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## NETILAT YADAYIM SHEL SHAḤARIT: RITUAL OF CRISIS OR DEDICATION?

Among those mitzvot accentuating the conflict in perspective between the talmudic and kabbalistic traditions is *netilat yadayim shel shaḥarit*, washing the hands upon arising each morning. While both traditions require the ceremonial, they stand worlds apart in their perception of its rationale. This divergence of outlook has a determining effect not only on the theoretical basis of the mitzvah as viewed by each position, but on the very character of its implementation.

### Talmudic View

The principal talmudic source for the morning *netilah* is a passage in *Berakhot*,<sup>1</sup> where the blessing over washing the hands is prescribed as one of a series of early morning *berakhot*. Rosh, in immediate exposition of the rationale, depicts the mitzvah as an aesthetically-cleansing procedure preparatory to prayer:

Since the hands are active,<sup>2</sup> and it is not possible to have avoided contact during the night with soiled flesh, a blessing<sup>3</sup> was instituted prior to one's recitation of *Shema* and the act of prayer [*Amidah*].<sup>4</sup>

Rashba,<sup>5</sup> observing that the above rationale would not account for the popular requirement of a cup<sup>6</sup> — nor the insistence on water altogether (since the hands could be sufficiently cleaned for *tefillah*<sup>7</sup> with any abrasive material<sup>8</sup>) — suggests a symbolic interpretation. Through *netilat yadayim*

*shel shaḥarit*, one identifies with the *kohen* in Temple days, who would rinse himself daily from the *kiyyor*-vessel<sup>9</sup> in the courtyard of the Sanctuary before the morning service.<sup>10</sup> Consecration through water reflects the freshness of a man's commitment to the service of God (in our case, *tefillah*) as he awakens with a sense of rebirth each morning.<sup>11</sup>

According to neither of the above interpretations is *netilat yadayim* of *immediate* urgency in the morning. Since, according to both Rosh and Rashba, washing the hands is linked to prayer, the formal service of God — as an aesthetically-cleansing (Rosh) or symbolically-dedicatory (Rashba) gesture — one need not perform the mitzvah until actually ready for *tefillah*. In fact, the talmudic *sugyah*, by placing *birkat Netilat Yadayim* toward the *close* of the series of early-morning *berakhot*, would suggest, as Rosh observes, that these blessings (*Elohai Neshamah, Asher Natan la-Sekhvi Vinah, Poke'ah Ivrim*, etc.), as distinct from the principal sections of *tefillah* (*Shema* and *Amidah*), may be pronounced *prior* to washing — notwithstanding one's unclean hands.<sup>12</sup>

### Kabbalistic View

A totally different perspective emerges from the kabbalistic tradition. In contrast with the sober, forward halakhic thrust of Rosh and Rashba, viewing *netilat yadayim* as preparatory to *tefillah*, the *Zohar's* exposition is framed in ominous retrospective terms, focusing on the dire ramifications of a presumed state of spiritual contamination remaining residually on the hands from the previous night:

There is no man who does not experience the taste of death at night . . . For the holy soul leaves him, and an unclean spirit comes to rest on that body, contaminating it. When the soul returns to the body, that uncleanliness passes away. But it is taught that a man's hands retain the contaminating uncleanliness . . . until he washes them . . .<sup>13</sup>

While one is asleep at night,<sup>14</sup> maintains the *Zohar*, the soul departs,<sup>15</sup> producing a form of death in miniature (*ta'ama demota*), in which the soulless body comes under the influence of

an “unclean spirit” (*ruḥa mesa’ava*),<sup>16</sup> a form of *tum’at met*,<sup>17</sup> a state of ritual impurity contracted through contact with the dead. With the arrival of morning and the return of the soul, the deathly spirit takes leave of the body; however, a trace of its potency remains on the hands,<sup>18</sup> requiring *netilat yadayim*.<sup>19</sup>

The very perpetuation of this state of *tum’ah* is spiritually precarious. A statement attributed to the *Zohar*<sup>20</sup> in several sources<sup>21</sup> declares: “One who walks four cubits without washing his hands is deserving of death at the hands of Heaven.”<sup>22</sup> Rooted in this urgent kabbalistic consideration, but unknown to the talmudic tradition, is the practice observed in certain religious circles of placing a cup of water and basin for *netilat yadayim* at the bedside before retiring, to assure that the cleansing be accomplished the next morning with greatest immediacy.<sup>23</sup> Similarly, the *Zohar’s* remonstrance against the pronouncement of the Divine name prior to *netilat yadayim*.<sup>24</sup> The Talmud, as Rosh observes, has no such objection.<sup>25</sup>

The *tum’ah*-residue is not only spiritually perilous, according to the Kabbalah, but also physically threatening. One is warned by the *Zohar*, for example, to make certain that the waters of *netilat yadayim* are not spilled to the ground where any persons may tread: “For within these waters are gathered the forces of the [evil] side, and these unclean waters may cause him injury.”<sup>26</sup> Physical hazard, for the Kabbalah, is implicit in states of *tum’ah*.<sup>27</sup>

Two fundamental points are novel to the kabbalistic position. First is the assumption of an automatic state of *tum’ah* devolving nightly<sup>28</sup> upon the sleeping body, by virtue of its “death-experience.” For the halakhic tradition, in contrast, the nighttime experience does not invest the body with any state of *tum’ah*, except where occasioned by specific bodily discharges.<sup>29</sup> Though the Talmud draws a phenomenological analogy between sleep and death (“Sleep is one sixtieth of death”<sup>30</sup>), never was any ritual significance implied in the comparison. The immersion of the hands in water each morning is never viewed by the Talmud in ablutionary terms as divestive of *tum’at met*.<sup>31</sup>

Second, the kabbalistic position is unique in its ascription of an active, threatening potency to the state of *tum’ah*, capable of wreaking both spiritual and physical havoc.<sup>32</sup> The talmudic tradition, even where it recognizes a state of *tum’ah*, does not impute any demonic quality to this unredeemed condition.<sup>33</sup> In talmudic terms, *tum’at met* signifies the presence of a spiritual vacuum, resulting from contact with a deceased, whose soul has separated from his body. Association with such a lifeless condition diminishes one’s own spiritual potential<sup>34</sup> — a circumstance reflected in the restricted religious activity of the *tame*, who may neither enter the Sanctuary nor consume sacrosanct foods. *Tum’ah* remains for the halakhic tradition a diminution of potency, rather than a diabolical perversion of potency as the Kabbalah would suggest. Halakhically, a Jew is under no obligation to purify himself of *tum’ah*,<sup>35</sup> unless planning contact with the Sanctuary or hallowed foods. Nor is he required to avoid contracting *tum’ah* initially.<sup>36</sup> Even a *kohen*, who is so interdicted prior to the fact with respect to *tum’at met*, may remain in a state of impurity until prepared to resume his priestly function.<sup>37</sup> Clearly, from the talmudic viewpoint, the state of *tum’ah*, while restrictive, is not destructive.<sup>38</sup>

#### A Critical Talmudic Passage: Physical Hygiene, Not Occult Ritual

It is true that the removal of an unclean spirit is mentioned in one talmudic passage as a function of rinsing the hands in the morning:

It was taught: R. Nathan said, “It is called *Bat Ḥorin* [the spirit resting upon the hands], and it insists [on remaining] until one washes his hands three times.”<sup>39</sup>

However, the *Bat Ḥorin* spirit referred to in this context has nothing at all to do with any state of *tum’ah* or any of its associated demonic implications. Nor, in fact, is the subject of this *sugyah* the ritual of *netilat yadayim*. The focus of the *sugyah*, as its larger context confirms, is *physical hygiene* — cleansing soiled hands to combat possible infection. Samuel,

the second-third century physician and talmudic sage who had developed a widely-sought eye ointment, is quoted at the outset of the talmudic discussion recommending "a drop of cold water [to the eye] in the morning, and bathing the hands and feet in hot water in the evening" as the ultimate health measure.<sup>40</sup> R. Muna, cited in corroboration of Samuel's statement, offers an additional piece of medical insight with respect to the washing of the hands — linking a series of physical ailments to contact between an unclean hand and the openings of the body:

... The [unwashed] hand leads to blindness; the [unwashed] hand leads to deafness; the [unwashed] hand causes a polypus [a morbid growth in the nose] . . .<sup>41</sup>

It is immediately following R. Muna's statement that R. Nathan's *Bat Ḥorin* comment appears.<sup>42</sup>

