The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Fri, February 18, 2022 ■ י"ז אדר א', תשפ"ב
סימן קנ"ט סעיף י"א-י"ד

Overview

Siman 159 Seif 11:

Anyone is fit to pour water on someone's hands, even someone deaf-mute, insane, a minor, a gentile or a niddah (there is an opinion that maintains that a child less than six has the same halacha as a monkey).

- Later authorities write that l'chatchila one should not have his hands washed from the people enumerated here. (M.B. 69)
- Gra indicates that there is no reason to be stringent regarding the child less than six. (M.B. 70)

Siman 159 Seif 12:

If a monkey pours the water there are authorities that invalidate the washing and other validate and that opinion seems correct (but nevertheless one should be stringent).

- B'dieved it is valid but Elya Rabba writes that even b'dieved one should wash again without reciting the beracha, it is just that if one does not have any other water he may rely on this washing. (M.B. 74)

Siman 159 Seif 13:

L'chatchila, one should intend for the washing to make one's hands fit for eating (and the intent of the one who is pouring is also sufficient even l'chatchila even if the one who's hands are being washed did not have this intent).

- Magen Avrohom maintains that if one did not have this intent the washing is invalid but Gra agrees with the position that it is valid and this is the position of the majority of Rishonim. B'dieved one may rely on the lenient opinion of Shulchan Aruch if he does not have any more water. (M.B. 75)
- If the one pouring is younger than six all opinions agree that his intent is not effective. (M.B. 76)

Siman 159 Seif 14:

If one immersed his hands in a spring, even if it contains less than forty seah the immersion is effective as long as he immerses his entire hand at once. If he immersed his hands in a mikvah some maintain that it is the same as a spring and others require forty seah and halacha follows the lenient opinion (One should l'chatchila be stringent).

- Even though it is acceptable to immerse each hand separately there must be enough water to immerse them simultaneously. (M.B. 80)
- B'dieved, or in a difficult circumstance one may rely on the lenient opinion. (M.B. 85)

Stories to Share

The Purifying Waters

הטובל ידיו במי מעין

Today's amud discusses various types of mikvaos which can be used for netilas yadayim.

When the Sha'arei Deah was passing through Frankfurt, he met with the famous Rav Shimshon Raphael Hirsch. During his visit, Rav Hirsch asked him a deep question which he recorded for posterity.

"When exactly does the mikveh confer taharah? Is it from when the one immersing is in the water, or when he leaves the water?"

When discussing this question, Rav Marzbach Rav of Darmstadt, recounted, "This surprised me very much. Anyone acquainted with Rav Hirsch's derech halimud knows that theoretical halachic investigations such as when tevilah actually takes effect were not his way. He immediately had a hunch that the purpose of Rav Hirsch's inquiry was not to find out the answer for the sake of lomdus, but as part of his research for his monumental work on the meaning behind the mitzvos."

Sure enough, after some checking Rav Marzbach found that at the time that Rav Hirsch asked the question, he was working on the meaning behind the purifying powers of the mikveh for his epic *Horev*. The Rav explained, "What Rav Hirsch wrote includes two ways to understand this phenomenon. We can understand that entering the mikveh represents removing oneself from all ties to impurity. The person enters the world of renewal and removes the impurity by rejoining his source. He is submerged in water that was not drawn by man and is thus reborn.

"There is another way to understand this, however. It is possible to say that his leaving the state of self-nullification experienced in the water to a new life is what purifies.

The Rav concluded, "It is more than likely that Rav Hirsch's language includes both because either can be true. This was his way in his writings. To work out the halachah and explain the significance of the subject in accordance with what man's understanding can grasp."

מובא בספר יוסף דעת על נדרים, דף ע"ה

Halacha Highlight

Proper intent for washing

Shulchan Aruch Siman 159 Seif 13

ולכתחלה יכון הנוטל לנטילה המכשרת לאכילה

L'chatchila one who is washing must have in mind that he is washing to prepare his hands for eating

Shulchan Aruch (סע' י"ג) emphasizes the importance of having the correct intent when washing one's hands before eating bread. Mishnah Berurah (ס"ק ע"ה) in the name of Magen Avrohom writes that even b'dieved if one did not have proper intent the washing is invalid and would have to be repeated with the proper intent. The rationale behind this opinion is referenced by Bais Yosef in the name of Rashba that since washing hands before eating bread is related to terumah and terumah requires intent so washing hands before eating bread also requires intent. Vilna Gaon and the majority of Rishonim, however, disagree and maintain that even if one did not have intent when he washed his hands it is still effective. Mishnah Berurah's ruling (ס"ק ע"ה) is that b'dieved one may rely upon the lenient opinion.

A question that is raised about this requirement of intent is why there is a special requirement of intent for washing hands before eating bread when according to many Poskim every Rabbinic mitzvah requires intent (מצוות צריכות כוונה) and that intent is essential to the mitzvah. One answer to this question is that the general requirement for intent when performing a mitzvah applies only to those mitzvos that are obligatory. Intent is not essential for mitzvos that are preparatory stages for something else. For example, slaughtering is not anobligatory mitzvah; rather if one wants to eat meat he must first slaughter the animal. Washing hands before eating bread is similar to slaughtering in this regard in that it is a preparatory stage rather than an obligatory mitzvah. For that reason it is necessary for the Poskim to emphasize the importance of having proper intent before washing. Included in this intent is that one is washing to make his hands tahor to eat bread and having in mind to make one hands tahor for some other purpose, for example, davening, is not sufficient (פסקי תשובות אות כ"ב).