The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קנ"ט סעיף ז'

Halacha Highlight

Washing from a pump

Shulchan Aruch Siman 159 Seif 7

אם הדלי נקוב מאחריו בכונס משקה

If the bucket has a hole that allows water to seep in

Shulchan Aruch discusses the possibility of washing one's hands in a pipe into which drawn water is poured. In the event that the bucket that one uses to draw water and pour into the pipe has a hole in it the size of a lentil that allows a visible stream of water to pour out of the bucket, one can immerse his hands in the water in the pipe. The reason this is effective is that the stream that pours out of the bucket back into the river connects the water in the pipe with the river and it is considered as though one immersed his hands in the river. Although this type of connection is not effective when a person is obligated to immerse his body, it is effective for hand washing. Shulchan Aruch then notes that there are authorities who reject this ruling and even for hand washing this water streaming out of the hole in the bucket does not create a connection and immersing one's hands in the water in the pipe is ineffective.

(מ"ב ס"ק מ"ד)

Mishnah Berurah (ס"ק מ"ז) cites later authorities who rule that one should not wash his hands from a pump since the pump is not a kli. One may, however, put his hands near the ground and immerse his hand in the water that pours on the ground as the water is pumped out. Poskim note that Mishnah Berurah's discussion relates to pumps in earlier times where the water that came out of the pump was never captured in a utensil along the way to the pump and it drew an uninterrupted stream from the underground spring. Water that comes out of pumps nowadays goes through many filters and along the way is captured in various utensils that render the water שאובים—drawn. Additionally, the water is not connected directly to an underground source of water that it could be considered as though the water the pours out is connected to an underground spring (פסקי תשובות אות י"ט).

Stories to Share

A Traveler's Problem

ש"ע קנ"ט, ז': "ואם משים ידיו קרוב למקום השפיכה"

When one is on a trip he can sometimes be at a sink where no cup is available to wash with, but the only food available would be the sandwiches that he brought with him. When a certain group of friends found themselves in such a situation, one bochur used the sink to wash his hands without a cup. He turned on the water and washed his right hand with the first spurt. Then he turned the water off, repeated this with the left hand and made a brochah.

His friend asked him if he had acted correctly. "Don't you need a vessel for the washing to work for bread?"

His friend explained that, as far as he knew, he had done a halachically valid netilas yadayim. "I noticed that the water from this sink comes from a cistern on the roof. In siman 159, 7, we find that a pipe is a valid conveyance if the water comes from the first strength of a person. I heard that the first spurt after a sink which brings water from a cistern on the roof is considered koach adam and is kosher for netilas yadayim."

When they got home, they researched this question and found that Rav Yosef Chaim Sonenfeld merely says that one who washes in this manner should not be rebuked. But even he requires a vessel l'chatchilah.

מובא בשלמת חיים, סי' קס"ג

But when their question reached Rav Yosef Shalom Elyashiv, zt"l, he ruled that they may not rely on this. "Since the pipe which drew the water is attached to the building, it is an invalid vessel and may not be used even if the water comes from a cistern on the roof."

שו"ת אבני ישפה, ח"א, סי' ל"א, ה'

Overview

Siman 159 Seif 7:

The water has to reach one's hands as a result of the force of someone pouring the water. Therefore, someone who draws water from the river and pours it into a pipe and from there it flows to water a field, one may not put his hands in the running water since it is not running as a result of human force being that the force of the one who poured the water has ceased. If one puts his hands close to where the water is poured, even though it is not beneath the pouring water it is an effective washing for as long as it is near where the water is poured it is considered as though the water is moving from the force of the one who poured it. If one immersed his hands in the running water they are not tahor from that immersion since that water was drawn. This applies when the water is poured directly in the pipe but if the water is poured out of the pipe and it flows from the ground into the pipe - hamshachah - and one immersed his hands in the water in the pipe his hands are tahor since drawn water that was nimshach is valid. Even if the water is poured directly into the pipe if the bucket that is used to draw the water has a hole in it that allows water to enter the bucket and while he is pouring water into the pipe it is pouring out the hole one may immerse his hands in that water and they will be tahor since it is considered as though one immersed his hands in the river since the stream connects the water in the bucket to the river even though the stream does not connect to the river if one wants to immerse his entire body. Some authorities disagree and contend that even for washing one's hands this stream does not connect the water in the bucket with the water in the river. One should not wash from those stones that are attached to the wall that have a receptacle and a plughole but if it was originally made as utensil and then attached to the wall it may be used for netilas yadayim.

- Although one must wash his hands from a kli since he is washing close to where the water is being poured it is as if he is washing his hands from a kli. (M.B. 37)
- Immersing one's hands is valid only in water that could be used for immersing one's body. (M.B. 39)
- The distance of the משכה to nullify the disqualification of drawn water is three tefachim. (M.B. 40)
- Although regarding the immersion of one's body one may not immerse if all the water was validated with משכה for netilas yadayim it is acceptable. (M.B. 41)
- The water must be gathered rather than flowing so the end of the pipe must be closed. (M.B. 42)
- According to some in this case the hole must be large enough to produce a visible stream so that it should be considered attached to the river and Bais Yosef in the name of Maharik explains that the hole must be the size of a lentil. (M.B. 44)
- The same procedure could be followed if one is traveling by boat. (M.B. 45)
- Maharshal agrees with the stringent position but in a difficult circumstance one may rely upon the lenient position since that represents the majority opinion. (M.B. 47)
- If one immersed his hands in a utensil that was connected by a stream to a river and then has the opportunity to wash normally he should do so but without reciting the beracha. (M.B. 47)
- Netilas yadayim requires a utensil and if the kli is attached to the wall it is not a kli even though it has a receptacle. (M.B. 48)
- Since it was a utensil in the first place it is considered as if one washed from a utensil. (M.B. 49)
- One washes by removing the plughole before each washing. (M.B. 50)