

# KRIAT SHEMA 3:1

*by Rabbi Yitzchak Etshalom*

**1.** When someone reads K'riat Sh'ma, he washes his hands before he reads. If the time for its reading arrived and he couldn't find any water before reading, he should not delay its reading and seek out water; rather he cleans his hands with dirt, a rock or a beam etc. and then he reads.

HAND-WASHING FOR TEFILLAH AND K'RIAT SH'MA  
Yitzchak Etshalom

I.

## THE SOURCES

There is one sugya which deals explicitly with \*Netilat Yadayim\* or \*Rechitzat Yadayim\* (hand-washing) before K'riat Sh'ma and Tefilla, another which springboards off of that one - and another two which may shed light on the issue.

## EXPLICIT SOURCES

### SUGYA A:

The Gemara in Berakhot (14b-15a) states:

"R. Hiyya b. Ashi said: I was often standing before Rav and (saw that) he washed his hands and recited a blessing (the blessing over Torah study) and taught us our lesson and put on Tefillin and only later read K'riat Sh'ma...R. Yohanan said: Anyone who wishes to fully accept God's authority (\*Kabbalat 'Ol Malkhut Shamayim Shelemah\*) should go to the bathroom (lit. "evacuate), wash his hands, put on Tefillin, read K'riat Sh'ma and say Tefillah - this is "complete" Kabbalat 'Ol Malkhut Shamayim. R. Hiyya b. Aba said in the name of R. Yohanan: anyone who goes to the bathroom, washes his hands, puts on Tefillin, reads K'riat Sh'ma and says Tefillah is considered as if he built an altar and offered a \*Korban\* (offering) on it, as it says: 'I will wash my hands in cleanliness and I will circumnavigate your altar, O Lord' (Tehillim [Psalms] 26:6)...Ravina said to Rava: Did you see that student who came from the west (Israel) and taught: If someone does not have water with which to wash, he should clean his hands with dirt, a rock or a piece of wood. Rava answered: He taught well; the verse does not say "I will wash with water", rather "I will wash my hands with cleanliness" - anything that cleans, since R. Hisda used to curse anyone who would seek out water during the time for prayer \*\*\*this only applies to K'riat Sh'ma, but for Tefillah, he should seek out water - how far

whould he go? one Parsa (about 5 miles)...\*\*\*\* (the asterisks will be explained later).

#### Observations:

Among the observations which are immediate and arresting from this passage, we must note that no obligation of hand-washing is stated or even implied - just an exhortative statement about the ideal form of accepting God's Kingdom and an equation of one who follows this sequence with one who offers a Korban.

The first, exhortative statement, could actually be saying nothing about hand-washing itself - it could be linked with the immediately previous act, i.e. going to the bathroom. The assumption is (and we will discuss this in Hilkhos Tefillah) that in order to be able to properly and totally focus on Tefillah, one needs to take care of his bodily needs first (see A. Maslow's Hierarchy of Needs). The Netilat Yadayim mentioned there could just be circumstantial - since you relieved yourself, you need to wash your hands before donning Tefillin and reciting K'riat Sh'ma etc.

The second, equative statement (someone who...is considered like someone who...) seems a bit stronger, as the focus is on cleanliness as a precursor to moving around the altar; yet that in no way implies an obligation to do so.

#### **SUGYA B:**

Later on in Berakhot (22a), we learn that (according to one version of the report) \*bitluhu lin'tiluta\* - they abolished "hand-washing"; abolition of which is inferred from R. Hisda's cursing of anyone who would seek out water during the time for Tefillah.

#### **Observations:**

It seems reasonable to infer that R. Hisda was understood to be challenging the hand-washing before Tefillah on one of two levels:

- (a) As any sort of obligation whatsoever, or
- (b) As a necessary preparation for Tefillah - i.e. it is ideal but not so vital as to necessitate missing Tefillah in its proper time (or K'riat Sh'ma).

As such, it means that according to those who R. Hisda opposed, hand-washing was absolutely necessary for Tefillah and K'riat Sh'ma - and he challenged that obligation by allowing any sort of hand-cleaning. This dispute will be analyzed further down.

II.

#### (POSSIBLY) RELATED SOURCES

#### **SUGYA C:**

Some Rishonim associate R. Hisda's ruling with this sugya in Pesachim 46a (paralleled in Hullin 122b):

"R. Avahu said in the name of R. Shim'on b. Lakish: (how far does someone have to bother himself to go) for kneading dough (in purity - Rashi explains that the question is if you are kneading dough for a fellow, how far do you have to go to purify your utensils so that the dough remains ritually pure), for Tefillah and for Netilat Yadayim - 4 Mils (same as one Parsah). Tosafot (Pesachim 46a s.v. veliT'fillah) quote the Arukh who explains that "for Tefillah" means that you have to search for water to wash in preparation for Tefillah - as far as 4 Mils. Tosafot rejects this explanation, as we shall see further on.

