

The Mitzva of Netilas Yadayim in the Morning

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The gemara in Maseches Brachos (60a) while listing off all of the Birchos Hashachar, writes: When he washes his hands, he recites al netilas yadayim. The Gemarah does not qualify this statement, nor does it discuss the nature of the obligation one has to wash his hands in the morning. Two varying explanations for this practice are given in two different masechtos. In Shabbos (109b) the gemarah explains that a man who awakens in the morning has a Ruach Ra'ah (I don't know how to translate it, but don't say bad wind or spirit) on his hands and he is forbidden to touch his mouth, nose or eyes before he washes his hands three times. This concept is considered kabbalistic and has its origins in the Zohar Hakadosh (Parshas Vayeshev). The other Gemarah is found in Brachos (15a). It states that anyone who takes care of his needs, washes his hands, puts on his Tefilin, says Krias Shemah and prays is as if he brought a sacrifice to Hashem. From these two Gemaros, the Rishonim try to understand the basis for netilas yadayim on the morning.

The Rosh (Brachos, ninth perek, siman 23) writes that the basis for the obligation for one to wash his hands in the morning is "yadayim shel adam Askanyos hem", that when one sleeps, he is constantly tossing and turning, and it is almost impossible for him not to touch a part of his body that is normally covered. Therefore, Chazal instituted an obligation for everyone to wash his hands upon awakening in order that one should be able to fulfill his obligation to say Shema and to daven with clean hands. Thus they instituted a Brachah on this washing, since it is obligatory every morning. The Rosh continues and states that really, the text of this Brachah should be "Al N'kyus Yadayim" (since the goal of this washing is the cleaning of one's hands), however, since there already existed a brachah of al netilas yadayim, from the mitzvah derabanan of washing before a meal, the rabanan kept the text that they had formulated elsewhere. The Rosh adds that even though the specific takanah was only for Shacharis, the obligation for one to wash his hands with a bracha exists for any tefilah, given that one's hands were dirty and unfit for davening. Thus, the Rosh focuses completely on the issue of netilas yadayim as an obligation having to do with Davening and Krias shema and makes no mention of the concept of Ruach Ra'ah.

The Rashba (Shut siman 191) explains why we use a cup to wash our hands. He explains that this washing is only obligatory before Shacharis because in the morning, everyone is like a "bryah chadashah", a new creation. Therefore we are obligated to thank Hashem for creating us in order to serve him. Thus, aside from making all of the other birchos hashachar, we wash our hands from a Kli, like a Cohen would before going to do the avodas hamikdash. Rav Yechezkel Landau (shut Nodah B'yhudah (Orach Chaim Tinyanah) siman 140) points out that this is obviously just a zecher l'davar, and is not a similar obligation to that of the Kohanim. This is evident from the fact that the Rashba does not require us to wash our feet as well.

Like the Rosh, the Rashbah makes no mention of the issue of Ruach Ra'ah. However, the Rosh's son Rav Yaakov in his Arbah Turim cites both the explanation of his father, and the reason of Ruach Raah. He writes: "One must be careful to wash each hand three times, for the Ruach Raah is not removed until he pours water over his hands three times. He should therefore refrain from touching (various parts of his face) before he washes his hands. If he does not have any water, he should clean his hands with anything that works and make the Brachah al nekyus yadayim". The poskim (see Aruch Hashulchan siman 4, 3) infer from this statement that the Tur agrees with both interpretations found in the Talmud. On one hand he cited ruach ra'ah as the primary motivation, but he also writes that it is sufficient for one to clean his hands in a case where no water is available. He also writes that if one does so, he should make the brachah of "al N'kiyus Yadayim". These two concepts clearly point to the Rosh's line of reasoning, that the purpose of washing one's hands in the morning is to get them clean, and that it makes sense for the brachah to indicate it as such.

The Shulchan Aruch is Machmir (Orach Chaim, siman 4, 1-2) for all three of these opinions. It goes without saying, that each Shitah carries with it a vast number of Halachic Nafka Minos, but for the purposes of this discussion, I will list only the most basic differences.

(1) The Bach (siman 4 s.v. v'yirchatz) quotes a very harsh statement about those who walk 4 amos without first washing Netilas yadayim. This is cited in the Magen Avraham (sif katan 1), the Aruch Hashulchan (sif 14) and paskened halacha l'maaseh by the Mishneh Brurah (Siman 1, sif katan 2). The Mishna Brurah quotes those who hold that the entire house is considered like 4 amos, but he rejects this idea. Another possible explanation for the laxity in keeping this Halachah is quoted from the Damesek Eliezer, that nowadays, we no longer have the same strength of Ruach Raah, and it's no longer a sakanah to walk 4 amos. Keeping this in mind, it is important to note that there are gedolei haposkim of whom I am aware, that are lenient in this area. Thus, one should consult with his personal Rav regarding this din, and all dinim that are subject to machlokes. This entire issue only comes into play if we are assuming that the reason for netilas yadayim is based on ruach ra'ah. It is obvious that neither the Rashba nor the Rosh would concern themselves with someone who wished to walk 4 amos with unclean hands, as their perception of this din is based on preparation for davening.

(2) As mentioned before, the Rosh requires one whose hands are inappropriate for davening to say a brachah upon washing them in preparation for all three tefilos. Therefore, one who uses the bathroom immediately preceding minchah or maariv would be required to say both al netilas yadayim, as well as asher yatzar. The Rashba requires no such brachah and ruach raah is certainly not an issue here. Since we are machmir for all three opinions, we generally do not say a brachah.

(3) If one slept in such a manner that he is absolutely certain that his hands did not come in contact with any covered parts of his body, he is left with a safek whether to make a brachah the next morning. According to the Rosh, he would not be required to do so, unless we were to assume that this din falls under the category of "lo plug". However, the Rashba would see no reason to differentiate between this case and any other. As for ruach ra'ah, it is the opinion of the Magen Avraham and the Mishneh

Brurah (sif katan 32) that ruach ra'ah alone does not necessitate a bracha. The Mishneh Brurah recommends that anytime one has a safek bracha according to the Rosh, he should simply use the bathroom before he washes his hands and he would therefore be required to make a bracha anyway. The same recommendation applies to one who stays up all night. He now has a safek according to all three opinions. The Rosh can be taken care of easily, as we just mentioned. However, it is unclear how to proceed according to the Rashba, and those who hold of ruach raah. The Bach, the Vilna Gaon (sefer Maaseh Rav), and the Aruch Hashulchan (sif 12) write that he should say a bracha. They assume that this is a lo plug. The Ramo (sif 13) writes not to say a bracha out of safek. The Mishneh Brurah uses the aforementioned solution. If one uses the bathroom before washing his hands, the Rosh certainly requires him to say a bracha, and we can assume that the Rashba is a lo plug (this is the assumption of the Beis Yosef). It is important to note, that the same does not hold true for one who sleeps during the day, in which case most poskim agree that he should wash without a bracha. These are just a few of the dinim that are dependant on how we understand the motivation for this takanah.