Tracing the mizvah of washing hands before hamotzi and before birkat Hamazon across Rabbinic texts in key texts of codifiers by David B Levy

Evolution of mizvah of washing hands in Jewish law

Washing hands before saying homotizi (blessing over bread) and washing hands before benching or reciting birkhat hamazon (grace after meals) has a long halakhic history in Jewish law encompassing many debates over the course of 2 millenium where various rabbinic decisors legislated the proper manner of this mizvah. Thus washing hands and reciting a blessing over the challah and washing hands before saying birkhat ha-mazon is more than just a health sanitary consideration for the rabbis. For the rabbis washing hands before breaking bread and reciting grace was a form of appreciating, thanks, and gratitude for G-d’s gifts as well as a consciousness of the aspect by which Hashem is involved in all aspects of our lives. Tracing the sources of debates surrounding this mizvah illuminates the intellectual acuity and brilliance by which Rabbis consider seemingly mundane daily routines (like washing hands and saying blessings) from every angle and intellectual perspective to elevate the mundane into the holy and sanctified consciousness of Hashgahah pratit within the rubric of Rabbinic law.

Any early source for the ritual of washing hands appears in Talmud Bavli Brachos 42a where we learn:

Rabbi Hiyya bar Ashi in the name of Rav is raising a question about time and the immediacy by which one should or is not obligated right away to recite birkhat ha-mazon after what is called mayim ahronim. Why the urgency the learner of this sugya asks. Subsequent rabbinic texts in history deal with that question from every angle.

To forward head in rabbinic history to the rishonim after the time from the tannaim, amoraim, and geonim, we find the Rambam, the greater condifier and classifactor of Jewish law by topics in the Mishneh Torah commenting further on this above sugya from the gemarah of the Bavli. Rambam (1135/8-1204) writes in Hilchos Tefillah 6:20

The hands are to be dried first ad then the meal is to begin. To eat without having dried one’s hands is the same as partaking of bread that is unclean. Anyone who washes his hands after a meal dries them, and then says Grace. Immediately after washing the hands Grace should follow without interruption. After having washed the hands at the close of a meal it is forbidden and even to drink water till Grace has been recited

Rambam is raising another issue found in the rabbinic literature- namely the importance of drying the hands after washing. This is found in a large corpus of previous tannaitic and amoraic sources and is very
complex with regards to purity and impurity- matters of taharot. However what is so remarkable about the mishneh torah is that the Rambam does not cite his sources, which the great-eagle knew better than anyone else as the gadol be-dor. The Rambam in modern parlance thus does not give cross references, footnotes, or note where his legal decision redacted and summarized from many previous rabbinic generations comes from. To better back-track and trace our way to earlier texts, we need the help of the Kesef Mishna of the Mehabor, or Rabbi Yosef ben Efraim Karo (Ztsl). In Kesef Mishne, one of the essential commentaries on the MT. the Mehabor clarifies to uncover some of Rambams allusions or texts on which Rambam bases his digest like summary on. Rabbi Karo writes:

In the chapter of Keitzad Mevarchim (Brachos 42) there is a statement by Rabbi Chiya son of Ashi in the name of Rav that right after washing there should be a Bracha. Rashi explains that it refers to washing hands after the meal what it means is not eating after that washing and the Birkas Hamazon. It implies from Rashi and our teacher that speaking in between is not a problem and the reason is speech is not included in this injunction since later the Talmud teaches that one cannot speak over a cup of wine of the Birkas Hamazon which means to say that when one pours the cup one cannot speak, but if the injunction from the earlier statement is in place, speaking is prohibited already since washing. This clearly shows that after washing one must only refrain from eating.