### **SUGYA D:**

The Gemara near the end of Berakhot (60b) lists those activities from waking up until the beginning of workaday activity for which we bless God: "Upon waking, he says: 'My God, the soul that you have put into me is pure...'. When he hears the crow of the rooster, he says: 'Blessed...Who gives the heart understanding to distinguish between night and day'; when he opens his eyes, he says: 'Blessed...who opens the eyes of the blind'...(etc.)"

Near the end of this list, after having gotten dressed, put on shoes, put on Tzitzit and Tefillin, the Gemara states: "When he washes his hands, he says: 'Blessed...Who sanctified us through His Mitzvot and commanded us regarding Netilat Yadayim'..."

**Observations:** (Operating from the commonly held notion that when we wake up in the morning, we do not recite any B'rakhot or words of Torah without first washing our hands...) - the fact that this hand-washing is near the end of the list and, more to our point, after having recited quite a few B'rakhot, leads us to one of three possible conclusions:

- (a) The activities (and their attendant B'rakhot) are listed out of order and, indeed, the first thing one must do upon arising is to wash hands;
- (b) The activities are listed in order and hand-washing is unnecessary for B'rakhot (and even for Tefillin) - but is necessary for prayer;
- (c) The activities are listed in order - but the hand-washing mentioned here is a second washing, done in preparation for Tefillah - but there was another (over which no B'rakhah was said) earlier in the sequence.

Depending upon which response we choose, this sugya may be another source for the notion of hand-washing before Tefillah.

### **III.**

#### **DISTINGUISHING BETWEEN K'RIAT SH'MA AND TEFILLAH**

If we read the first sugya as it is presented in the traditional Gemara manuscript (including the section marked off with asterisks), we are faced with a somewhat odd result: For K'riat Sh'ma, we do not spend time looking for water and, thereby, delay reading - but, for Tefillah, we delay and search

up to a few miles walking for water.

Rashi, in commenting on this distinction, states that the reason is because "the time for K'riat Sh'ma is set, lest it pass; but for Tefillah, for which all day is its time, he must seek out water." (Rashi, Berakhot 15a s.v. l'K'riat Sh'ma).

Tosafot (ibid s.v. Aman) immediately asks the obvious question: Doesn't Tefillah also have a set time? (see also Tosfot R. Yehuda haChasid op cit. and Or Zarua, Hilkhhot Netilat Yadayim #54).

Rashba (Berakhot 15a s.v. v'Hani Mili) adds several other challenges: Following Rashi's reasoning, we should certainly seek out water if we don't have it readily accessible for nighttime K'riat Sh'ma, where the time parameter is much greater (all night, or, at least, until midnight). Also, even during morning K'riat Sh'ma, there is a wide enough time parameter to look for water and still read on time.

Rashba suggests another reason for the distinction: Since K'riat Sh'ma is d'orayta (Biblically mandated), the rabbis did not obligate a time-consuming search for water which would delay it; this is not the case with Tefillah, which is d'rabanana (Rabbinically mandated).

So far, the two reasons mentioned stress the stringency of K'riat Sh'ma over that of Tefillah.

Rabbenu Manoach (Sefer haMenuchah - K'riat Sh'ma 3:1) suggests a third explanation which comes from the opposite perspective: Since K'riat Sh'ma is essentially reading Torah, wiping hands on any surface is sufficient; however, Tefillah is prayer (and involves a stance of "standing before the King") and needs a greater sense of cleanliness.

In defense of Rashi's somewhat strange formulation, we could argue that even though Tefillah has a set time, that time is Rabbinically mandated - and the same Sages who mandated hand-washing could also demand that it "supersedes" the time for Tefillah they established.

Another defense may be found in Rashi's words: "the whole day is a time for Tefillah" could be explained as: "Any time during the day when you say Tefillah, it is still considered Tefillah - even if it is not Tefillah in its time. However, K'riat Sh'ma is only that when said "when you lie down and when you arise" - afterwards, it is "like someone who is reading from the Torah" (Mishna Berakhot 1:2).

#### IV.

##### THE QUALIFIER - A (POSSIBLY) LATER ADDITION

When I first quoted the sugya in Berakhot (14b-15a, in section "I" above), I marked off the last section with asterisks. This is because many Rishonim understand that that section, qualifying R. Hisda's "curse" to be limited to K'riat Sh'ma, is really a comment (perhaps of the Rif - or even of the Ge'onim - see R. Yonah on Berakhot 8a-b in Rif pages) which somehow "snuck in" to the text of the Gemara. Tosafot (Berakhot 15a s.v. Aman), Tosafot haRosh (ibid) and others argue that there is no reason to distinguish between K'riat Sh'ma and Tefillah for this and, in either case, if there is no water available,

we clean our hands on some surface (e.g. rock, wood) and say Tefillah.