In light of this sequence of passages, it is clear that the *Bat Ḥorin* spirit, depicted as adhering to the hand, does not represent any source of *spiritual* contamination or *tum'ah*, reflecting any overnight death-experience, nor any of its malevolent ramifications. *Bat Ḥorin* represents, rather, a source of *physical* contamination associated with the objective condition of soiled hands.<sup>43</sup> In the ancient world, infection and disease, only vaguely understood, were linked on the basis of a working hypothesis to injurious spirits (*ruḥot ra'ot*)<sup>44</sup> considered present in unhygienic conditions<sup>45</sup> — agents of disease,<sup>46</sup> which we today, with greater sophistication, would identify with bacterial or viral microorganisms.<sup>47</sup> The various procedures for dealing with such pathological phenomena were empirically arrived at, and rinsing the hands<sup>48</sup> was one such procedure, wisely recommended, as R. Muna's observation indicates, as a deterrent against a host of physical ailments.<sup>49</sup> However fanciful the activity of injurious spirits may seem to our contemporary minds,<sup>50</sup> such depictions represent, in historical perspective, a serious effort to account for the imposing reality of physical illness. It should be clear, though, that there is no basis in the above talmudic discussion for the kabbalistic notion of *netilat yadayim* as an ablution purifying any state of

*tum'ah*, with its attendant demonic ramifications. The rinsing of the hands, as dealt with in the *sugyah*, is a prudent *health measure*,<sup>51</sup> applicable whenever unhygienic conditions may prevail,<sup>52</sup> be it the morning or otherwise.<sup>53</sup> As far as the morning ritual — or *mitzvah* — of *netilat yadayim* is concerned, the sole perspective remains that of Rosh and Rashba<sup>54</sup> — an aesthetic cleansing of the hands or a symbolic immersion of the hands as a sign of rebirth — in respectful anticipation of *tefilah*.

### Kabbalistic Reinterpretation

The position of the Kabbalah radically alters the thrust of the above-cited talmudic *sugyah*. First, the Kabbalah, in effect, defines the *Bat Ḥorin* consideration as the *ritual* objective of the morning washing. Thus the *mitzvah* of *netilat yadayim shel shaḥarit* becomes a procedure for countering a *ru'ah ra'ah*.<sup>55</sup> But even more critically, the Kabbalah transforms the very sense of the *ru'ah ra'ah* notion. The talmudic tradition, as we have seen, views *ru'ah ra'ah* as an essentially *non-theological* category, in this case a hypothetical agent of physical disease. The kabbalistic tradition, on the other hand, elevates *ru'ah ra'ah* to a critical theological function, as a manifestation of the realm of heavenly anti-forces (the satanic realm of *sitra aḥra*).<sup>56</sup> Thus, while the talmudic perspective deals with *ruḥot ra'ot* through a simple hygienic rinsing procedure,<sup>57</sup> the kabbalistic position finds itself locked in battle with a metaphysically-charged agent of evil, against which *netilat yadayim* must be unleashed as a complex ritual weapon.<sup>58</sup> Rashba, true to the talmudic sense of *ru'ah ra'ah*, already notes that were our morning concern a harmful spirit (*Bat Ḥorin* or *Shibbeta*<sup>58a</sup>), it could be dealt with simply through any mode of rinsing, even directly from the tap.<sup>59</sup> But the *Zohar's ru'ah mesa'ava* can be handled only through an intricate sequence of right-to-left<sup>60</sup> alternations of hand,<sup>61</sup> involving the vital use of a cup.<sup>62</sup> For at stake, according to the *Zohar*, are the delicate dynamics of control which the *sefirah* of *hesed* (represented by the right hand) must exercise over the *sefirah* of *din* (represented by the left),

if, considering the *tum'ah*-crisis, life-potency is to prevail over strict judgment and death.<sup>63</sup> Spilling the water from a *cup* is kabbalistically critical, representing the downward flow of purifying Divine influence from the upper *sefirah* vessel.<sup>64</sup>

#### Talmudic Contrast

The talmudic perspective on the morning *ritual* of *netilat yadayim* is not concerned with *ru'ah ra'ah*, even as a hygienic notion. While a hygienic consideration may *additionally* motivate the *netilat* each morning, his *ritual* motive is exclusively *tefillah*-oriented, rinsing his hands to assure their aesthetic state during prayer or immersing them as a symbolic sign of rebirth prior to prayer. According to neither of the latter themes is a three-fold washing necessary (three rinsings only measure the intensity of the hygienic procedure<sup>64a</sup>), not to mention the alternation of hands, which is only kabbalistically significant. While the Kabbalah considers the use of a cup to pour the water indispensable, Rosh, *Haggahot Mordecai* and Ran require no cup, and Rashba (permitting, in fact, the immersion of the hands *in* the cup) requires a vessel only if one is available.<sup>65</sup> In fact, the use of water altogether — vital for the Kabbalah as a representation of the flow of Divine purifying power — is not critical from a talmudic perspective. In the absence of water, any abrasive material is sufficient,<sup>66</sup> since our primary concern is pragmatic — a clean appearance during *tefillah*.<sup>67</sup> The Talmud knows of no death-crisis precipitated by the soul's alleged leave of the body overnight, nor does it know of the ramifications of a threatening state of *tum'ah*.

#### The Nightly "Ascent" of the Soul in Talmudic Perspective

It is true that particular midrashic passages,<sup>68</sup> reflecting talmudic thought, refer to the soul's overnight "ascent." But the thrust of these passages is in sharp contrast to the kabbalistic conception. For the Kabbalah, as we have seen, the overnight period witnesses an ontological separation of soul from body — conceived in severe dualist terms<sup>69</sup> — precipitating a grave metaphysical crisis in which the body passes through a

death phase. Awakening in the morning to the thankful return of the soul, one must urgently see to the removal of the last foreboding traces of the malevolent spirit that had attached itself to the soulless body. The midrashic tradition, on the other hand, is thoroughly positive and organic in perspective. The soul does not abandon the body. Its nightly "ascent" is depicted in *physical* terms as an occasion for drawing upon sources of renewed vitality for the benefit of a weary body.<sup>70</sup> We are assured, in fact, that the soul, notwithstanding its "ascent," remains in vital connection with the sleeping body, "warming it so that it not chill and die."<sup>71</sup> Never is the *survival* of the corporate entity of body and soul at all in question, according to the Midrash. It is a physically fatigued organism, not an ontologically fractured one, that is the subject of concern.<sup>72</sup> Thus the implications of our nightly "trust"<sup>73</sup> in the Divine "restoration" of the soul. For the Kabbalah, one trusts in a metaphysically-charged Divine promise, guaranteeing the reunification by morning of soul and body. For the Midrash, on the other hand, oblivious to any such crisis, one trusts simply in the physical refreshment by morning of a weary organism:

Said R. Alexandri: A human being [a pawnbroker], given new [garments] as a pledge, returns them worn-out and tattered. But the Holy One Blessed Be He, given the worn-out and tattered, returns them new. Observe: A laborer, working all day, tires out and wears his soul. When he retires [nightly], he consigns his soul to God as a pledge, and in the morning it returns to his body as a new creation.<sup>74</sup>

#### Analogy: Daily Awakening and *Tehiyat ha-Metim*

True, there is a midrashic analogy, associating one's daily awakening with *tehiyyat ha-metim*:

Since You renew us each morning, we know that Your trust is great to resurrect our dead.<sup>75</sup>

But the analogy does not in any way identify the *dynamics* of sleep with death. Sleep, a periodic loss of consciousness, has

represented for man from time immemorial an intriguing, *suggestive parallel* to death, so that arising each morning recalls, similarly, the promise of future resurrection.<sup>76</sup> But the talmudic-midrashic tradition does not overstate the analogy. Sleep may suggest death — it may be described, experientially, as “one sixtieth of death”<sup>77</sup> — but it is never taken substantively as a form of death,<sup>78</sup> with any of its metaphysical trappings. This is evidenced by *birkat Elohai Neshamah*, with which the sages of the Talmud began<sup>79</sup> each morning’s devotion.<sup>80</sup> Addressing itself to the ontology of the individual soul<sup>81</sup> — its initial introduction<sup>82</sup> into the body<sup>83</sup> and the future promise of its restoration following death<sup>84</sup> — the *berakhah* makes no reference to any *daily* return of the soul,<sup>85</sup> emphasizing, to the contrary, God’s ongoing “preservation of the soul within me.”<sup>86</sup> For the talmudic-midrashic tradition, there is, ontologically, no nightly crisis,<sup>87</sup> no precarious state of lifelessness. The experience of awakening each morning — the restoration each morning of consciousness — simply anticipates in psychologically suggestive terms the phenomenon of future resurrection.

