שכשוך ידים בכלי

לו. אם הכניס ידיו לתוך כלי של מים ושכשך ידיו בהם אם הכלי מחובר לקרקע לא עלתה לו נטילה. ואם אינו מחובר לקרקע, יש אומרים שעלתה לו נטילה, ויש אומרים שלא עלתה לו. ובשעת הדחק יכול לסמוך על דברי המתירים. [ש"ע סי' קנט ס"ח]. ומכל מקום לא יברך על נטילה זו, וגם יאכל על ידי שיכרוך ידיו במפה. [משנ"ב ס"ק נו, כה"ח ס"ק סג]

ואם אחר כך נזדמן לו ליטול בדרך נטילה, נוטל בלא ברכה. [ש"ע שם]. ונכון שיגע במקומות המטונפים, ואז יברך בנטילה השניה. [כה"ח שם]. אמנם אם לא ידע ובירך בנטילה ראשונה, כשיטול שנית לא יברך. [כה"ח שם]

Day 51

Immersing Hands in a Container of Water

A container attached to the ground

36) If a container is attached permanently to the ground and filled with water, one cannot fulfill the mitzvah of *netillat yadayim* by immersing the hands in it.

A container detached from the ground

The *Poskim* debated the halakha of immersing one's hands in a container if it is not attached to the ground. Some ruled that one may perform the mitzvah in that manner and others ruled that one may not. When someone has no other choice, he may rely upon the lenient opinion, but he must not recite the blessing of *al netillat yadayim*. After immersing his hands, he should wrap them in a cloth so that his fingers do not touch the bread when he eats it. If afterward it becomes possible to perform *netillat yadayim* in the usual manner, he should do so, but he must not recite the blessing at that time, either.[73] The correct course of action is to defile his hands and then perform *netillat yadayim* and recite the blessing. If someone had mistakenly recited the blessing after immersing his hands in the container, he must not recite the blessing again when performing *netillat yadayim* in the usual manner.

must perform the entire procedure of *netillat yadayim* even when immersing the hands, as written in the halakha here.

73. Most *Poskim* agreed that it is not possible to perform *netillat yadayim* by immersing the hands in a container. Since the water is in a container, it must be poured on the hands through *ko'ah gavra*, a person's physical efforts. This might be compared to the mitzvah of the *kohanim* to wash their hands from the *kiyor* (basin) in the *Bet Hamikdash*. Just like the *kohen* cannot fulfill his obligation by immersing his hands in the *kiyor*, as we are taught in *Zevahim* 21a, we cannot fulfill our obligation of *netillat yadayim* by immersing our hands in a container of water.

The lenient position is that there is no halakha that demands that the water be poured by someone onto the hands. The halakha demands only that the water used for *netillat yadayim* be in a container. Once the water is in a container, it makes no difference whether it is then poured on the hands or if the hands are immersed into the water.

Maran cited both these opinions in the *Shulhan Arukh* (159:8). He ruled that when one has no other option one may rely upon the lenient opinion.

All the above discussion concerns immersing the hands in a container that is not attached to the ground. If the container is permanently attached to the ground, all *Poskim* agree that one cannot fulfill the mitzvah of *netillat yadayim* by immersing the hands in it. Such a container appears like a mikveh, but the water in it is unfit for a mikveh since it is being carried in a container. Even if the container holds more than forty *se'a* of water, it is nevertheless disqualified. Even according to Rabbenu Avraham ben David who, as explained above in halakha 30, ruled that one may immerse the hands in a mikveh filled with water that had been carried in a container, that is true only in a genuine mikveh built into the ground. If the water is in a container that was later attached to the ground, however, everyone agrees that it is disqualified for the mitzvah of *netillat yadayim*, as explained by the *Mishna Berura* (*Bi'ur Halakha*) and the *Halakha Berura* (page 124). If someone would immerse his hands in it, he may not eat his bread until he performs *netillat yadayim* in the proper manner, following the ruling of the *Mishna Berura* (159:89).

Preface Water Fit for *Netillat Yadayim*

Water whose appearance has changed

Water that has the appearance of some other liquid is unfit for *netillat yadayim*. This halakha is derived from the rules of the water of the *kiyor* used in the *Bet Hamikdash* to wash the hands and feet of the *kohanim*, as explained by Rabbenu Aharon Halevi (comment to *Berakhot* 53b, cited in the *Bet Yosef*) and Rabbenu Nissim (comment to *Hullin* 106a). Since the Torah specifies "water" in that mitzvah, it must appear as natural water.

The *Magen Avraham* (160:2) suggests that the basis for this halakha is in order to match the rules regarding the waters mixed with the ashes of a *para aduma*. See more about this in the *Birke Yosef* and other *Aharonim*.

Water that has been used

If water was used to soak a piece of bread or to cool a bottle of wine, it is disqualified as "used water." This is certainly the case if someone rinsed dirty utensils with the water. Even though the water's appearance has not changed at all, it is disqualified. Rambam (commentary to the Mishna *Yadayim* 1:3; *Hilkhot Berakhot* 6:8) explained that once water has been used it is considered sewage and is not fit to be used for the mitzvah. According to this, one might think that if someone cooled down a beverage by immersing a bottle in a container of cold water or if he used the water to ascertain the volume of another container, the water is still fit for the mitzvah. In these cases, nothing was done that would affect the quality of the water.

The *Halakha Berura* (page 170), however, explained that Rambam ruled that the used water is disqualified, not because its quality has been affected but because it has lost its value in the eyes of the person who used it. People would not normally choose "used water" for their needs. Since the person intends to discard this water, it is no longer fit for the mitzvah of *netillat yadayim*.

Maran in the *Bet Yosef* cited a different reasoning for this halakha from Rabbenu Shimshon (commentary to *Yadayim*): Once water has been used, it is no longer considered "water." The *Kaf Hahayim* Sofer (160:9) wrote that

there is a practical difference between the reasoning offered by Rambam and that offered by Rabbenu Shimshon. According to the latter, the water is disqualified only if its quality has been affected somewhat now that it has been used. According to Rambam, however, it is disqualified even if it has not been affected at all by the use. The *Mishna Berura* (*Sha'ar Hatziyun* 160:10) pointed out that most *Aharonim* subscribed to the reasoning offered by Rambam. The *Peri Megadim* (cited below in the footnote to halakha 4) offered another possible practical difference between the reasoning of Rambam and that of Rabbenu Shimshon, regarding bread that was accidentally left soaking in a container of water.

In all these cases, we follow the rules laid down by our Sages to determine what disqualifies the water and what does not.

Bitter or Putrid Water

Water that is too bitter or putrid for a dog to drink is disqualified for *netillat yadayim*. Such liquids do not have the halakhic status of water for this purpose. The source for this halakha is the Mishna in tractate *Yadayim* (1:3) stating that if water is not fit for a domestic beast to drink it is disqualified for *netillat yadayim*. Maran explained in the *Bet Yosef* that actually the halakha depends on whether the water is fit for a person to drink. *Chazal* taught us that as long as a domestic beast is willing to drink the water, a person can also drink it in an emergency. See the *Mishna Berura* (160:39).