ג. צריך שיהיה הכלי מחזיק בתוכו רביעית. [ש"ע סי' קנט ס"א]. והוא שמונים ואחד סמ"ק. [ראה חזו"ע פסח ח"ב עמ' טז]. ואם הוא פחות מרביעית פסול לנטילת ידים אפילו רוצה למלאותו ב' וג' פעמים. [גר"ז ס"ג]

כלי שניקב

ד. בשיעור הנקב יש שיעור "מוציא משקה" ושיעור "כונס משקה". "כונס משקה" הוא שיש בכלי נקב גדול בשיעור כזה שאם יתנו ישימו אותו על משקים יכנסו בתוכו דרך הנקב, והוא גדול מנקב בשיעור "מוציא משקה" שהמשקים שבתוך הכלי יוצאים בו.
אם ניקב הכלי בשיעור "כונס משקה", אז בטל מתורת כלי ואין נוטלים ממנו לידים, ואפילו אם הוא מחזיק רביעית מן הנקב ולמטה. ודוקא שנוטל דרך פיו למעלה שמה שממנו מן הנקב ולמעלה אינו

Size of the container

3) The container must be able to hold at least *revi'it* (81 cc/ 3 fl. oz.) of water. Any container smaller than this cannot be used even if one refills it several times.[48]

Day 40

A Container That Leaks

Motzi mashke* vs. *kones mashke

4) The Talmud describes two levels of leaks in a container – *motzi mashke* and *kones mashke*. *Motzi mashke* means simply that the container leaks, that if one fills it up the liquid will slowly seep out through a tiny puncture. *Kones mashke* means that if someone pushes the empty container down into water, the water will begin to seep into the container through the puncture. Technically, it is possible for a container to have a leak that is *motzi mashke* but still not be *kones mashke*. [In such a case, the container is still kosher for the mitzvah of *netillat yadayim*.]

The halakha is that a container made to hold liquids but has a leak that is *kones mashke* no longer has the status of a *keli*. [If the hole in it is that large, it leaks at an unreasonable rate for its intended use.] Therefore, that container is not fit for the mitzvah of *netillat yadayim*.

Even if the hole is above the point where the container holds *revi'it* and it is possible to pour *revi'it* of water into it and nothing will leak out at all, the container is disqualified.

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48. This is the ruling of Harav Zalman (159:3). He derived this halakha based on a question -- why is it necessary to tell us how much the container must hold? After all, we already know that there has to be *revi'it* of water, so of course the container has to be large enough to hold *revi'it*. It must be, therefore, that the halakha is telling us that a smaller container cannot be used even if refilled several times. See more about this in the *Bi'ur Halakha* (159:1).

Collapsible cup

Some cups are made of sections that fit into one another when they are not being used. To use them, one pushes the sections out from one another so that they assume the shape of a cup, and after using the cup one pushes the sections together for easy storage. The cup can hold *revi'it* of water only when the sections are stretched out to form a cup. The *Shulhan Esh* ruled that this cup is kosher for use for *netillat yadayim* as long as the sections hold together tight and do not allow any water to leak out between them. This is likewise the ruling of Harav Shelomo Zalman Auerbach, cited in *sefer Birkhot Shamayim* (#2:5).

חשוב ככלי, ונמצא שאין המים באים על ידו מהכלי, אבל אם נוטל דרך הנקב שרי, כיון שמחזיק רביעית ממנו ולמטה. [ראה ש"ע סי' קנט סעיף א-ב ובאחרונים]

This is because the portion of the container above the hole has lost the status of *keli* although the bottom portion still is a *keli*. When someone pours water from the container, the water is being poured through the top portion and it is as if the water is not being poured from a *keli*.

If the hole is wide and water can be poured directly through it, it is possible to use this container for *netillat yadayim* by pouring the water onto one's hands directly through the hole. This is because the section of the container below the hole still has the status of a *keli*.[49]

49. This is the ruling of Maran in the *Shulḥan Arukh*. The *Mishna Berura* (159:10) cited a number of *Poskim* who disagreed with this ruling. They ruled that since this container was meant to hold liquids, once it has a leak it loses its status as a *keli* entirely even though it can still hold liquids up to the level of the crack or hole. Therefore one may not use it for the mitzvah of *netillat yadayim* even if one pours the water through the hole. This, they explained, is in contrast to a barrel or jug fitted with a spigot near its bottom. In that case, the hole made in the barrel's side for the spigot does not void the barrel's status as a *keli*. Even if the spigot is not inserted, one may still pour water on one's hands through the hole for the mitzvah of *netillat yadayim*; the portion of the barrel below the hole has the status of a *keli*, as explained below in halakha 16. In the case discussed here, however, this container is not meant to have a crack or hole in its side and such a crack voids its status as a *keli*. Nevertheless, the *Ḥazon Ish* (21:3, 4) defended the ruling of the *Shulḥan Arukh*.

The *Ben Ish Ḥai* (*parashat Tahorot* halakha 4) wrote that according to Maran it is permissible to perform *netillat yadayim* by pouring the water onto one's hands directly through the hole in the container. In practice, however, he ruled that one should not recite the blessing when performing the mitzvah in this manner since some *Poskim* ruled that the container is disqualified altogether. He should recite the blessing while thinking but not pronouncing God's Name.

Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 327) disagrees in principle with this and other similar rulings of the *Ben Ish Ḥai*. He explained that once we have established that it is possible to perform the mitzvah of *netillat yadayim* with a certain utensil, it is permissible and necessary to recite the blessing of *al netillat yadayim* in full, with God's Name, despite the fact that there are some *Poskim* who ruled that the mitzvah cannot be performed in this manner. Therefore, since the halakha follows the opinion of Maran that one may pour the water onto one's hands through the hole in the container, one must recite the blessing in full as well. This is likewise the ruling of the *Halakha Berura* (page 97). Nevertheless, if there is a container available that has no crack at all, one should certainly choose that container rather than use one with a wide crack by pouring the water through it. Since one has the opportunity to perform the mitzvah with a container that is kosher according to all *Poskim*, it would be disrespectful to the mitzvah to perform it with a container that is disqualified according to some *Poskim*.

The *Mishna Berura* (159:10) wrote that this issue applies only to earthenware containers that are intended for liquids. Since that is their purpose, even a tiny puncture renders it useless and it is no longer considered a viable *keli*. If the container is intended to hold solid items, however, even if it is punctured and it is *kones mashke*, the entire container still has the status of *keli*, and it is permissible to use it for *netillat yadayim* by pouring the water through the hole. The same applies to any container made of a material other than earthenware if it is intended for holding solid items.

Maran, however, ruled that it is permissible to use even an earthenware container intended for liquids that has been punctured, as long as one pours the water through the hole in it.

How to pour through a crack

If someone needs to use a cracked container for *netillat yadayim*, pouring the water through the crack, the water might leak through the crack and only dribble onto his hands. The *Mishna Berura* (159:10) pointed out that the *Poskim* debated whether it is possible to fulfill the mitzvah in this manner. According to Maran in the *Shulḥan Arukh* (162:3), it is possible to pour the water on one's hands drop by drop as long as each drop is large enough to wet the skin where it lands. It is necessary for the following drop to land adjacent to a spot that is already wet from previous drops and to continue this process until water has been poured on

ה. אם ניקב הכלי בשיעור קטן מזה כשיעור "מוציא משקה", חשיב ככלי שלם ונוטלין דרך פיו, ואפילו נמצא הנקב סמוך לתחתית הכלי באופן שאין מן הנקב ולמטה מחזיק שיעור רביעית, אף על פי כן כשר הכלי לנטילת ידים ואף יכול לברך "על נטילת ידים". [ראה הליכו"ע ח"א עמ' שכז]

Day 41

A hole that is *motzi mashke*

5) As stated above, if a container has a hole that is only *motzi mashke*, it is considered a whole *keli* and it may be used for *netillat yadayim*, pouring the water from the mouth of the container. Even if the hole is down at the very bottom of the container so that the container will be left with less than *revi'it* after the water leaks out, it is nevertheless kosher for this mitzvah. After performing the mitzvah with this container one must recite the blessing of *al netillat yadayim*.[50]

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the entire hand. According to other *Poskim*, however, one must pour the water on the entire hand in one continuous spilling. According to those *Poskim*, it is possible to use a cracked container only if the crack is so wide that the water leaks from it in a continuous stream, enabling one to pour water onto the entire hand in one spill. The *Mishna Berura* ruled that one must follow the opinion of these *Poskim* whenever possible.

The *Ben Ish Hai* (*parashat Shemini* halakha 13) and Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 320) both concurred with Maran's opinion. Therefore, it is possible to use a cracked container even if the water only drips from the crack, and one must afterward recite the blessing of *al netillat yadayim*.

The *Ma'amar Mordekhai* (159:5) expressed his wonder how anyone could possibly succeed to perform *netillat yadayim* through a crack in a container when the water leaks out one drop at a time. He concluded that our Sages spoke about this on a theoretical basis only; practically such a thing could never take place. The *Kaf Hahayim* Sofer (159:22) explained it more simply, saying that we are speaking about a case where the crack has widened until it is practical to pour the water through it. The *Kokhava Deshavit* (page 107c) explained that the case is speaking where there are several cracks parallel to one another, and each one is *kones mashke*. Although the water leaks through each of the cracks very slowly, the combined leaks form a flow of water that make it practical to perform *netillat yadayim*.

50. This is the ruling of Maran in the *Bet Yosef*. He explained that if a container would become *tame* and then would be punctured with a hole that is *motzi mashke*, the container is still considered whole and it remains *tame*. The container is viewed halakhically as if it has not been punctured at all. Therefore, it is kosher for the mitzvah of *netillat yadayim*. Maran conceded that the *sefer Mitzvot Gadol* and the *sefer Mitzvot Katan* both ruled that the container is kosher only if it can hold *revi'it* of water below the point where it has been punctured, but he demonstrated that the *Terumat Hadeshen* ruled more leniently. Therefore, we follow the lenient opinion since the rule concerning the halakhot of *netillat yadayim* is to follow the lenient opinion of any halakhic debate.

The *Ben Ish Hai* ruled more stringently, that the container is kosher only if it can hold *revi'it* of water below the point where it has been punctured, but Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 327) pointed out that this runs counter to the ruling of Maran. The *Kaf Hahayim* Sofer (159:9) defended the ruling of the *Ben Ish Hai*, explaining that he ruled stringently because of the principle of *safek berakhot lehakel*.

Maran the Rishon Letziyon rejected this argument, explaining that once we have established that the mitzvah of *netillat yadayim* can be performed using this container, it becomes permissible and necessary to recite the blessing; the principle of *safek berakhot lehakel* does not apply. This rule was explained in the previous footnote.

The *Mishna Berura* (*Sha'ar Hatziyun* 159:6) cited the *Magen Avraham* who appears to support the stringent opinion in this matter, claiming that this is the opinion of the Rashba as well. The *Erekh Hashulhan*, however, proved decisively that the Rashba, Ritba and Rabbenu Nissim all concur with the ruling of Maran. Based on this, Maran the Rishon Letziyon ruled leniently in this matter. Of course, if a container that has not been punctured at all is available, one should use that one and not purposely defy the *Poskim* who ruled stringently.