### Conclusion

The opposition of the two perspectives is clear. For the kabbalistic view, sleep and awakening are perceived as processes of profound metaphysical tension. The daily sense of gratitude upon arising is charged with deep relief over the restoration of the soul and the survival of the body.<sup>87a</sup> Even following its apparent resolution by morning, the death-crisis persists in the immediacy with which the waters of *netilat yadayim* must be applied to remove the final traces of an ominous *ru’-ah*.<sup>88</sup> For the talmudic-midrashic view, on the other hand, sleep is perceived in empirical physical terms as an opportunity for rest and rejuvenation. *Elohai Neshamah*, pronounced each morning, suggests no sense of crisis. Much like the entire array of *birkhot ha-shahar*, the gratitude expressed in *Elohai Neshamah* is a poised *hoda’ah* for the *uneventful continuity* of the life process. And in accord with this perception, *netilat yadayim*

thrusts the awakening personality forward toward his appreciative yet conventional experience of *tefillah*. Where the Kabbalah perceives *netilat yadayim shel shaḥarit* as a retrospective relief from crisis, the talmudic position views it as a confident stride toward daily renewal.

### NOTES

1. 60b.
2. This term is borrowed from the talmudic discussion in *Shabbat* 14a, where the context is *netilat yadayim* prior to handling *terumah*. As Rashi, *ad loc.*, explains, the hands were declared rabbinically *tame*, requiring a physically cleansing *netilah*, in order to make certain that *terumah* never becomes unsavory as a result of possible contact with soiled hands.
3. For Rosh, the *hiddush* of the enactment is not the washing per se, which, after all, is a normal, aesthetic-hygienic procedure each morning. The *hiddush* is the additional mitzvah-purpose lent the washing as a procedure preparatory to prayer, by virtue of which a *berakhah* was prescribed. In fact, for Rosh the mechanics of the procedure have no special requirement (i.e. a *k’li* is unnecessary — see n. 6). The mitzvah dimension of the procedure is reflected exclusively in the appended *berakhah*.
4. Rosh, *Berakhot*, 9:23. See also *Teshuvot ha-Rosh*, 4:1. This position actually appears earlier in the writings of R. Amram Gaon (see *Otzar ha-Geonim, Berakhot, Teshuvot*, pp. 133-34; *Seder Rav Amram ha-Shalem*, ed. Frumkin, II, pp. 217-18; *Teshuvot Maharam Rothenburg*, I [Jerusalem, 5717], #1; also, *Otzar ha-Geonim, Pesahim, Teshuvot*, p. 121). See also *Otzar ha-Geonim, Berakhot, Teshuvot*, pp. 135-36. Rambam also defines the role of *netilat yadayim shel shaḥarit* in terms of cleansing preparatory to prayer (*Hilkhot Tefillah* 4:3). See, as well, *Shibbolei ha-Leket*, 1. The talmudic association of *netilat yadayim* and *tefillah* is in *Berakhot* 14b-15a.
5. *Teshuvot Rashba*, I, 191.
6. In contrast, Rosh (*loc. cit.*, as understood by *Beit Yosef*, O.H. 4), *Hag-gahot Mordecai* (*Berakhot*, 192) and Ran (*Hullin* 105b) deny that a *k’li* — required for *netilah* prior to *se’udah* — is necessary during the morning ceremonial. (Amongst the later *posekim*, Taz supports Rosh on this point [see his comments to O.H. 4:1 (note *Levushei Serad, ad loc.*) and 7:1]; while *Magen Avraham* supports Rashba [4:1]. Both the *Mehab-*

ber and Rama prefer the use of a *k'li*, initially [4:7], in deference to Rashba for whom it is vital [*Beit Yosef's* interpretation of *teshuvat Rashba*], but deny its indispensability *be-di'avad*, on the basis of Rosh, *Haggahot Mordecai* and Ran. Rama, furthermore, apparently interprets *teshuvat Rashba*, unlike *Beit Yosef*, as requiring a *k'li* only *le'khathilah*; the *kiyyor* analogy, he would probably argue, is not critical for Rashba.) Rashba, at the outset of his *teshuvah*, is inclined to agree with the liberal position; however, taking note of the widespread insistence on a *k'li*, he suggests ("*yesh lomar*") a basis for such a requirement — identification with the *kohen* at the *kiyyor*. Abudarham explicitly requires a cup (*Seder Shaḥarit shel Hol*); yet in contrast with his position, Rashba permits a reversal of the procedure — the immersion of the hands in the cup.

7. An abrasive is acceptable (see following note) wherever the requirement is merely aesthetic — that one's hands appear clean for *tefillah*. When the consideration is, on the other hand, hygienic, water itself is critical. Thus the Talmud's insistence on water for the removal of *ru'ah ra'ah*, which we define as an agent of physical disease present in unhygienic conditions (see discussion below in text).
8. This point — the cleansing procedure required for *tefillah* at any time throughout the day — is a subject of dispute among the *rishonim*, revolving about two readings of a passage in *Berakhot* 15a. One school holds that, although an abrasive material is sufficient should no water be available, one must make a special effort to acquire water, even if travelling some distance is involved (Rif, Rambam, Rashba in name of R. Hai Gaon). A second school holds that any such effort is unnecessary, and, in fact, objectionable, since one might miss the required time of *tefillah* in the process. If water is immediately on hand, though, it is preferable (*Tosafot*, Mordecai, R. Jonah, Rosh). Rashba, while inclining toward R. Hai's position in his talmudic commentary (*ad loc.*), shifts to the second position in his *teshuvah* (see note 5). Water may be the preferred choice, but not to the point of insistence should it not be immediately available.  
The universal agreement that, as a second choice, any form of cleansing is acceptable in place of water is based upon the Talmud's analysis (*ad loc.*) of Psalm 26:6: "I will wash my hands cleanly" — understood to mean, "with a cleansing medium." The initial use of the term "wash" would indicate a preference for water. Yet the reference to a cleansing medium would suggest that the critical factor is a *clean state*, no matter how arrived at.
9. The use of a vessel, in which the water is collected for the purpose of cleaning the hands, reflects a conscientious initiative on the part of the *notel*, appropriate for the execution of the mitzvah. (See *Sefer ha-Hinukh's* depiction [*Ki Tissa*, #106] of pouring water from a *k'li* upon

the hands as a "respectful mode." Although the *Hinukh* distinguishes this mode from simply immersing the hands in the *k'li*, which is permitted, he maintains, prior to an ordinary [i.e. non-sacrosanct] meal [and which Rashba too explicitly permits in such a case, as well as in our non-priestly morning *netilah*, *Teshuvot*, 1:191], nonetheless, there is an intimation of respect in the very use of a vessel ["since we find a vessel used in sacrosanct laving"].) Thus the term "*netilat yadayim*" ("taking the hands," literally), which actually connotes *taking* water in a vessel for the hands. See *Tosefot Yom Tov* and *Melekheth Shelomo*, *Berakhot* 8:2.

10. *Teshuvot Rashba*, I, 191. See text of R. Avraham ben Rambam, translated from Arabic by S. Eppenstein, *Sefer ha-Yovel le-Yisrael Levi* (Breslau, 5671), pp. 42-3, where the washing of the hands before *tefillah*, generally, is similarly depicted as an aspect of the larger parallel between *tefillah* and *korbanot*.
11. See Norman Lamm, *A Hedge of Roses*, pp. 82-86, where the theme of water as the medium of creation and symbolic rebirth is developed. See *Sefer ha-Hinukh*, *Metzora*, #173.
12. Rosh, *Berakhot*, 9:23. The talmudic passage calls for the pronouncement of each of the *berakhot* in association with the appropriate awakening gesture: "When he awakens let him say, *Elohaim Neshamah* . . . ; when he opens his eyes, let him say, *Barukh Poke'ah Ivrim*; when he straightens out and sits up, let him say, *Barukh Mattir Asurim* . . ." — all of which imply that one is first stirring in bed and not yet at the wash basin, when beginning the series of *berakhot*. (With regard to *birkat tefillin*, appearing, as well, in our talmudic text prior to *netilat yadayim*, see *Dikdukei Soferim*, *Berakhot*, p. 347, n. 80.)  
Rosh observes that this has been altered by contemporary custom, which requires *netilat yadayim* prior to the entire series of *berakhot* — all of which, he adds, are now recited in formal sequence, unrelated to the particular gesture. (See also *Sefer ha-Me'orot*, *Berakhot* [New York, 5724], p. 176; *Shitah le-R. Avraham Ishbili*, *Ginzei Rishonim* [Jerusalem, 1967], p. 496.) This pietistic departure from the talmudic norm is traced by *Sefer ha-Mikhtam* (*Ginzei Rishonim*, p. 120) to the period of the geonim. "R. Natronai Gaon, R. Amram Gaon and other geonim" are described by the *Mikhtam* as having "imposed a strict posture in this matter . . . in order that blessings be pronounced in a state of purity and cleanliness." (See also *Kol Bo*, *Din Me'ah Berakhot*, 1; *Orhot Hayyim*, *Hilkhot Me'ah Berakhot*, 5.) In our text of *teshuvat R. Amram* (see n. 4 above), the restriction reads as a normative rule rather than an extra-legal stringency:  
Once a man has slept, we assume that his hands have been active and have been in contact with his body. This being so, when he awakens he cannot pronounce a blessing until he

washes his hands, as it is written, 'Prepare to meet thy God, O Israel' (Amos 4:12). Therefore this washing was instituted, since one *cannot* pronounce a blessing nor utter the Divine name until he washes his hands . . . (Italics mine.)