For that reason, Tosafot also interprets the Gemara in Pesachim (sugya "C" above) which states "4 Mils for Tefillah" as stating how far you have to go to find a Minyan (Rashi in Pesachim has the same explanation. See also Ritba Berakhot 15a s.v. R. Hisda for alternate explanations).

V.

#### APPROACHES IN THE RISHONIM

In looking at the Rishonim, we find several possible results regarding hand-washing before Tefillah and K'riat Sh'ma:

- (1) As an obligation, we have to wash upon awakening - although it is ideal to do so before Tefillah and K'riat Sh'ma. (Rabbenu Tam, quoted by Rabbenu Manoach)
- (2) There is an obligation to wash before Tefillah - only in the morning. (R. Natronai Gaon - Otzar haGeonim - Berakhot (Teshuvot p. 134), Rosh - Teshuvot Rosh 4:1)
- (3) There is an obligation to wash before all Tefillot; (Minhag haGe'onim - quoted in Otzar haGe'onim ibid p. 135)
- (4) There is an obligation to wash before all Tefillot - if there is reason to believe that in the intervening time, your hands have become dirty/soiled. (R. Meir of Rotenburg - Teshuvot 1:2)
- (5) There is an obligation to wash before all Tefillot and K'riat Sh'ma (if said independently of Tefillah). (Rambam)
- (6) There is an obligation to wash after waking AND after any time your hands have become dirty and, as such, unfit for you to recite B'rakhot and words of Torah. (Ra'avad - quoted in Orchot Hayyim - Hikhhot Netilat Yadayim #12, Teshuvot haGe'onim - quoted in Otzar haGe'onim p. 135)

VI.

#### HAND-WASHING - CLEANLINESS OR RITUAL PREPARATION?

In looking at all of these approaches, it seems that there is one conceptual issue upon which the disputes revolve:

Is hand-washing

- (a) a part of - or necessary preparation for - Tefillah (and, by extension, K'riat Sh'ma, B'rakhot, study) - or is it
- (b) a utilitarian device for cleaning up and ridding ourselves of the type of dirt which interferes with those recitations?

We could marshal support for each approach from other sources: On the one hand, since Tefillah

and K'riat Sh'ma may not be said in a bathroom, while naked, etc. (as we will discuss later in this Chapter), dirty hands would also restrict us from participating in these activities; on the other hand, the verse "Prepare to meet your God, O Israel!" (Amos 4:12) is understood by our Rabbis (e.g. Berakhot 23a, Shabbat 10a - see also MT Tefillah 4:6) to obligate some type of personal preparation in advance of Tefillah.

If we answer (a), then we see the "positive" aspect of Netilat Yadayim as a ritual of preparation for enhanced closeness with God - and is not affected by the relative cleanliness of the hands before washing. On one level, this can be chiefly focussed on Tefillah - or can also be extended to K'riat Sh'ma, as will be shown below.

If, on the other hand, washing is basically a way to get rid of filth which is inappropriate for the person praying (or studying), then it stands to reason that we are only concerned in the case of someone waking up (because "hands are busy" while asleep) or someone who came out of the bathroom.

Hence, approaches (4) and (6) are certainly focussed around the "dirt" issue - and approaches (3) and (5) see washing as a ritualistic preparation - unresolved by prior cleanliness. Approaches (1) and (2) could be understood either way; the beginning of the day is, on the one hand, the beginning of the day of worship - and hand-washing may be part of that; or it is purely based on the assumption of hands which became soiled while asleep.

## VII.

### NETILAT YADAYIM AND AVODAT HAMIKDASH

As mentioned above, there are two ways to understand hand-washing: as a utilitarian process of cleaning dirty (or soiled) hands - or as a ritualistic preparation for an act which, by its nature, demands a greater sense of preparation.

We identified several approaches in the Rishonim which seem to focus on the utilitarian approach - which is easily understandable (later on in this Chapter, we will discuss the basis for the problem of praying and saying K'riat Sh'ma while dirty). However, those Rishonim (e.g. Rambam) who obligate washing before any Tefillah or reading of K'riat Sh'ma - regardless of prior cleanliness, must take the "ritual preparation" approach. What is the source for such a notion? (Keep in mind that the rabbis, whenever possible, attach their ordinances to preexisting Halakhic rulings - or categories)

One associated question: In Rambam's formula, why would this be limited to Tefillah and K'riat Sh'ma?

