מז. למנהג הספרדים ועדות המזרח, אם לא עשה צרכיו בבוקר, אינו מברך "אשר יצר" כלל. [ראה הלכה ברורה עמ' נח]

לימוד וברכה קודם נטילה

מח. אף על פי שלכתחלה אין ללמוד תורה או לברך ברכה כל שהיא קודם נטילת ידים שחרית, כי בזוהר הקדוש החמיר בזה מאד, מכל מקום אם שמע קדיש או קדושה בפתע פתאום, ואין לו שהות ליטול ידיו, רשאי ומצוה עליו לענות הקדיש והקדושה, ויסמוך על דעת הרמב"ם והרא"ש והרשב"א והטור והשלחן ערוך, שסוברים כפשט דברי התלמוד (ברכות ס ע"ב) שכל ברכות השחר נתקנו

***Asher yatzar* without relieving oneself**

47) The custom of Sefardic Jews is not to recite the blessing of *asher yatzar* in the morning unless the person relieves himself.[193]

Day 60

Torah Study and Blessings Before *Netillat Yadayim*

The *Zohar* forbids it

48) It is certainly best to make sure to perform the morning *netillat yadayim* before beginning any Torah study or reciting any blessings, since according to the holy *Zohar* it is absolutely forbidden otherwise. Nevertheless, if someone happens to hear kaddish or *Kedusha* before he has a chance to perform *netillat yadayim*, he must respond accordingly, relying on the opinion of Rambam, Rabbenu Asher, the Rashba, the *Arba'a Turim* and the *Shulhan Arukh*. According to their interpretation of the

Asher yatzar* instead of *al netillat yadayim

The *Yalkut Yosef* (page 349) described a case of someone who relieved himself before performing *netillat yadayim* in the morning, and then performed *netillat yadayim*. He then began reciting the blessings, intending to recite that of *al netillat yadayim* first and then that of *asher yatzar*. When he reached the words *Melekh ha'olam*, however, he became confused and he continued with the words of *asher yatzar* instead of *asher kideshanu ... al netillat yadayim*. The *Yalkut Yosef* ruled that in this case he should continue the blessing of *asher yatzar* and afterward recite the blessing of *al netillat yadayim*.

This ruling, however, does not appear to be correct. Rambam and the *Shulhan Arukh* (209) both ruled that if someone picked up a glass of beer and began reciting the blessing of *shehakol nihya bidvaro*, even if he becomes confused and ends up reciting the blessing of *bore peri hagefen*, his blessing is valid and he may drink the beer. Although the words of *bore peri hagefen* are totally inappropriate for beer, the blessing is valid since he had intended to recite *shehakol nihya bidvaro* when he recited God's Name in the blessing. Even though many *Aharonim* disagreed with this ruling, as explained by the *Mishna Berura* , we still follow this ruling because of the principle of *safek berakhot lehakel*.

In fact, because of this halakhic debate, we should have to say *safek berakhot lehakel* about both *berakhot*. For example, the *Or Letziyon* (Vol. II, 4:3) ruled that if someone began to recite the blessing of *poke'ah ivrim* but then he became confused and ended the blessing with the words *matir asurim*, he must not repeat either blessing. According to Rambam this blessing counts as *poke'ah ivrim*, and according to the other *Rishonim* it counts as *matir asurim*, so the principle of *safek berakhot lehakel* makes it impossible to repeat either one. If so, in this case as well, since the person began the blessing intending to say *al netillat yadayim*, he fulfills his obligation for that blessing even though he ended up reciting the blessing of *asher yatzar*. Therefore, he must not recite the blessing of *al netillat yadayim* after completing the blessing of *asher yatzar*, unlike the ruling of the *Yalkut Yosef*.

193. In some Ashkenazic communities, the custom is to recite the blessings of *al netillat yadayim* and *asher yatzar* whether or not one relieved oneself that morning. See the comments of the *Halakha Berura* (page 58).

לאומרם בשם ומלכות לפני נטילת ידים שחרית. ומכיון שהקדיש והקדושה הם מצוה עוברת, אין להחמיר בזה ולהמנע מלענות אותם עם הצבור, שהיא חומרא הבאה לידי קולא. וכל שכן שיענה אמן דקדיש ואמן דברכות. והמחמיר יוצא שכרו בהפסדו. ורק ינקה ידיו תחלה בכל מידי דמנקי. וכן הסכימו האחרונים, וכן עיקר. [ילקו"י מהדו"ק עמ' יב]

ואמנם אם ישן בפיג'מה, ולא נגע במקומות המכוסים, אין צריך לנקותם קודם שמברך, וכמבואר לקמן בהלכה נ"ב. [ראה יבי"א ח"ד סו"ס ד]

וכבר נתבאר לעיל (סימן א הלכה ה), שאין צריך נטילת ידים קודם שאומר "מודה אני", ואף שידיו מטונפות רשאי לומר שבח זה, והטעם מכיון שאין בנוסח זה שם ה' ולא כינוי שם ה'.