Similarly, *Otzar ha-Geonim, Berakhot, Teshuvot*, pp. 135-36.

Several attempts are made in the literature of the *rishonim* to reconcile the apparently liberal talmudic text with a strict normative position. In the *Shitah le-R. Avraham Ishbili, ad loc.*, the suggestion is made that the talmudic text did not intend to list the *berakhot* in any definitive order. Rashba, on the other hand, granting the integrity of the talmudic sequence, argues that the pronouncement of these *berakhot* prior to washing is permitted talmudically only in circumstances where we may assume that one's hands have remained unsoiled — namely, where one has slept clothed (*teshuvah* cited by *Beit Yosef, O.H. 4*). *Talmidei R. Jonah*, agreeing with Rashba in principle, argue that the unique sanctity of their behavior permitted the sages of the Talmud the assumption that the night generally passes in cleanliness — an assumption not applicable in subsequent generations (*Commentary to Rif, Berakhot 60b*). (*Ma'adanei Yom Tov's* difficulty with the reference in *Talmidei R. Jonah* to "washing the hands and arising" may be resolved if we understand the washing as taking place at night prior to retiring. By virtue of their holiness, the sages would sustain the purity of the initial washing through the night. See *Commentary to Rosh, Berakhot, 9:6*.) Popular practice has replaced *Elohai Neshamah* with *Modeh Ani* (a formulation dating no earlier than the sixteenth century) as the morning's opening recitation, since the latter deliberately omits the Divine name. Immediately after its pronouncement the hands are washed. See end of n. 85, below; also *Eliyahu Rabbah, O.H. 1:4*.

Rambam, however, remaining true in practice to the plain sense of the talmudic passage (*Hilkhot Tefillah 7:4*), retains *netilat yadayim* in its position following several *berakhot*, insisting on the spontaneous pronouncement of each blessing at its appropriate moment (the plain sense of Rambam's view, as understood by *Kesef Mishneh* — a position disputed by *Sefer ha-Aggudah, Zera'im* [Jerusalem, 5729], p. 102 [see editor's note 83]). The Talmud, Rambam would argue, apparently values the virtue of capturing the moment and praising God in the immediacy of the various phases of the awakening experience over the normally vital concern for clean hands. (Note Hillel ha-Zaken's principle — *Barukh ha-Shem Yom Yom* [*Betzah 16a*]: the merit of enjoying a delicacy and praising God at the very moment of acquisition, when the sense of thankfulness is most intense.) See Rambam, *Hilkhot Tefillah 4:3*, where *netilat yadayim shel shaharit* functions exclusively in preparation for formal prayer.

13. *Zohar, I, 184b* (Ashlag edition, *Parshat va-Yeshev, #114-15*).

14. Whether it is sleep per se — even by day — that precipitates the crisis, or nighttime slumber exclusively, is a debatable point amongst the kabbalists. See *Beit Yosef, O.H. 4*, and *Birkei Yosef, O.H. 4:6*.
15. On the experiences of the soul during the course of its heavenly ascent, according to various views in the *Zohar*, see I. Tishby, *Mishnat ha-Zohar, II* (Jerusalem, 5721), pp. 126-28.
16. According to a prominent strain of thought in the *Zohar*, the body — as distinct from the soul — is rooted in the negative realm of *sitra ahra*, the satanic domain of heavenly anti-forces — a notion reflecting a severe soul-body dualism (see *Zohar, II, 213b* [*va-Yakhel, #369-70*]). See Tishby's treatment of the position of the body in kabbalistic literature, *loc. cit.*, pp. 84-87.
17. See Tishby, *loc. cit.*, p. 125. Thus the parallel to the ceremonial of *parah adumah*, suggested by the *Zohar* (I, 184b [*va-Yeshev, #117*]): "And the pure shall sprinkle upon the impure" (Numbers 19:19), the biblical verse depicting the purification of the *tame met*, transferred by the *Zohar* to the cleansing of the hands in the morning. Also, the very term, *ruha mesa'ava* (unclean spirit), depicting the force of *tum'ah* which seeks out the soulless, sleeping body each night (see *Zohar sources*, n. 19) is the identical term used by the *Zohar* to describe the spirit contaminating an unburied corpse by night (thus the Kabbalah's severe attitude with respect to *issur halanat ha-met*). See *Zohar, III, 88b* (*Emor, #9*).
18. The extremities of the body — distant as they are from the controlling region of the brain, where holiness is considered to have its source — are particularly vulnerable to *tum'ah*. According to Ari, the fingernails function to protect the tips of the fingers from the forces of *tum'ah* seeking connection. Thus the popular Yiddish term, *negel vasser*, descriptive of *netilat yadayim shel shaharit*, when traces of *tum'ah* adhering tenuously to the body are washed away. See *Etz Hayyim* (Warsaw, 1890), II, 31:2, pp. 65-66. In the context of his larger treatment of the dynamics of *tum'ah*-penetration, Tishby briefly notes the protective function of the fingernails in his *Torat ha-Ra ve-ha-Kelipah be-Kabbalat ha-Ari* (Jerusalem, 5731), p. 78.
19. In addition to cited passage, n. 13, see also *Zohar, I, 10b* (*Hakdamat Sefer ha-Zohar, #171-72*); 53b (*Bereshit, 2, #321-22*); 169b (*va-Yishlah, #83*); 206b-207a (*va-Yigash, #34-39*); II, 213b (*va-Yakhel, #367-70*).
20. While incorporating in his *Shulhan Arukh* (O.H. 4) many of the kabbalistically-rooted considerations along with the strictly halakhic requirements, R. Yosef Karo clearly distinguishes between the two — observing in his *Beit Yosef* (*ad loc.*) that the *Zohar* material contains "hiddushim not found in the *posekim*."
21. See following note.
22. The initial citation of this *Zohar* passage is generally attributed in the

halakhic literature to R. Meir Ibn Gabbai (first half of sixteenth century), in his work *Tola'at Ya'akov*. Actually, the passage appears in this work (Constantinople, 1560, *Sod Birkat Netilat Yadayim*) without citation of source; however, its attribution to the *Zohar* on Ibn Gabbai's part may be assumed on the basis of his *Introduction*, where he describes his material as based primarily on "*Midrasho shel Rashbi*." No pronouncement of *hiyyuv mitah* appears in our text of the *Zohar*. The restriction itself may be intimated in a *Zohar* passage depicting the "early pietists" as preparing water at bedside before retiring (see earlier n. 12); however, the significance of the measure is linked in that passage to the pronouncement of *berakhot*, deemed forbidden prior to washing (*Zohar*, I, 10b [*Hakdamah*, #171]). An alternate reading of the immediately succeeding *Zohar* passage (#172), recorded by Avraham ben Mordecai Azulai (d. 1643) in *Or ha-Levanah* (see citation in *Hilufeir Girsat*, *Zohar*, ed. Ashlag, Vol. 1, p. 171, n. 7), supports the position of *Tola'at Ya'akov* (confirming its source in a version of the *Zohar*) in all its severity, identifying the transgression involved in perpetuating the state of *tum'ah* on one's hands as a mystical form of idolatry. Since *tum'ah* is rooted in the heavenly anti-forces of *sitra aħra*, failure to immediately wash it away results in the retention of an alien god on one's hands. For this, one is "deserving of death at the hands of Heaven." *Birkei Yosef* (O.Ĥ. 1:1) sees in the *Or ha-Levanah* text a corroboration of *Tola'at Ya'akov's* position. Menahem de Lonzano (*Derekh Ḥayyim*, *Sh'tei Yadot* [Venice, 5378], p. 95a), however, unaware of the *Zoharic* basis of *Tola'at Ya'akov's* position, criticizes him directly, questioning both the idolatry theme and the "exaggerated" pronouncement of *hiyyuv mitah*. If at all required, he argues, the immediate rinsing of one's hands can be linked only to the recitation of the early morning *berakhot* (requiring clean hands, see above), which may be obligatory as soon as one awakens, as an immediate acknowledgment of God. R. Yosef Karo cites neither the condemnation nor the restriction in his *Beit Yosef* and *Shulḥan Arukh*, to the astonishment of *Baḥ* (O.Ĥ. 4), who subscribes to *Tola'at Ya'akov's* "*Zohar* citation." While *Baḥ* refuses to reconcile himself with *Beit Yosef's* omission, except as a concession to popular laxity ("*mutav she-yiheyu shogegin . . .*"), *Shevut Ya'akov* (III [Lemberg, 1861], #1) makes the observation that it was omitted "because it is not mentioned at all in the Talmud or early *posekim*," and would appear, in fact, to be inconsistent with a talmudic passage (*Berakhot* 15a, requiring that one proceed immediately to the toilet [outside the house, as a rule] upon leaving bed, prior to washing the hands). The latter also notes that the four-*amot* notion is ignored in practice even by the most God-fearing devotees of the Torah. (See also *Eliyahu Rabbah* [O.Ĥ. 1:4].) *Magen Avraham* (O.Ĥ. 4:1) and *Eliyahu Rabbah* (*loc. cit.*) support *Tola'at*

