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.

ו. יש אומרים דלא חילקו בין כונס משקה למוציא משקה, אלא בניקב, אבל אם נסדק, אף שמחזיק רביעית למטה מהסדק, ואפילו שאינו אלא ב"מוציא משקה", אין נוטלין ממנו, משום דנסדק גרע

Cracked containers

6) Some *Poskim* ruled that the above dtscussion applies to a container that has been punctured but not to one that has been cracked. If it has been cracked, then the container is unfit for the mitzvah of *netillat yadayim* even if it is only *motzi mashke* and not *kones mashke*. A cracked container is less fit for this mitzvah than one that has been punctured.[51]

51. The *Bayit Hadash* ruled that a cracked container is worse than a punctured one, and several *Aharonim* cited his opinion as the halakha. The *Haye Adam* explained that a hole in a container will likely remain as it is whereas a crack is liable to become wider and longer until the container breaks altogether. Therefore, it is as if it has already broken.

The *Ture Zahav* and Harav Zalman both ruled leniently in this matter, that a cracked container that is only *motzi mashke* is still kosher. After a lengthy discussion, the *Mishna Berura* (*Bi'ur Halakha*) concluded that it all depends whether it is still possible to pour boiling water into the container. Therefore, he added, if the container is made of glass it is disqualified by any crack whatsoever, even one that is not even *motzi mashke*. If the container is intended to be used only with cold liquids, however, it is not necessary for it to be able to withstand hot liquids. This is likewise the ruling of the *sefer Birkhot Shamayim* (159:54) citing the *Hasde David* Pardo. The rules for containers made of other materials are the same whether they are cracked or punctured, as long the crack is not likely to become wider as time passes.

According to this, one can be lenient and use a cracked metal container as long as the crack is not *kones mashke*. The *Kaf Hahayim* Sofer declared, however, that the *Poskim* did not mention that the rules are different for a metal container than they are for other containers, and therefore he ruled to be stringent even regarding metal containers that have cracks that are *motzi mashke* unless there is no better container available. If one does use a cracked metal container, he ruled that one must not recite the blessing while pronouncing God's Name, based on the rulings of the *Ben Ish Hai*.

This ruling, which seems to be the safest route, is still problematic. As the *Kaf Hahayim* has pointed out, it appears that the opinion of Maran is that there is no halakhic difference between a hole in a container and a crack in it. Furthermore, the *Mishna Berura* ruled clearly that a crack and a hole have the same rules if it is a metal container. If so, the rule should be to follow the lenient opinion regarding the mitzvah of *netillat yadayim*. Once we have decided that the mitzvah may be performed with such a container, one should be obligated to recite the blessing as well, according to the rule cited by the *Halikhot Olam* and in the previous footnote. The *Halakha Berura* (page 99), however, ruled that one may use the container for *netillat yadayim* but without reciting the blessing. This matter needs more research.

Although the *Ben Ish Hai* and the *Halakha Berura* (page 99) ruled that one must not recite the blessing if one performs the mitzvah using such a container, it is difficult to understand this ruling. As the *Kaf Hahayim* explained, it does not appear that Maran differentiated between the rule of a container with a hole and that of one that is cracked. The *Mishna Berura* likewise ruled that both have the same rules. If so, we should follow the principle of ruling according to the lenient opinion in all matters concerning the halakhot of *netillat yadayim*. Once we have ruled that the mitzvah may be performed with such a container, it becomes permissible to recite the blessing as well, as explained in the previous footnote citing Maran the Rishon Letziyon.

A crack that does not leak at all

One would imagine, after learning these rules, that if a metal container is cracked but no water leaks out through the crack, all *Poskim* should agree that this is not a broken *keli* and it can be used. Rabbenu Menachem Hame'iri (comment to *Nidda* 49) testified that any hole or crack in a container, no matter how miniscule, will allow the water to leak out, albeit very slowly. According to this, there is a basis to disqualify any cracked metal container since it is definitely in the category of *motzi mashke*. The *sefer Piske Teshuvot* (page 355) wrote leniently regarding a container that appears to have a tiny hole, stating that if it is obvious that the container does not leak at all even when filled with water to its rim, the container may be used for *netillat yadayim*. Since it does not leak, it must be that the hole does not go all the way through. This leniency applies to a hole in the container but it probably would not apply if the container is cracked and the crack is visible both on the inside and outside of its wall. In that case, it is evident that the crack goes all the way through.

מניקב. ואף על גב דיש חולקין וסבירא להו דאין לחלק, יש לחוש לסברת המחמירין, ורק בשעת הדחק יש לסמוך על המקילין, אבל לא יברך בשם ומלכות, אלא יהרהר שם ומלכות בלבו. [באו"ח פ' טהרות הלכה ה. ובכה"ח סופר ס"ק יד]. ובכלי שיש בו סדק, אם הוא כלי זכוכית, אפילו הסדק דק מאד שאינו אפילו כמוציא משקה, אם אין הכלי יכול לקבל עתה החמין כצונן אין ליטול בו. [משנ"ב ס"ק יא וביאוה"ל שם, כה"ח שם]

ז. כלי נחושת שניקב, מותר לסותמו בבדיל, וכשר לנטילת ידים. וכלי חרס שניקב, וסתמו בחרסית, אם אין לו כלי אחר רשאי ליטול בו ידים. וכלי נחושת שניקב וסתמו בזפת, כשר לנטילת ידים בברכה. [הליכו"ע ח"א עמ' שכח]

ח. כלי שנפחת מלמעלה, ויכול לעמוד על שוליו שלא במסומך ולקבל רביעית, כשר לנטילת ידים אם אין לו כלי אחר, אך יזהר ליטול בה במקום שנפחת ששם הכלי נמוך דבשפה אחרת שהכלי גבוה,

Although other *Poskim* ruled that there is no difference between a cracked container and a punctured one, we follow the stringent opinion in practice. If no other container is available, however, one may use a container with a crack that is only *motzi mashke* but one must not pronounce God's Name when reciting the blessing afterward. Instead, one should think the Name as if one pronounced it.

Cracked glass containers

The halakha is even more stringent regarding glass containers. Once any crack appears in a glass container it may not be used for *netillat yadayim* if it is no longer safe to pour hot water into it. Even if the crack does not leak at all and it is not even *motzi mashke*, the container is disqualified for this mitzvah.

Day 42

Containers with patched holes

7) If a copper container has been punctured but it has been sealed with a tin patch, it is fit to use for the mitzvah of *netillat yadayim*. Likewise, if a hole in a copper container is sealed with pitch, the container is fit for the mitzvah and one must recite the blessing of *al netillat yadayim* as well.[52] If an earthenware container has been punctured and was repaired with clay, it may be used only if no other container is available.

If container's top is broken

8) If a container's top section has broken off but it still stands steadily and it can hold *revi'it* of water, it may be used for *netillat yadayim* if no better container is available.[53] When using it, one must take care to pour the water

52. The *Ben Ish Hai* and the *Kaf Hahayim* Sofer both ruled that pitch may be used to repair a puncture in an earthenware container but not a copper container. Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 328) demonstrated that a number of *Poskim* ruled that even a copper container repaired in this manner is kosher. Once we ascertain that the mitzvah of *netillat yadayim* can be performed with this container, it follows that one may recite the blessing of *al netillat yadayim* as well. There is a glaring error in the original *Yalkut Yosef* (footnote on page 56).

53. Broken containers

If the top section of a container has been broken, it is still permissible technically to use that container for the mitzvah of *netillat yadayim* as long as it can still hold *revi'it* of water and it can stand on its own without spilling its contents. One may even recite the blessing of *al netillat*