סד. השכים קום קודם עמוד השחר ונטל ידיו כדין, יש להסתפק אם צריך לחזור וליטול ידיו פעם שנית כשיאיר היום, להעביר הרוח רעה השורה על הידים, כי יש אומרים שבעמוד השחר חוזר הרוח רעה לשרות פעם שנית. ולכן יטלם ג׳ פעמים לסירוגין בלי ברכה. [ש״ע ס״ד ורמ״א שם, וכה״ח ס״ק נד, ילקו״י עמ׳ שכט]

Day 65

***Netillat yadayim* before dawn**

64) If someone woke up and performed *netillat yadayim* before dawn, he should repeat the act of *netillat yadayim*, pouring water on each hand alternately three times, after dawn. This is because some *Poskim* ruled that one's hands become contaminated by a harmful force at dawn whether or not one is sleeping at that time. He must not repeat the blessing of *al netillat yadayim*, however.[211]

Therefore, those people who get up before dawn during the month of Elul in order to recite the *selihot* prayers must remember to repeat *netillat yadayim* before they begin the *shaharit* prayers. They are not to repeat the blessing, as explained here.

The *Ma'amar Mordekhai* testified that the custom is not to recite the blessing of *al netillat yadayim* if one remained awake all night, since it is not certain that the Rashba requires *netillat yadayim* in this case. It might not be true that the institution of *netillat yadayim* is one of *la pelug*. Furthermore, if someone remained awake all night it may be that his hands do not become contaminated with any harmful force.

When someone naps during the night, however, the *Ma'amar Mordekhai's* arguments do not apply. In this case, if he relieves himself and dirties his hands in the morning he is obligated to perform *netillat yadayim* according to both the Rashba and Rabbenu Asher, and especially if he slept for "sixty breaths" and his hands are contaminated with a harmful force. Therefore, he should be able to recite the blessing according to all *Poskim*, as the *Halakha Berura* ruled.

Challenging the *Halakha Berura*

This ruling makes sense as long as the person slept for at least "sixty breaths," even if he was in a sitting position. This sleep satisfies all the criteria to necessitate *netillat yadayim* with its blessing. If he slept for less than "sixty breaths," however, his hands are not contaminated with the harmful force that comes through sleep, as the *Halakha Berura* states clearly. Even if he then relieves himself in a restroom and dirties his hands, they are not contaminated to the same degree. Although it is true that both the Rashba and Rabbenu Asher would rule that he must perform *netillat yadayim* and recite its blessing, but he is missing the criterion that the *Zohar* requires – that his hands be contaminated with the harmful force that comes through sleep. Above in halakha 60, it was shown that if someone remains awake until after the halakhic midnight, recites all the morning blessings and studies Torah for some time before going to sleep, he does not recite the blessing of *al netillat yadayim* upon waking up in the morning.

In defense of the *Halakha Berura*, it must be pointed out that he disagreed with the case of halakha 60 as well. He understood that Maran the Rishon Letziyon (in *Halikhot Olam*) rejected the *Ben Ish Hai's* ruling and ruled that even if someone goes to sleep after reciting the morning blessings and studying Torah, he must perform *netillat yadayim* with its blessing when waking up in the morning. If this is true, it means that Maran the Rishon Letziyon rejected the notion that according to the *Zohar* one needs to perform *netillat yadayim* in the morning only if one's hands become contaminated by sleep during the night. Even the *Zohar* agrees that the criterion required by the Rashba or Rabbenu Asher is sufficient to warrant reciting the blessing. As pointed out above in the footnote to halakha 60, however, this might not be the true interpretation of the *Halikhot Olam*.

In summary

If someone lies down to sleep for at least half an hour, he must perform *netillat yadayim* when he wakes up and recite the blessing. It is best in such a case to first dirty one's hands, since it is possible that according to Rabbenu Asher he would otherwise not be obligated to perform *netillat yadayim*, especially if he slept in his clothes.

If someone sleeps in a sitting position, then even if he remains asleep for several hours he must not recite the blessing of *al netillat yadayim*, but he must perform *netillat yadayim*. If he dirties his hands first, however, he may definitely recite the blessing.