*Ya'akov's* position (though *Eliyahu Rabbah* probes the possibility of its contemporary inapplication), but *Ḥatam Sofer* (O.Ĥ. 4), drawing support from de Lonzano, reacts sharply: "The early authorities already raised their voices [in criticism] over this."

Kabbalistic formulations of this sort — threatening death for ostensibly minor infractions — tend to create a climate of dread (see n. 88, below), reflected, for example, in the *she'elah* put to *Shevut Ya'akov* (*ad loc.*). Expressing incredulity at the widespread neglect of the four-*amot* rule, the questioner appeals not to the element of mitzvah that might be involved in the practice, but to the *danger* allegedly implicit in its violation, drawing, curiously, upon the talmudic principle, *ḥamira sakanta me-issura* (*Hullin* 10a). In halakhic literature, *hiyyuv mitah* is not depicted as *sakanta*, for the weight of a Divine imperative is viewed in terms of its *injunctive* appeal (*issura*). *Sakanta* refers to practical, non-theological considerations, such as the restriction against drinking liquids that may have been exposed to poisonous creatures — a restriction distinguished from the religious demands of *issura* (see *Hullin*, *ad loc.*).

23. See latter note. In *Sefer Igra de-Pirka* ([Lemberg, 1858], p. 3a, #9), the immediacy notion is carried a step further. The author, R. Zvi Elimelekh Dinover (d. 1841), quotes a family tradition in the name of R. Moshe Zacuto, cautioning a man not even to *stand* before washing his hands in the morning, since this, in effect, intensifies the forces of evil — lending the *ru'ah mesa'ava* stature (*shi'ur komah*, the mystical term), the author himself adds.
24. See passage referred to in the beginning of n. 22. Also, *Zohar*, I, 184b (*va-Yeshev*, #117). The disputed reading of a particular *Zohar* passage intimates a link between the pronunciation of a *berakhah* with unpurified hands and the evil of idolatry, since defiled hands represent an idolatrous presence (see n. 22). According to one *Zohar* passage (III, 186a [*Balak*, #31]), a man is explicitly deserving of death for pronouncing a *berakhah* with soiled hands, since even a condition of *physical* contamination is rooted in *sitra aħra*. See also *Zohar*, 10b (*Hakdamah*, #172-73), with reference to *beit ha-kisse*.
25. See earlier note 12. In principle, even *Talmidei R. Jonah* agree that if one's hands have with certainty remained clean overnight, there could be no objection to pronouncing a *berakhah*. The *Zohar*, on the other hand, prohibits such by virtue of an objective state of *tum'ah* incurred overnight.
26. *Ibid.*, I, 184b (*va-Yeshev*, #116, 118). See below, note 49, where the talmudic reference in connection with *mayyim aħaronim* is shown to represent a totally different idea.
27. See n. 32, below.
28. See n. 14, above.



29. *Tum'ot ha-yotze'ot mi-gufo shel adam: zav, shikhvat zera, niddah, zavah* (Lev. 15:1-32).
30. *Berakhot* 57b. The contrast between the kabbalistic and talmudic perspectives is reflected in their interpretation of a talmudic passage depicting King David's caution not to sleep during the course of the night more than sixty breaths at a time (see *Berakhot* 3b, *Sukkah* 26b). In talmudic context, the significance of such restraint is pietistic, rendering the individual consistently available for *avodat ha-Shem*. But for the *Zohar* the implications are metaphysical. A sleep of 60 breaths imposes upon a man *ta'am mitah*, with its ramifications of loss of *neshamah* and subjection to the forces of the *sitra aḥra* (see *Zohar*, I, 206b-207a [*va-Yigash*, #34-39]).
31. The entire notion of *tum'at yadayim*, even where it applies talmudically, is only a rabbinic injunction (see *Shabbat* 13b-15a; *Zavim* 5:12; *Hagigah* 2:5; *Hullin* 106a). The *Zohar's* ascription, therefore, of profound metaphysical implications to the state of *tum'ah* kabbalistically assigned the hands in the morning is inconsistent with the talmudic category. The substance of a rabbinic decree, as a human convention, cannot be traced to primal heavenly roots. It is only the authority of a *geze'rah de-rabbanan* — not its specific content — that is biblically confirmed. This is the sense of the talmudic invocation (*Shabbat* 23a) of the biblical injunction, *lo tassur* (Deut. 17:11), with respect to *ner Hanukkah*, and the dictum (*Hullin* 106a), *mitzvah lishmo'a le-divrei hakhamim*, in support of *netilat yadayim le-hullin* (see Rambam, *Hilkhot Berakhot* 6:2; *Sefer ha-Mitzvot*, *Shores* I; and implications of his position as understood by *Kiryat Sefer*, *Hakdamah*, Ch. 5; *Lehem Mishneh*, *Hilkhot Mamrim*, 1:2; *Kinat Soferim*, *Sefer ha-Mitzvot*, *ad loc.*; *Meshekh Hokhmah*, *Parshat Shofetim* ["*lo tassur*']). R. Eleazar ben Arakh's linkage of *netilat yadayim le-hullin* to a scriptural verse (*Hullin*, *ad loc.*) is only an *asmakhta* (see Rashi and *Tosafot*, *ad loc.*). Although the Talmud (*Shabbat* 14b; *Eruvin* 21b) finds support in a *bat kol* for Solomon's introduction of *netilat yadayim le-kodeshim*, it remains clear that Heaven's appreciation was extended not for the particular substance of the *geze'rah* itself, but for the protection lent the *de-oraita* principle (see Rashi, *ad loc.*). It is true that particular talmudic passages threaten severe consequences for a failure to observe *netilat yadayim le-hullin* (*Eruvin* 21b, *Sotah* 4b). But such formulations are not depicted as inherent consequences of the *averah*. They represent, rather, severely-phrased rabbinic remonstrations, attempting to encourage submission to a decree which had met with resistance (see *Eduyyot* 5:6; *Berakhot* 19a). One is deserving of death not for violating the substance of the *geze'rah*, but for disputing rabbinic authority in which the *geze'rah* is rooted (see Rashi, *Sotah* 4b; similarly, *idem*, *Berakhot*, *ad loc.*, on basis for *niddui*).
32. *Tum'ah* for the Kabbalah is rooted in the realm of *sitra aḥra*, a dynamic heavenly array of spiritually and physically destructive forces. (See I. Tishby's treatment of the kabbalistic conception of evil and its agencies through the period of the *Zohar*, in his *Mishnat ha-Zohar*, I, pp. 285-307.) While the talmudic view of *tum'ah* perceives it as a subjective state of alienation from the spirit, open to correction through a complementary spiritual initiative (*taharah*), the kabbalistic perspective sees the *tame* as having fallen into the clutches of objective agents of evil, who are "permitted to" and even "desirous of" exploiting the *tum'ah* situation through a dynamic extension of corruptive and destructive power surpassing the dimensions of the initial *tum'ah* breach. See, for example, *Zohar*, I, 53b (*Bereshit*, #319-20; also #317); III, 88b (*Emor*, #10). See following note.
33. With respect to both the biblical and talmudic concept, *tum'ah* is a subjective state, representing man's alienation from the realm of spirit. *Tum'ah* is not rooted, ontologically, in any objective source of evil, malicious and destructive, as the ancients, universally, had believed. See D.Z. Hoffmann, *Commentary to Sefer va-Yikra*, I, pp. 216-17, 221; Y. Kaufmann, *Toledot ha-Emunah ha-Yisre'elit*, Vol. 1, Bk. 2, pp. 403ff.
34. Whether *tum'at met* (or *tum'ah*, generally) is rooted in sin — as D.Z. Hoffmann, following S.R. Hirsch, assumes (*Commentary*, pp. 217-23) — is not critical in this context. The important factor is that the dynamic involved in *tum'ah* is a disruption of the living harmony of body and soul, the submission of body to the guidance of soul — a harmony which constitutes the essence of religious activity. (Thus the *tum'ah* involved in death, a death-like manifestation such as *tzara'at*, and the loss of potential life involved in *niddah* and *keri*.) See Lamm, pp. 81-84.
35. See following note.
36. See Rambam, *Hilkhot Tum'at Okhelin* 16:8-9. Even on the assumption of a significant rabbinic position, during the Second Temple period and beyond, extending *tum'ah* and *taharah* outside the *mikdash ve-kodashav* and inclusive of the non-kohen, and even granting the pursuit of *taharah* as an end in itself, the underlying considerations were moral and spiritual — not in any way diabolical. See G. Allon, *Mehkarim be-Toledot Yisrael*, I, pp. 148-76.
37. The *mitzvot aseih*, *Kedoshim yiheyu l'Eloheihem* ([Lev. 21:6]; see Y. Perlow, *Sefer ha-Mitzvot le-Rasag*, I, p. 787), requiring that a kohen remain perpetually fit for the service of God, enjoins his contact with the dead (*Bava Metziah* 30a) — an obligation devolving even upon the *bet din* to compel his compliance (see *Sifra*, *ad loc.*; *Yevamot* 88b bases the community's obligation on the later verse, *ve-kidashto* [21:8] — see Rashi, *ad loc.*). Once having become *tame*, however, the kohen is under