מט. הישן עם כפפות בידיו, אף לדברי הזוהר הקדוש מותר לו מן הדין לברך וללמוד תורה קודם נטילת ידים שחרית. מפני שאין רוח רעה שורה על ידיו כל כך, וכן היה עושה מעשה הגאון רבי זלמן מוילנא. ובמקום שאין מים מצויים, נכון לעשות כן כדי שיהיה אפשר לקרוא קריאת שמע ולהתפלל בלי נטילת ידים. [ילקו"י מהדו"ק עמ' יב, ע"פ יבי"א ח"ד סי' ב אות ח-ט]

Talmud (*Berakhot* 60b), we are to recite a series of blessings even before we get around to performing the morning *netillat yadayim*. If someone would choose to be stringent and not respond, he would be guilty of not responding to kaddish or *Kedusha* when he was supposed to respond. Likewise, he must respond Amen if hears someone recite a blessing. Before responding, however, he should wipe his hands clean with a cloth or someone else. If he had been sleeping fully clothed [so that he knows that he did not touch his body while sleeping, it is not necessary to wipe them clean. This will be explained below in halakha 52.

As explained above in *Siman* 1:5, it is not necessary to perform *netillat yadayim* before declaring *Mode ani* upon waking up. One may recite this thanksgiving declaration even while one's hands are dirty since it does not include any Name of God or word that substitutes for His Name.

Slept while wearing gloves

49) Even according to the holy *Zohar*, if a person slept while wearing gloves he may study Torah and recite blessings before performing the morning *netillat yadayim*. This is because the gloves weaken the grip of the harmful spiritual forces on his hands. Even so, if water is available one should perform *netillat yadayim* since one of the reasons for this mitzvah is that a person is newly created each morning, and this reason applies just as much even if someone slept while wearing gloves. In this case, however, he must not recite the blessing of *al netillat yadayim*.

Harav Zalman of Vilna (brother of Harav Hayim of Volozhin) used to wear gloves to sleep if he suspected that there would be no water available when he woke up. He then recited the entire *shaharit* prayers without performing *netillat yadayim*.[194] This is the

194. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. IV, #2:9) cited sources stating that if someone sleeps while wearing gloves, less than a thousandth of the regular impurity infects his hands. This person may even

אבל אם יש לו מים יטול ידיו, דהא איכא עוד טעמא לנטילת ידים שחרית, והוא משום שנעשה כבריה חדשה (ראה בהקדמה). [ילקו"י עמ' שסא]

נ. אם ישן עם כפפות בידיו, יטול ידיו שחרית, ולא יברך 'אשר קדשנו במצותיו וצונו על נטילת ידים'.

[ילקו"י מהדו"ק עמ' יג בהערה. ועי' יבי"א ח"ד סי' ב אות ח, ובהלכה ברורה עמ' פה]

נא. השומע קול רעמים בהיותו שוכב על מטתו, והתעורר משנתו, ואין לו שהות לקום וליטול ידיו כדי לברך בתוך כדי דיבור ברכת "שכוחו וגבורתו מלא עולם" כדת, או שיש לו טורח לקום ממטתו באישון לילה ואפילה, ישפשף ידיו בשמיכה או בסדין, ויברך מיד את הברכה הנ"ל בשם ומלכות בתוך כדי דיבור לשמיעת הרעם. [ילקו"י מהדו"ק עמ' יד, עפ"ד יבי"א ח"ד סי' ד אות כח]

proper procedure when someone realizes that it will be impossible to perform *netillat yadayim* upon waking up in the morning. By wearing gloves, it will be permissible for him to pray and recite the *Shema* even though he has not performed *netillat yadayim*.

As above

50) If someone sleeps through the night while wearing gloves, he must still perform *netillat yadayim* in the morning, but he must not recite the blessing of *al netillat yadayim*.

Blessing for thunder

51) If someone was woken up by a clap of thunder and he realizes that if he waits until after he performs *netillat yadayim* he will no longer be able to recite the blessing of *shekoḥo ugvurato male olam* for hearing the thunder, he may simply wipe his hands on his sheet or blanket and recite the blessing. Note that this blessing is to be recited in full, with God's Name, but it must be recited within one second of hearing the thunderclap. Even if someone hears rolling thunder and he has time to perform *netillat yadayim* and then recite the blessing, if it is difficult for him to climb out of bed in the dark to perform *netillat yadayim* he may follow this procedure.[195]

think about Torah subjects while still lying in bed after waking up. The *Midrash Talpiyot* (*ma'arekhet tet*, cited in the *Kaf Haḥayim* Palachi 8:9) testified that the great rabbis of Salonika would wear gloves to sleep at night, explaining that in this way less than a thousandth of the impure spirits could infect their hands. He added that no proof is necessary for this, since it is what common sense dictates. See the comment of the *Yalkut Yosef* (page 12).

195. The *Kaf Haḥayim* Sofer (227:15) ruled that if someone heard thunder and he has no time to get up, perform *netillat yadayim* and recite the blessing, he should simply think the words of the blessing without mouthing them. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. IV, #4:28) argued that it is wrong to forfeit the opportunity to recite this precious blessing. According to the *Shulḥan Arukh*, one cannot fulfill one's obligation by simply thinking the words of a blessing without mouthing them.

The *Kaf Haḥayim* claimed that the common custom is to recite the blessing over thunder without God's Name, but Maran the Rishon Letziyon argued that almost all the great *Poskim* ruled that this blessing, like all those listed in the ninth chapter of *Berakhot*, must be recited with God's Name. If someone would recite it without God's Name, it would not be considered a blessing at all. This was explained in the *Yalkut Yosef Berakhot English Edition* (Vol. III, *Siman* 227).

Maran the Rishon Letziyon added that if the person slept while fully clothed (in daytime clothes or pajamas) and he knows that he did not touch his body while sleeping, he may recite the blessing without even wiping his hands clean.