In the above desiderata Rabbi Yosef Karo does an end run from the Rambam’s synthesis back to previous mikorot. The Mehabor shows how simply the Rambam made such a complex issue. It is not only about timing, reciting a bracha immediately after washing, issues such as talking and the nature of speech acts that interceded between washing and giving a bracha entail in Rabbinic theology. Rabbi Karo is references many halakhic sources, but particularly the most important commentator on the Talmud, namely Rashi of Troyes France, another rishon. Rashi’s commentary is essential on the Talmud and has guided scholars for millennia on how to best understand not only the peshat of the gemarah, but get to its essence. Rashi is noted as asserting that “speaking in between is not a problem and the reason is speech is not included in this injunction, since later the Talmud teaches that one cannot speak ove the cup of wine of the birkas HaMazon which means to say that when one pours the cup one cannot speak, but if the injunction from the earlier statement is in place, speaking is prohibited already since washing.” Wow! Speaking is an issue. Our minhag today is not to speak after washing and try to immediately go into the bracha of hamotzi or in mayim ahronim to go immediately into birkat hamazon. Rashi is also referencing the issue of the wine in the birkat hamazon, another extremely complex element. Much later ahronim commentators also will assert that it is preferable for a Kohen or Levi to wash first before hamotzi, and as is well known, after washing for hamotzi there is no speaking. However as we will see in the next source the Tur, a major halakhic decisor, who authored a work called the Arba Turim, on which Rabbi Yosef Karo’s four partied system of the Shulchan Arukh is also based, is that the Tur intentionally noted that his teacher would wash last before hamotzi for certain theological reasons. The Tur in Orach Chaim, Hilchos Betzias Hapas 166 writes:

A person should dry their hands well and say the bracha of hamotzi immediately. However Rabbeinu Yoel wrote that one need not worry about a break between washing and saying the Bracha on bread since the table is in front of one and one’s mind is set on eating, it is not considered a distraction. He explains that washing being close to the Bracha refers to the mayim
ahronim. Such is the opinion of the Rif and the Rambam. My father and teacher, the Rosh, would accustom himself even at the washing before the meal not to create a break or speak. He would sit at a meal with others and wash last to decrease the break between washing and the Bracha. From the Yerushalmi it implies that keeping the washing and bracha proximate refers to the washing at the beginning of the meal since it states, “a person who makes his bracha close to washing will not be hurt that entire meal.”

Wow! So the Tur pulls down a Yerushalmi! That is an important source in our discussion of the washing of hands, that was generalized previously by the Kesef Mishnah and Misheh Torah, but seems to be an essential text weighing in on this multi generational halakhic discussion. Obviously the Rambam knew this source but for certain reasons did not highlight it in the Hilchot Tefilla 6:20. For more in depth consideration of this topic we must then turn to Rabbi Yosef Karo on the Tur in the Beis Yosef. The Beis Yosef is much more detailed than the Shulchan Arukh. It was preferred by the Maharal as the Mehavor's more mature and scholarly work. Not simply “this is how it is done” but alot more space to the “why it is done this way”. Thus the Beis Yosef of Rabbi Karo ad loc on the Tur:

One should say the bracha on Hamotzei immediately. This is because it implies from the Talmud in Brachos (42b) “Immediately after washing is the bracha” which refers to washing before the meal. But Rabbeinu Yoel explains it referring to washing after the meal and thus the washing beforehand need not be so close. This appears in the Maimonides notes (Perek 6 footnote 70). Also the Rambam (6:20) writes that the need to put washing close refers to after the meal.

That which he brings in the name of the Yerushalmi that says implies that keeping the washing and bracha proximate refers to the washing at the beginning of the meal since it states, “a person who makes his bracha close to washing will not be hurt that entire meal.” What this means to say if the statement were referring to after waters (mayim ahronom), then one would have already feasted ad what was was. Such is recorded in the Maimonides Notes. It is correct to be careful even with washing before the meal.

We have the text in the Babylonian Talmud Pesachim (115b) that if a person washed their hands at the first dipping (pesah seder) one would need a second washing for the second dipping. This is because one needs to recite Maggid and Hallel in between, it constitutes a break and one may not keep one’s hands clean.

Regarding the statement there (106b) that one must wash hands and not recite Kiddush, it implies that Kiddush is not a break since one is about to eat. The Mordechai (37c) records that similarly for Havdalah it is not a distraction since one intends eating after.

In the above commentary Rabbi Yosef Karo “ups the anti” but in conciseness, by evoking the complex issue of washing at the Pesah Seder. This is to be expected in the Beit Yosef, the more complete and detailed work of the Mehabor from the Shulchan Aruch. Consider how simply, concisely, and practical Rabbi Yosef Karo treats the issue in the more well known digest of Jewish law called the Shulchan Arukh, Orach Chaim 166:

There are those who say that one need not be careful about pausing between washing and [the bracha of] hamotzi, and there are those who say that one needs to be careful (and there are
those who say) it is good to be careful. Walking 22 cubits is considered a pause (Tosefos Perek Elu Ne;emarim)

Rabbi Karo thus raises a spectrum of “care” regarding the elapsing of time between washing and saying the bracha before hamotzi or before birkat hamazon. The 3 categories are (1) one need not be careful, (2) one needs to be careful, (2) it is good to be careful etc. This differentiation is very subtle but analytical of immense amounts of previous rabbinic debates found as trace in texts. Notice the incredible brevity of the Shulchan Aruch. It is a practical digest. It is not meant to go into all the sources. Yet from a brief sketch of the evolution of this topic of washing before hamotzi and birkat Hamazon hopefully we gain a better appreciation for the evolution and complexity of the destiny ladenness of holy oral and written texts across time (die Schicksal Laddenheit des Heilige Sprache und Heilige Schribut uber zeit).