no positive obligation, nor must the *bet din* compel him, to restore his purity. Only the *circumstance* of his anticipated return to the service of the *mikdash*, whenever he so chooses, would compel his purification. See *Sifrei* to Num. 19:12 ("Ve-im lo yithata . . ."). The relative claim of *mitzvat tevillah* (noted by Rambam, *Sefer ha-Mitzvot, Aseh* #109), *conditional* upon the expectation of the *tovel* to enter the *mikdash* (see also *Hilkhot Tum'at Okhelin* 16:10), would apply equally to any purifying measure involving the *kohen*. See previous note.

38. The reference in *Berakhhot* 51a, advising that a man not have his hands washed in the morning by one who has not yet washed his, suggests — in terms of its context — a demonic interpretation. However, it is significant to note that this passage is not cited as a halakhic norm by the *rishonim*, generally (though *Piskei Rid* quotes the restriction in his compendium [*Berakhhot* (Jerusalem, 5724), p. 152] and Maharam Rothenberg is quoted in several sources as lending it normative status (*Kol Bo, Hilkhot Netilat Yadayim*, 23; *Orhot Hayyim, Netilat Yadayim*, 19; *Tashbetz*, 277). The *rishonim*, as a rule, pass over it because it is not derivative of the halakhic method, emerging instead from subjective visionary encounters with the angelic world (R. Ishmael with *Suriel* and R. Joshua b. Levi with *Malakh ha-Mavet*; see R. Joshua b. Levi's elaborate such encounter in *Ketubbot* 77b). While incorporating the restriction in his *Shulḥan Arukh* (O.H. 4:11), *Beit Yosef* (O.H. 4) acknowledges its tenuous halakhic character, when he classifies it among those "*hiddushim*" of the *Zohar* (I, 184b [*va-Yeshev*, #117]) "not found in the *posekim*." His citation of the talmudic passage in confirmation of the restriction in no way diminishes the fact that its primary source, in his eyes, is the *Zohar*, without which it would have remained an aggadic obscurity, together with the two other precautions mentioned with it. Thus *Be'er ha-Golah's* deliberate citation (unlike *Gera*) exclusively of the *Zohar* passage as the source of the rule incorporated in *Shulḥan Arukh*.

(Note a parallel phenomenon in *Shulḥan Arukh, Y.D.* 359:2, where, despite a possible link to our talmudic passage, *Be'er ha-Golah* limits his citation, once again, to the appropriate *Zohar* passage. This is consistent with *Beit Yosef*, who, in this case, makes no reference at all to any talmudic parallel. Thus, the citation in *Berakhhot* 51a by *Ein Mishpat Ner Mitzvah* of the ostensibly correlative *Y.D.* passage is not accurate.)

Several *rishonic* works (with variations) call for the rinsing of the hands — at pain of loss of mind — following any of a series of activities, such as, in addition to arising in the morning, leaving the bathroom or bathing facility, engaging in sexual relations, paring one's nails, removing one's shoes, touching one's legs or any unclean or sweaty part of the body, washing one's hair, delousing one's clothes, touching the

penis, visiting or coming into contact with the dead (see *Siddur Rashi*, pp. 280-81; *Kol Bo*, 23; *Orhot Hayyim, Netilat Yadayim*, 10; see also *Shulḥan Arukh, O.H.* 4:18). The threatened consequences suggest a demonic notion, mental derangement through an evil spirit, in clearly occult terms. Two points, however, are significant. First, this passage is not of talmudic origin. Second, it is cited in at least four works (*Kol Bo*, 23, *Orhot Hayyim, ad loc.*; Mordecai, *Berakhhot*, end of 193, 194; *Tashbetz*, 276) as a "cleanliness" measure, and in four sources (*Kol Bo, ad loc.*; Mordecai, *ad loc.*; *Tashbetz, ad loc.*; Abudarham [citing *Tashbetz*], end of work) no mention is made of any ominous consequences.

39. *Shabbat* 109a.

40. *Ibid.* 108b.

41. *Ibid.* 109a. R. Muna's repeated reference to the "cutting off of such a hand" is understood as a hyperbole. R. Muna's intention is to severely rebuke the carelessness of such gestures with an unwashed hand.

42. *Raḥ* (*ad loc.*) disengages R. Nathan's statement from any connection with the rinsing of the hands, when he describes *Bat Ḥorin* as located on the eye. (His reading of the talmudic text omits mention of the hands. Similarly, see *Dikdukei Soferim, Shabbat, ad loc.*)

Several *rishonim* ignore R. Nathan's passage in their talmudic compendia. See *Sefer ha-Me'orot, Shabbat* (New York, 5724), p. 143; *Piskei Rid, Shabbat* (Jerusalem, 5724), p. 403; *Sefer ha-Aggudah, Mo'ed*, I (Jerusalem; 5726), p. 43; Rif, Standard editions of *Shas*. Rambam (*Hilkhot Tefillah* 4:3), too, obviously denying the normative weight of R. Nathan's statement, formulates the obligation of morning *netilah* with no mention of any three-fold procedure.

43. See *Tosafot, Yoma* 77b, *Hullin* 107b, equating *Bat Ḥorin* (identified by *Tosafot* with *Bat Melekh*) with the "filth of mud and excrement," found on the hands before the morning *netilah* (see also *Shabbat* 67a, reference to *Bar Tit* and *Bar Tina*, demons of mud, noted below, n. 45). Similarly, *Shibbeta*, a *ru'ah ra'ah* distinguished from *Bat Ḥorin* by R. Tam (unlike Rashi), but associated, as well, with unhygienic conditions anytime throughout the day — a cause of infant mortality in the wake of the feeding process (see *Tosafot, ad loc.*, and *Tosefot Yeshanim, Yoma* 77b). According to the *Arukh* ("*Shibbeta*"), the fatal effects of *Shibbeta* are a result of the mother imprudently nursing her child immediately upon her return from the toilet or river, without washing her hands. See also *Ta'anit* 20b, where rinsing the hands is a prudent precaution against *Shibbeta*.

