarly, men who wear wedding bands who never remove them from their fingers often do not remove their ring before washing. However, one who does not remove his rings before washing should be careful not to touch his wet hand with the dry hand during the process of *netilat yadayim*, as the dry hand may invalidate the washing of the wet hand, as we discussed previously.

Next week we will conclude our study of *netilat yadayim*: what should one do if he does not have water for *netilat yadayim*?