If someone sleeps for less than half an hour, whether lying down or sitting up, he must not recite the blessing of *al netillat yadayim*, but he must perform *netillat yadayim* after dawn. The *Halakha Berura* insisted that even in this case, if he first dirties his hands he may recite the blessing. As explained here, that ruling might not be correct.

211. The issue here is not the hands' cleanliness and if they are fit for prayers; they are clean since he washed them

סה. נתבאר לעיל (בסימן ג' הלכה ה') שהניעור בלילה לעשות צרכיו, ודעתו לישון מיד אחר כך, אם בדעתו להמשיך לישון מיד, יטול ידיו לאחר שיצא מהשירותים, ויברך "אשר יצר", אך לא יברך "על נטילת ידים", שהרי דעתו לחזור ולישון. ובקומו בבוקר יטול ידיו, ויברך "על נטילת ידים".

הישן ביום

סו. הישן ביום, יש להסתפק אם צריך לערות מים על ידיו ג' פעמים או לא. ולכן יטול ידיו בלי ברכה. וגם כשנוטל ידיו מפני הספק, יטול ג' פעמים לסירוגין. [ש"ע סט"ו ורמ"א שם, משנ"ב ס"ק כט, בא"ח תולדות הי"ג].

Relieving oneself during the night

65) As explained above in *Siman* 3:5, if someone wakes up during the night to relieve himself and he wishes to go right back to sleep, he should wash his hands after relieving himself and recite the blessing of *asher yatzar*. He should not recite the blessing of *al netillat yadayim* at this time, however, since he plans to go right back to sleep. When he wakes up in the morning, he must repeat the mitzvah of *netillat yadayim* and recite the blessing for it.

Daytime Naps

***Netillat yadayim* after a nap**

66) The halakha is unclear whether one must perform *netillat yadayim* after a daytime nap. Therefore, one should wash each hand alternately three times, but not recite the blessing.[212] After waking up from a daytime nap, it is permissible

before beginning the *selihot*. As far as being "created anew," he has already performed *netillat yadayim*. The only issue is that his hands might become automatically contaminated with a spiritual harmful force at the moment of dawn.

If someone goes back to sleep before dawn

If someone rises after the halakhic midnight and performs *netillat yadayim*, but he later goes back to sleep until the morning, his hands are certainly contaminated with a harmful force. Even in this case, however, he cannot recite the blessing of *al netillat yadayim* in the morning. Although he definitely is obligated to perform *netillat yadayim* according to Rabbenu Asher, he is not obligated according to the Rashba. A person must perform *netillat yadayim* for being "created anew" only once every twenty-four hours. See the comments of the *Magen Avraham* and the *Mishna Berura* (4:32).

The *Halakha Berura* (page 87) states that according to the kabbalists, once someone rises before dawn but after midnight and performs *netillat yadayim*, his hands do not become contaminated again even if he goes back to sleep. They ruled that there is no need to perform *netillat yadayim* at all when he wakes up in the morning. Maran did not agree with this, as explained in the *Bet Yosef*. He must repeat the act of *netillat yadayim* when he gets up in the morning, but he must not repeat the blessing.

Rising for *selihot* before dawn

The *Halakha Berura* (page 88) ruled that since it is possible that one's hands become contaminated automatically at the moment of dawn, those people who rise before dawn during the month of Elul to recite the *selihot* must perform *netillat yadayim* upon rising and again after dawn before beginning *shaharit*. They are to recite the blessing of *al netillat yadayim* upon rising only, however. It is unclear, however, whether they must interrupt the *selihot* at dawn to perform *netillat yadayim*. The common custom is not to interrupt, but to wait until the *selihot* are over when they are about to begin *shaharit*.

Harav Shelomo Zalman Auerbach (*Halikhot Shelomo Tefilla* page 211) ruled as well that it is not necessary to interrupt the *selihot* to perform *netillat yadayim*. He deduced this from the *Matte Efrayim* (581:12). This is likewise the ruling of Harav Hayim Kanyevski (*Ishe Yisrael* #6). See more about this in the *Piske Teshuvot* (page 49).