Rambam altogether rejects the normative weight of R. Nathan's *Bat Ḥorin* statement, omitting reference to any three-fold rinsing requirement in the morning (see n. 42). A one-step aesthetic washing in preparation for prayer is the sole consideration. He does, however,

codify the mother's obligation to wash her hand on Yom Kippur prior to feeding her child (*Hilkhot Shevitat he-Asor* 3:2), a rule attributed by Abbaye, in the talmudic discussion (*Yoma* 77b, *Hullin* 107b), to the spirit *Shibbeta*. Rambam, however, making no mention of *Shibbeta*, apparently accounts for the rule on the basis of the earlier part of the *sugyah*, which refers to a concern for "mud and excrement." Rambam's disparaging view of the occult is well known (see *Perush ha-Mishnah*, *Avodah Zarah* 4:7), and rather than lend the *Shibbeta* or *Bat Horin* passages a sympathetic interpretation, he simply discounts them. Note also his obliviousness to the *shed* discussion in *Yevamot* 122a and *Gittin* 66a. *Leḥem Mishneh* (*Hilkhot Shevitat he-Asor*, *ad loc.*), therefore, operates on an unlikely premise, when he assumes that Rambam is necessarily committed to the normative weight of the *Shibbeta* and *Bat Horin* passages. See n. 49.

Rambam is more respectful of Mishnaic references to *ru'ah ra'ah*, to which he lends, in context, a psychological connotation (see n. 46).

44. See R. Hai's definition of *ruhot* as *earthly* phenomena, "contained within a material frame like air within a sac" (*Otzar ha-Geonim*, *Gittin*, *Perushim*, p. 238).
45. Thus injurious spirits are associated in talmudic literature with latrines, deserted ruins, etc. See, for example, *Gittin* 70a, *Kiddushin* 72a, *Berakhot* 3a-b. Note also, in *Shabbat* 67a, reference to *Bar Tit* and *Bar Tina* (sons of mud), demons of filth. See earlier n. 43.
46. *Ru'ah ra'ah* will, at times, identify a source of emotional disturbance (see *Mishnah Shabbat* 2:5, *Eruvin* 4:1, and commentary of Rambam [*ad loc.*], who understands the phenomenon as a subjective, internal condition; note Yosef Kafah's corrected translation [*Mishnah, Seder Mo'ed* (Jerusalem, 5724), p. 75] of Rambam's comment on *Eruvin*, *ad loc.*, and his n. 1, where the misleading sense of the standard translation is exposed). Even those *rishonim*, who, unlike Rambam, would define psychologically disturbing spirits as objective entities, acting upon the human being *from without* (as in *Yevamot* 122a and *Gittin* 66a, passages ignored by Rambam — see n. 43), would nonetheless perceive them in terms of an empirical health hypothesis, denying that they are celestial figures requiring ritual counterattack. Associated with circumstances of isolation (such as fields, mountain-tops, etc., as noted by *Tosafot*, *Megillah* 3a, *Yevamot* 122a, *Gittin* 66a, *Sanhedrin* 44a), where a man is particularly vulnerable to attack (by beast, man, etc.), these spirits were understood as objective agents of derangement, assaulting a defenseless personality. Much like the hypothesis of *ru'ah ra'ah* as an objective agent of physical disease, impinging upon the body in unhygienic circumstances, this theory — the psychological counterpart of the first — held *ru'ah ra'ah* to function as an objective agent of emotional disease, penetrating the body in situations of insecurity. And

just as the remedy for physical illness is pragmatic — the maintenance of good hygiene — so too the remedy for emotional illness — avoiding situations of isolation and abandonment. Thus the position of *Tosafot* (see above) that no such spirits are present in urban areas, the security of the city protecting the personality against susceptibility to emotionally-debilitating "microorganisms" (our term).

Obviously, there are many aggadic passages depicting evil spirits in terms that clearly reflect the popular belief in the occult, replete with magical anti-measures. One could not legitimately lend such depictions either a hygienic or psychological interpretation. But the point is that such passages are never taken seriously enough by *Hazal* to be lent normative halakhic significance. These represent expressions of aggadic conjecture (see n. 50), and are never permitted to cross the line into the halakhic realm as bases for halakhic requirement. In the case of our *Bat Horin* passage, on the other hand, where a seriously recommended daily rinsing procedure is traced to a concern for a "spirit," the context is not at all occult. If not a ritual halakhic consideration, as we have shown, it is nonetheless a serious hygienic recommendation.

47. The question of the veracity of talmudic medical theory from our contemporary perspective in no way prejudices the integrity of *Hazal* as transmitters of an unimpeachable Divine tradition. The two areas are not to be confused. *Hazal* pursued medicine as men of broad interest, but they carefully separated such investigation — empirical by its very nature — from the realm of religious law, masoretically-based. Note the *teshuvah* of R. Sherira Gaon, addressed to this issue (*Otzar ha-Geonim*, *Gittin*, *Teshuvot*, p. 152):

We must tell you that our rabbis were not physicians. Their recommendations were ordinary cures based on their experience with the ill, and were not intended as religious law. Therefore, do not rely on these remedies; for there is no one who would make use of them except after investigating and establishing with certainty through expert physicians that the particular cure will not harm him. No one would wish to endanger his life . . .

An opposing view emerges in the writings of the early *aḥaronim*, who would attribute the inefficacy of a talmudic cure to our inability to "thoroughly understand" its operation (*Sefer Maharil* [B'nei Berak, 5719], *Likkutim*, p. 168; quoted by R. Akiva Eger, *Y.D.* 336:1) or to "changes" in circumstance of place or time (Maharshal, *Yam shel Shelomo*, *Hullin* 8:12), rather than to the inherent uselessness of the remedy. (Jakobowitz, *Jewish Medical Ethics*, Introduction, xxxix, fails to appreciate the critical conflict in principle dividing the geonic position of R. Sherira and that of the *aḥaronim*.) Both Maharil and