As we see there are many details surrounding the debates concerning the proper washing of hands before hamotzi and birkat Hamazon. Not to loose site of the forest for the trees we see that this issue is extremely importance with regards to purity issues. Remember, in the beit HaMikdash the Kohanim and Leveim must be in a state of pristine purity to perform the korbanot and other holy activities. Purity is so fundamental a concept in Rabbinic law, that the last words of many Gedolim in “tahur” with rulings over the purity or impurity of various matters. Remember the famous debate on the purity or impurity of the oven of Akhnin which resulted in disagreement so intense that Rabbi Eliezer was put in herem, and speaks that only a bat kol speaks after the Hurban rather than full blown nevuhah, although nevua will be reconstituted biyamei hamashiah, which is a fundamental sugya known by even Cheder children:

An oven] that was cut into parts and sand was placed between the parts, Rabbi Eliezer maintained that it is pure (i.e., not susceptible to ritual impurity). The other sages said that it is susceptible to ritual impurity....

On that day, Rabbi Eliezer brought them all sorts of proofs, but they were rejected. Said he to them: "If the law is as I say, may the carob tree prove it." The carob tree was uprooted from its place a distance of 100 cubits. Others say, 400 cubits. Said they to him: "One cannot prove anything from a carob tree."

Said [Rabbi Eliezer] to them: "If the law is as I say, may the aqueduct prove it." The water in the aqueduct began to flow backwards. Said they to him: "One cannot prove anything from an aqueduct."

Said he to them: "If the law is as I say, then may the walls of the house of study prove it." The walls of the house of study began to cave in. Rabbi Joshua rebuked them, "If Torah scholars are debating a point of Jewish law, what are your qualifications to intervene?" The walls did not fall, in deference to Rabbi Joshua, nor did they straighten up, in deference to Rabbi Eliezer. They still stand there at a slant.

Said he to them: "If the law is as I say, may it be proven from heaven!" There then issued a heavenly voice which proclaimed: "What do you want of Rabbi Eliezer -- the law is as he says...."

Rabbi Joshua stood on his feet and said: "'The Torah is not in heaven!' It is not we take no notice of heavenly voices, since You, G-d, have already, at Sinai, written in the Torah to 'follow the majority.'"
Rabbi Nathan subsequently met Elijah the Prophet and asked him: "What did G-d do at that moment?" [Elijah] replied: "He smiled and said: 'My children have triumphed over Me, My children have triumphed over Me.'"