212. This is the ruling of the *Shulhan Arukh* (4:15). The *Poskim* debated whether it is sleep that causes a per-

ומכל מקום אין צריך להזהר, בנגיעה בעינים או בחוטמו ובאזניו לאחר שינת היום. [באו"ח שם הט"ז]. ולעיל (הלכה ל"ח) נתבאר שלכתחילה לא יגע באוכלים לאחר שישן ביום, ושבדיעבד יש להקל.

סז. אם ישן ביום שינת עראי, כגון שישן זמן מועט ביותר (פחות מחצי שעה), אין צריך נטילת ידים כלל.

[ראה משנ"ב ס"ק לד, ילקו"י עמ' שכט]

to touch one's eyes, nose or ears even before performing *netillat yadayim*. As explained above in halakha 38, one should avoid touching foods until after *netillat yadayim*. If someone touched food before performing *netillat yadayim*, the food may still be consumed.[213]

Less than half an hour

67) If someone naps in the daytime for less than half an hour, he is not obligated to perform *netillat yadayim* when he gets up.[214]

son's hands to become contaminated with a harmful force or if the night causes it even if he remains awake. If the cause is sleep, then he must perform *netillat yadayim* after a daytime nap as well, but if the cause is the night there is no such obligation.

According to Rabbenu Asher, there should be no difference between sleeping at night or during the day. In both cases we must suspect that the person's hands touched unclean parts of his body while he was asleep. According to the Rashba, however, there is no reason to obligate *netillat yadayim* after a daytime nap since a person is not considered to be "created anew" after such a nap. The Rashba specifically wrote that a person is "created anew" *in the morning*, meaning after sleeping during the night. This explanation appears in the *Halakha Berura* (page 88), citing Harav Yisrael Yona.

Harav HIDA (*Birke Yosef*) cited his ancestor, the author of *Hesed le'Avraham*, ruling that a person's hands become contaminated after a daytime nap. The *Mikdash Melekh*, however, ruled that this happens during the night only. The *Lev Hayim* Palachi (Vol. I, #69) concluded after a lengthy discussion that one's hands become contaminated only during the night. The *Ben Ish Hai* (*parashat Toledot* halakha 13), however, strongly recommended that one perform *netillat yadayim* after a daytime nap, but not to recite the blessing. The *Kaf Hahayim* Sofer (4:56) concurred with this.

213. The *Ben Ish Hai* (*parashat Toledot* halakha 15) ruled that one may touch one's body openings after a daytime nap even before performing *netillat yadayim*.

Touching food after a daytime nap

Logic dictates that it should be permissible to touch food before performing *netillat yadayim* as well. Maran the Rishon Letziyon ruled that the food is permissible if someone touched it after a daytime nap, but we may deduce from his words that it is best not to touch it until performing *netillat yadayim*. This ruling appears in the *Yalkut Yosef* (page 380) and above in halakha 38. The *Tosefet Ma'ase Rav* (#25) testifies, however, that Harav Eliyahu of Vilna forbade any food that someone touched after a daytime nap before performing *netillat yadayim*. Harav Hayim Kanyevski (*Ishe Yisrael*) ruled that one should likewise avoid touching one's body openings. Nevertheless, we may follow the rulings of the *Ben Ish Hai*.

Walking four cubits

It is permissible to walk more than the distance of four cubits after a daytime nap before performing *netillat yadayim*. This is the ruling of the *Eshel Avraham* of Butchatch (4:1). Harav Hayim Kanyevski (*Da'at Nota* page 178) cited the *Hazon Ish* ruling leniently as well.

The blessing of *hamapil*

Maran the Rishon Letziyon (responsa *Yehave Da'at* Vol. IV, #21) ruled that there is no obligation to recite the blessing of *hamapil* when lying down for a daytime nap.

214. Napping for less than half an hour

Both the Rashba and Rabbenu Asher ruled that there is no obligation to perform *netillat yadayim* after a daytime nap of less than half an hour. According to Rabbenu Asher, there is no obligation even after such a nap during the night, as explained above in the footnote to halakha 63. According to the Rashba, there is no obligation after any daytime nap, as explained above in the footnote to the previous halakha. Nevertheless, it could be that one must perform *netillat yadayim* since it might be that one's hands become spiritually contaminated after such a nap.