We find a Halakhah in the Torah which relates directly to this issue:

The LORD spoke to Moses: You shall make a bronze basin with a bronze stand for washing. You shall put it between the tent of meeting and the altar, and you shall put water in it; with the water Aaron

and his sons shall wash their hands and their feet. When they go into the tent of meeting, or when they come near the altar to minister, to make an offering by fire to the LORD, they shall wash with water, so that they may not die. They shall wash their hands and their feet, so that they may not die: it shall be a perpetual ordinance for them, for him and for his descendants throughout their generations. (Shemot [Exodus] 30:17-21)

Kohanim are obligated to "sanctify" (wash) their hands (and feet) before doing any form of \*Avodah\* (worship) in the Beit HaMikdash (see MT Biat Mikdash 5:1-9).

This "ordinance" is clearly preparatory in nature and applies regardless of the cleanliness of the Kohen's hands (or feet). This would seem to be a model for preparatory hand-washing, as a pre-ritual of any activity which we would term "Avodah".

Rambam himself defines Tefillah as Avodah (see his intro sentence to Hilkhhot Tefillah). However - why K'riat Sh'ma?

In the Sifri (to Devarim [Deuteronomy] 13:5 - Avodu b'Torato), we find that Torah study is also called "Avodah". Since, as we have discussed several times (see, especially, the Introductory Shiur to Hilkhhot K'riat Sh'ma), K'riat Sh'ma serves as the focal point of daily Talmud Torah, it follows that the "Avodah" aspect of Talmud Torah could, at the very least, be "concentrated" in K'riat Sh'ma. As such, Rambam rules that both K'riat Sh'ma and Tefillah demand preparatory hand-washing, highlighting them as the several-times-daily Avodat Hashem in which we take part.

VIII.

## POSTSCRIPT

In this shiur, we discussed hand-washing in advance of K'riat Sh'ma and Tefillah. Although I referred to the problem of washing hands upon awakening, and of reciting B'rakhot before doing so, that issue will be more fully examined in Hilkhhot Tefillah (7:3-9)

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now, to the questions:

**Q1:** Why does Rambam say \*rochetz\* ("he washes") and not \*hayyav lirchotz\* ("he is obligated to wash")?

**SB** (Stephanie Brooks ): If water is scarce and you do not have the required amount (as you might not in the desert) it is better that you clean your hands by the means above than to be late in reading that which you are commanded by Hashem to read, whereas the obligation to wash may be a rabbinical law (and therefore flexible in comparison).

**YE** (Yitz Etshalom ): Following Stephanie's lead - since hand-washing here is not an absolute

obligation for which we delay K'riat Sh'ma, rather an ideal preparation, as opposed to hand-washing before eating bread. In that context (MT Berakhot 6:1) Rambam uses the phrase \*Tzarikh Netilat Yadayim\* - must wash hands.

**Q2:** From the wording of the Rambam, it seems that before the time for K'riat Sh'ma has arrived, a person is obligated to seek out water - why would he do so before the obligation had even begun? If not - under what conditions does he have to bother himself to wash?

**SB:** A person's greatest obligation is to read K'riat Sh'ma on time. He should make every effort to fulfill his obligation to wash beforehand, no matter how much extra time that requires of him so that he not be late. Upon rising he must wash (he might have touched himself in the night in his sleep); Having used the bathroom he must wash (there are evil demons there); if he has been in proximity of a deceased he must wash; if has eaten and his fingers have touched his lips (which, as we regretfully know, may say less than pure things such as lashon hara or reflecting one's yetzer hara) he must wash; if he washes at home but his hands become soiled before reaching the Shul, he must wash.

**YE:** It seems that as long as he can wash without it interfering in K'riat Sh'ma/Tefillah, he should; however, there doesn't seem to be any obligation implied here to seek out water in advance of the time for K'riat Sh'ma.

**Q3:** What is accomplished by "cleaning" his hands with dirt (?), a rock or a piece of wood?

**SB:** My guess is that you are fulfilling the Mitzvah by going through the motions. If nothing else, there is the beautiful symbolism here of preparing (and humbling) your spirit for prayer.

**YE:** In addition, we may be dealing with something more malodorous than just dirt - perhaps bodily emissions and the like. In that case, even rubbing your hands on some dirt helps.

**Q4:** Why is there an obligation to wash before K'riat Sh'ma - and how does this relate to washing before a meal, before Tefillah and upon waking in the morning?

**SB:** Just as in the examples given here, a person washes before giving thanks to Hashem and speaking the Name, Blessed be He.

**YE:** See the shiur.

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