



Chagigah Daf 19 is Dedicated

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Daf Hashovua Chagiga Daf 19

Does Netilas Yodayim Need Kavana?

The Gemara asks a contradiction between two Beraisos concerning whether netillas yodayim for chulin bread needs kavana. Rav Nachman answers the contradiction by suggesting that there is a difference between maaser for which one needs kavana, and chulin for which one does not need kavana.

From Rav Nachman's answer it would appear that if someone washes his hands without planning to eat, he may nonetheless eat bread afterwards. This position finds further support in the Gemara that mentions the case of one dipping his hands into a stream without kavana, which purifies his hands for eating chullin.

Practically, speaking, however, the Rishonim debate whether this is actually so.

The Rashba proves from a Tosefta that netilas yodayim even for chulin bread needs kavana. In Maseches Yodayim, a dispute is recorded where one

poured water on another and only the person pouring the water has kavana, or vice versa. The Rashba concludes from here, that at least one participant in the act of washing must have kavana. Additionally, the Rashba points to the Gemara in Chullin (106a) that says that one may wash his hands and stipulate that the netilah should be effective for the entire day. The Rashba reasons that If kavana is not an essential element it should be enough for the individual to simply be careful that his hands stay clean; from the fact that a stipulation is necessary it must be that kavana is required.

How does the Rashba learn our Gemara's case of dipping hands into the stream? He explains that the Gemara is referring to the din of touching chullin, not eating it, and the case involves a person for eats chullin al taharas terumah (Toras Habayis 6:4).

The Ra'ah (Bedek HaBayis) argues with the Rashba's view, and insists that the Tosefta is talking about terumah, chullin never needs kavana; similarly, the Ra'ah says the Gemara in Chullin is not a proof to the Rashba's view since a stipulation is necessary just so the person will not forget (hesach hadaas) about his prior netila and touch unclean places.

The Rashba does not address the first Gemara we brought (from Rav Nachman), which clearly states that chullin does not need kavana. How does the Rashba understand this Gemara?

The Magen Avraham (O.C. 159:25) says that this, too, can be speaking about the touching of chullin for one who eats it al taharas terumah. Notwithstanding the view of the Ra'ah, the Magen Avraham concludes that one should follow the Rashba and goes so far as to say that if someone washed without any kavana, he must wash again!

Practically, the Shulchan Aruch (ibid 13) writes that l'chatchilah one should have in mind that he's washing to purify his hands for eating. The Mishnah Berurah follows the view of most Rishonim and poskim that b'dieved, the netilah is valid even if there was no intent. Nevertheless, the Mishnah Berurah advises that it is a good idea to wash again, if possible. In another place (158:7) the Shulchan Aruch says that if one washed his hands (e.g. they were dirty) and then wants to eat, "it appears from some [poskim] that it

doesn't work" for the bread. The Rama adds a gloss that if such a person had remained attentive to maintain the cleanliness of his hands, he should wash without a brocho.

The most practical application of this subject is when someone washes his hands for a different reason and then wishes to eat bread. For example, if he washes with a cup to daven Minchah on Shabbos afternoon, and follows Minchah with shalosh seudos, if he eats breakfast right after Shacharis (assuming in either case that he was careful to keep his hands clean and away from covered parts of his body, shoes, etc.); will the netilla for tefilla permit the eating of food without a new netila?

Rabbi Shlomo Zalman Auerbach ZT"L (Halichos Shlomo Tefilla p. 24) said that he should wash again, if he did not have this later meal in mind. Reb Shlomo Zalman ZT"L adds that it is nevertheless a good practice in such a situation to touch a covered place on the body to create an undisputed obligation to wash. (Some poskim recommend doing this on Leil Haseder, if one's hands stayed pure between urchatz and rochtzoh. The Biyur Halacha mentions it here.)

It is important to remember, however, the warning of Rabbi Moshe Shternbuch Shlit"a (Teshuvos V'Hanhagos O"C I, Siman 172) that one should not make a brocho if he failed to perform that suggestion of touching an area that was dirty (i.e., one's shoes) since such a brocha would be levatala. Following the Gr"a and most poskim, he holds that there's no actual chiyuv to wash, so the brocho would be in vain. He attests that he saw many Gaonei Yisroel that always touch their shoes or the like before washing to avoid the problem of a brocha levatala. Many people are machmir to wash their hands with a cup and a revi'is of water after using the facilities, so this issue (of a potential brocha l'vatla) can come up often, if they want to eat bread immediately afterward. By becoming accustomed to the habit of always touching their shoes before washing the hands for bread, this issue can be circumvented.