The *Mishna Berura* (4:34) cited the *Aharonim* ruling that one's hands do not become contaminated through a nap that is less than "sixty breaths." In the *Bi'ur Halakha*, he cites three opinions regarding the definition of "sixty

סח. צריך האדם לישון בלילה כפי צורך בריאות גופו, מכיון ששנת הלילה טובה ומוכרחת לאדם שיהיה לו כח לעבוד את ה' יתברך ושלא יתבטל מלימוד התורה. וכבר נתבאר לעיל בסימן א' (הלכה י"ג) שיעור השינה שישן האדם בלילה.

ולגבי שינת היום, הבאנו בילקוט יוסף בתחלת סימן רל"א דברי מרן בשלחן ערוך (ר"ס רל"א) שאם אי אפשר לו ללמוד בלא שינת הצהרים יישן, ובלבד שלא יאריך בה, שאסור לישן ביום יותר משינת הסוס שהוא שיתין נשמי, ואף בזה המעט לא תהא כוונתו להנאת גופו אלא להחזיק גופו לעבודת ה' יתברך.

Proper amount of sleep

68) It is important for people to sleep sufficiently each night to maintain their optimal health and strength. If someone does not sleep enough, he will not be capable of serving God or studying Torah properly. How much sleep does a person need? This was discussed above in *Siman* 1:13.

In the *Yalkut Yosef Berakhot English Edition* Vol. III, *Siman* 231:1, Maran was cited stating that if someone finds that he cannot study Torah without napping during the day, he may take a short nap. Maran stated that it is forbidden to sleep for longer than "sixty breaths"[215] during the day. One must never nap for one's pleasure, but only with the intention of having the strength and alertness necessary to serve God properly.[216]

Day 66

breaths" – three hours, three minutes or thirty minutes. He concluded that one should try to do as well as one can.

The responsa *Rav Pe'alim* (Vol. II, *Sod Yesharim* #9) discussed this issue and concluded that one should follow the middle opinion – half an hour. This is likewise the opinion of the *Kitzur Shulḥan Arukh* Ganzfried (2:8), the *Ketzot Hashulḥan* (*Badde Hashulḥan* 2:1) and the *Or Letziyon* (Vol. II, 1:7). The *Yalkut Yosef* (page 329) explains the three opinions, but he does not offer a conclusive ruling. According to the ruling of the *Aḥaronim*, there is no obligation to perform *netillat yadayim* after napping less than half an hour.

Daytime napping while sitting up

The *Halakha Berura* (page 88) ruled that if someone naps while sitting up he does not need to perform *netillat yadayim*. This is surprising, for if someone sleeps for half an hour or more, his hands might be contaminated by harmful forces. It makes no difference whether he slept in bed or sitting up in a chair, in either case it should be necessary to perform *netillat yadayim* to get rid of that harmful force. This matter needs more research.

215. How long is "sixty breaths"?

In the footnote to the previous halakha, it was explained that there are three opinions regarding the definition of "sixty breath," and that in practice we assume it is half an hour. Harav Ḥayim Kanyevski (*Da'at Nota* page 139) likewise permitted daytime naps of up to half an hour.

216. When one remains awake all night

The *Petaḥ Hadevir* (231) commented that this limit on daytime naps applies to someone who has slept sufficiently during the night. Although his daytime nap helps him remain alert through the afternoon, he should still limit it to a short time. If someone remained awake all night studying Torah or if he cut his night's sleep short in order to study Torah, it is permissible to sleep during the day long enough to ensure that he will remain alert to study Torah the following day. As Rashi explained in *Sukkah* (26b), the reason for limiting daytime naps is so that one does not waste time that could be spent in Torah study. Since this person spent the night studying Torah, he has already satisfied his quota of hours for that day. If he does not catch up on his sleep now, he will be incapable of studying anymore for the rest of the day.

See more about this in the responsa *Rav Pe'alim* (Vol. II, Unit *Sod Yesharim* #9) and the *Halakha Berura* (page 90).

When more sleep is necessary

The *Mishna Berura* (4:36) cited the *Maḥazik Hashekel* explaining that each person has to judge for himself how long he needs to sleep to optimize his service of God. If someone is ill, it is permissible for him to sleep extra hours during the day. The *Arukh Hashulḥan* (231:1) testified that many great Torah scholars regularly napped for an hour or two each day, since this was necessary for their individual needs and schedules.