As we can see purity issues are central to rabbinic focus in Jewish law as they were for the Beit HaMikdash. The Rabbis hold that one should make their own home a beit ha-mikdash me-at, and make one’s Shabbos table into a mizbeach (altar) on which one’s dishes (keilim) are as pure as those in the beit HaMikdash. Thus only then can the Shekhinah dwell in a home, a home that echoes the purity of the beit HaMikdash, and in which words of Torah- “live”. In the above “tracing” (German, spurs) of a complex discussion on the ritual of washing hands before homatzi and birkat Hamazon, we see focus is not only on purity, but being cognizant of the intellectual magnificence of Rabbinic intellectual acumen to consider a problem or issue from every conceivable angle and perspective and to employ the active intellect to resolve and give clarity to the multifaceted nature of a Rabbinic debate. It is only be becoming aware of the power of Rabbinic understanding of understanding, (noesis noesis/ Hebrew (Binah) that we become aware of the place of man in the world as a vehicle for Hashem’s spirit (shekhinah) and thereby so doing elevate the mundate (eating, washing, etc.) to something almost of theurgic supernatural significance endowing the power of our actions, words, and even thought to something not just spiritual but intellectually transcendant for the dwelling of Hashem on earth echoes the dwelling of Hashem above, just as there is a beit din memalah- there is a beit din mematah, just as there is a merkavah memalah- there is a merkavah me-matah, just as there is a beit hamikdash me-at (home for the presence of Hashem to be found) there is a beit Hamikdash me-malah, which according to the Rashbi in Sefer HaZohar is 18 miles above the har-habayit, which in biyamei Hamashiach will be brought down to rest as the 3rd Temple of geulah shelamah, so that G-d Himself may have a place for his presence to dwell and be manifest for instance in the water drawing ceremony of Sukkot, another most theurgic power of water to cleanse. Water comes from a higher elevation, just as Dovid HaMelech in Tehilim notes his thoughts are from G-d or from a Higher spiritual state, and thus perhaps the Rambam is correct not to cite his sources, as content (topic classification) trumps form, and it is for later decisors like Rabbi Yosef Karo to fish up and hunt down the Rambam’s sources, revealing the majesty and awesomeness of the divine mind, and the human rational mind developed to the full extent to which this is possible while chained in a mortal shell of gashmius, which the Rambam as the great eagle attained and represents in the Misheh Torah. If we only had an inkling of the brilliance of the Mishneh Torah in how it summarizes, encapsulates, and synthesizes by subject classification all of previous Rabbinic law, then perhaps we would have but a glimpse of how the sekel hapoel is the link between man and divinity endowing man with being worthy of being in the image of Hashem. The Rambam gives us magnaminously this glimpse and for this it is a great blessing that we benefit from the Herculean insights of the Rambam’s supernal intellect illuminted by the pleromatic flow of Hashem’s infinite wisdom. G-d is not ignorant. Rambam lets us better appreciate how this attribute of intelligence gives us a hint of the infinite divide between human and divine infinite wisdom. It is hoped how from this brief case study of the halakhic evolution, (which has not considered most important ahronim’ views on this topic contemporary today such as Rabbi Auerbach, Rabbi Elischev, Rabbi Steinberg, Rav Ovdia Yosef etc., for this see essay by Yoel Wachtel published in Baltimate by Ner Tamid of this topic we see the breadth, wide scope, and intellectual integrity of a rabbinic discussion spanning millennia, and of utmost significance for issues of purity etc.
**Afterword by DBL**

The evolution of the halakhah of washing hands before hamotzi and birkhat ha-mazon has a long history full of debate that raises intellectual appreciation not only for the complexity of this mitzvah but its importance in Jewish thought. The Holocaust is the rupture/fissure/break/tremendum that separates all of modernity from post-modernity. Nothing is the same after the Hurban Europa. Thus it is all the more remarkable that as a form of resistance to affirm one’s Jewishness as halakhic Jews, Jews in the murder camps, when supplied with a meager scrap of bread that was not enough calories to live on, would attempt to wash their hands and recite hamotzi and wash hands at the end of eating such a small stickel brot to recite birkat ha-mazon as a kiddish Hashem. Primo Levi gives us pause for thought and reflection of the magnitude of the Kiddush ha-shem in washing for hamotzi and washing for birkat hamazon in the murder camps when he writes in his poem shema:

*Shema*

You who live secure
In your warm houses
Who return at evening to find
Hot food and friendly faces:

Consider whether this is a man,
Who labours in the mud
Who knows no peace

**Who fights for a crust of bread**

Who dies at a yes or a no.
Consider whether this is a woman,
Without hair or name
With no more strength to remember
Eyes empty and womb cold
As a frog in winter.

Consider that this has been:
I commend these words to you.
Engrave them on your hearts
When you are in your house, when you walk on your way,
When you go to bed, when you rise.
Repeat them to your children.
Or may your house crumble,
Disease render you powerless,
Your offspring avert their faces from you.

These words are well worth pondering, and Levi’s evocation of the shema well worth contemplating for insights in the aftermath of the shoah. In part, and just a tincture of this poem’s power, will be if we finally realize that Who is rich, “He who rejoices in his portion”

משנה מסכת אבות פרק ד
This evoking the story of Y.L Peretz “The story of Brunshawig” (See david b levy essay in Yiddish library guide) who when asked what wish he would like fulfilled by the heavenly court given his very hard life of utmost poverty responded, “I would like a fresh role with butter.”

In consideration of the above desiderata regarding the halakhic evolution of the rabbinic multi-millenial discussion of the washing of hands before hamotzi and washing of hands apreas the seudah before birkat hamazon- perhaps our poor Brunshwaig who had a most hard life, wanted a role with butter to wash and make hamotzi!