- Maharshal make reference to an *injunction* against relying on talmudic cures (Maharshal claiming even an “early ban” [*herem kadmoni*] to this effect), since their inefficacy — explained unkindly — could bring the entire talmudic system to ridicule.
48. True, R. Nathan refers to a *three-fold* washing, a figure which could suggest an occult dimension (see J. Trachtenberg, *Jewish Magic and Superstition*, p. 119). But whatever the significance of the specific number of rinsings, the *function* of the procedure remains clearly hygienic, as the context of the *sugyah* confirms. Furthermore, the three-fold execution of a procedure is a general talmudic convention, representing emphasis, establishing tenure, and perhaps in this case the certainty of an effective cleansing. Note the observation of Rashba (referred to in text, below — see n. 59) to the effect that “*rehitzah* would suffice” for the removal of *Bat Ḥorin*, a statement which would suggest that the procedure, a practical measure, would have no formal requirements. Rashba’s immediate point is to deny the necessity of a cup in removing *Bat Ḥorin*, but the intimation is that neither may a three-fold procedure be vital. See also the phraseology of the *rishonim* (Rashi, Meiri, *Hiddushei Ran*, *Shabbat* 109a), describing *Bat Ḥorin*’s insistence on three rinsings as intended to insure a “good washing” (*le-notelan yafeh*) — a term which suggests the hygienic consideration, best served with a thorough cleansing.
49. Similarly, the talmudic reference (*Hullin* 105b) to *ru’ah ra’ah* as the basis for avoiding spillage of *mayyim aḥaronim* to the ground. In its fundamental rationale for *mayyim aḥaronim*, the Talmud distinguishes the procedure from *mayyim rishonim* as a health measure rather than a ritual gesture — geared toward removing from the fingers traces of Sodomite salt, a seasoning which could blind the eye upon contact (*ibid.*). Abbaye, in explanation of the *baraita*’s restriction against spilling *mayyim aḥaronim* to the floor, initially attributes it to *zuḥama* — an aesthetic concern for the unsavory condition of the water in which one’s soiled fingers had been rinsed. His conversion subsequently to the *ru’ah ra’ah* notion need not presume anything more than a belief in the presence within the grimy water of some hypothetical, physically-pollutive agent. (Note, for example, Abbaye’s reference in the immediately following passage to *ru’ah tzereda*, which R. Gershom and Rashi understand as a pathological condition. See J. Preuss, *Biblical and Talmudic Medicine*, trns. and ed. by Fred Rosner [New York and London: Sanhedrin, 1978], p. 306, n. 99; also M. Jastrow, *Dictionary of the Talmud*, p. 1299.) There is no basis in this *sugyah* for fixing the source of *ru’ah ra’ah*, as the Kabbalah does, in some celestial realm of malevolent forces. (The closest the classic literature comes to a mystical *mayyim aḥaronim* notion is in the *She’iltot*’s definition of *zuḥama* as the state of one’s hands following consumption of foods unworthy for offering on the *mizbe’ah* [Yitro, *She’ilta* #54; see Bah, O.H. 181]. This concept, however, while mentioned by Ran [Commentary to Rif, *Hullin* 105b, in the name of “*aḥerim*”] and Rashba [*Torat ha-Bayit* 6:5, in the name of “*yesh meforeshim*”], is subordinated to the position of R. Hai, who interprets *zuḥama* in a physical sense as a soilage of the hands associated with moist foods [see Ran, *ad loc.*; Rashba, *ad loc.*; Meiri, *Beit Yad*, p. 219, who comments on the position of the *She’iltot*, “*ve-eino nireh kelal*”]. Ra’avad [*Hilkhot Berakhot* 6:2] and Rosh [Commentary to *Berakhot* 8:6], oblivious to the *She’iltot*, also support the physical-soilage position. According to Netziv [*Ha’amek She’alah* 54:13], the basis for the *She’iltot*’s notion — distinguishing sacrificial from non-sacrificial foods at the table — is tenuous, in terms of our extant talmudic sources.)
- However Abbaye’s *ru’ah ra’ah* reference be understood — whether as an occult or as a pathological category — it is not a vital element in the *sugyah*, easily discounted as an aggadic component. R. Amram Gaon, in his treatment of *mayyim aḥaronim* (*Otzar ha-Geonim*, *Pesahim*, *Teshuvot*, pp. 121-22; *Seder R. Amram*, II, p. 218), ignores it (as he does *Bat Ḥorin* in relation to *netilat yadayim shel shaḥarit*; see n. 4). See also *teshuvat* R. Natronai Gaon, *Otzar ha-Geonim*, *Berakhot*, *Teshuvot*, pp. 134-35. Many *rishonim* omit reference to it, confining themselves, as do the geonim, either to the *melaḥ sedomit* or *zuḥama* rationale (see Rashba, *Torat ha-Bayit* 6:5; *Shitat R. Avraham Ishbili*, *Berakhot*, p. 485; *Sefer ha-Ner* [Jerusalem, 5718], p. 114; *Piskei Riaz*, *Berakhot*, p. 84; *Perush Rashbatz*, *Berakhot* [B’nei Berak, 5731], p. 310; *Sefer ha-Mikhtam*, *Berakhot*, p. 111; Meiri, *Beit Yad*, p. 219, *Beit ha-Behirah*, *Berakhot* 53b; *Or Zaru’a*, pp. 31-2). Rambam, who, as we have noted (see n. 43), dismisses amoraic *ru’ah ra’ah* as a legitimate halakhic category, refers only to *melaḥ sedomit* and *zuḥama* in his *Mishneh Torah* (*Hilkhot Berakhot* 6:3,16; see also Ra’avad 6:2,16), ignoring Abbaye’s reference to *ru’ah ra’ah*, which he views, obviously, as an occult notion rather than, more kindly, as an admissible pathological category. The misleading citation by *Ein Mishpat Ner Mitzvah*, *Hullin* 105b, of a reference in Rambam (*loc. cit.*) to *ru’ah ra’ah* is based only on a conjecture of *Kesef Mishneh* (*ad loc.*).
50. R. Hai Gaon’s reservations over the literalness of *ru’ah ra’ah* passages are intimated in several of his comments. Reflecting on the Asmodeus aggadah (*Gittin* 68a-b), where the activity of the king of the demons is portrayed in rich mythological terms, R. Hai makes cryptic allusion to “incorrect things” (*devarim she-einam nekhonim*) in the account (*Otzar ha-Geonim*, *Ḥagigah*, *Teshuvot*, p. 22). The “correctness” of aggadic content is measured, according to a *teshuvah* of R. Sherira Gaon, by the rule of reason: “Those amongst them [aggadic passages] which are correct [*nakhon*], namely those which reason and Scripture sup-

port, we accept . . ." (*Sefer ha-Eshkol*, ed. Auerbach, II, p. 47; *Otzar ha-Geonim*, *Hagigah*, *Perushim*, p. 60). See also *teshuvat* R. Hai (cited in immediate succession to R. Sherira's), where the directive to approach aggadah critically is established, so as to "remove error [*shibbush*]" through sound interpretation, and distinguish those passages which are "correct [*nakhon*] and appropriate" from those upon which "we do not rely." (See also *Otzar ha-Geonim*, *Berakhot*, *Perushim*, p. 91, n. 10.)

In a *teshuvah* interpreting the talmudic reference (*Eruvin* 18b) to Adam's having fathered "*ruḥin ve-shedim ve-lilin*" while separated from Eve following the sin, R. Hai first cites the occult explanation, according to which demonic female spirits procreate through the semen discharged by men (in this case Adam) whom they possess. But he immediately reverts to a second explanation, in terms of which the spirit-progeny were produced by Eve, who inseminated herself artificially from Adam's discharge (*Teshuvot ha-Geonim*, ed. Musafia, #25). This interpretation, inconsistent with the plain sense of the talmudic passage, can only have been intended to put to question the literal ascription of a procreative function to demonic spirits (see *Hagigah* 16a) as independent beings.

See also Assaf, *Tekufat ha-Geonim ve-Sifrutah*, pp. 261ff.

51. Thus the use of the term *rehitzah* in the context of the *sugyah* in *Shabbat*, rather than the term *netilah*, which the Talmud reserves for ritual washing — a phenomenon recognized by Preuss, *Medicine*, p. 525.
52. Indicative of the empirical, hygienic perception of *ru'ah ra'ah* held by the talmudic tradition is the frank position of *Tosafot* (*Yoma* 77b, *Hullin* 107b; see also Maharshal, *Yam shel Shelomo*, *Hullin* 8:10) discounting the impact of such spirits (and, accordingly, the value of the various countermeasures) as no longer operative in our day. Apparently, the entire phenomenon of *ruhot ra'ot* was recognized as an empirical hypothesis and since the aforementioned authorities — given, perhaps, the improved hygienic conditions of their day (note the "change of place and time" referred to by Maharshal, *loc. cit.*, 8:12; see n. 47, above) — no longer observed any obvious link between unwashed hands and disease, the hypothesis lost its weight (see earlier n. 49, position of *posekim* on the *ru'ah ra'ah* of *mayyim aḥaronim*). Clearly, were *ru'ah ra'ah* viewed as a heavenly, spiritual phenomenon — a manifestation of the celestial anti-forces of *sitra aḥra* — it could not have been ruled out of existence!

An analogous case is the pathology associated by the Talmud (*Pesaḥim* 76b) with a portion of fish roasted along with meat. Rosh extended the restriction to the consumption of successive courses of each, and is reported to have washed his hands and cleansed his mouth between dishes, in such cases (see *Tur*, Y.D. 116 and *Shulḥan Arukh* 116:2, 3;

also *Tur*, O.H. 173 and *Shulḥan Arukh* 173:2). Magen Avraham, however, recognizing the absence in his day of any such ill effects, suggests the possibility that no threat any longer exists. Firstly, he notes, the human constitution undergoes change from generation to generation, and, secondly, reactions to diet vary in different lands (*O.H.*, *ad loc.*).

53. See n. 43.

54. Although the *rishonim* refer the concern of R. Muna for the unwashed hand — and in his wake, that of R. Nathan — to the morning setting, prior to *netilat yadayim shel shaḥarit*, this does not identify *ru'ah ra'ah* as the primary purpose of the morning *netilah*. Such is merely a secondary benefit of the mitzvah. Thus the recommendation of an abrasive material in the absence of water (see n. 8). Although an abrasive will not *hygienically* cleanse the hands (that is, eliminate *ru'ah ra'ah*), it will sufficiently prepare them, *aesthetically*, for the purposes of *tefillah* (see n. 7); and this is the primary purpose of the morning ceremonial. For the Kabbalah, however, water is indispensable, since the ceremonial is seen as an ablution purifying mystical *tum'ah*.

55. This is clearly the implication of the *Zohar's* position, which identifies a *ruḥa mesa'ava* (*ru'ah tum'ah*) as the focus of the morning *netilah* (see sources cited in notes 13, 19). Ari explicitly defines the talmudic *Bat Melekh* (identified with *Bat Ḥorin* — see n. 43) as a kabbalistic *ru'ah ha-tum'ah* (see *Sha'ar ha-Kavvanot*, I [Tel Aviv, 5722], p. 6).

56. See Ari's identification of the terms *Shibbeta* and *Bat Melekh* (see n. 43), which we have shown to represent agents of *physical* pollution, with *ru'ah ha-tum'ah*, the celestially-rooted agent of *spiritual* pollution (*ibid.*). Ari even lends the activity of this *ru'ah* the trappings of conscious — even tactical — intention, by elaborating, literally, upon the talmudic reference (*Shabbat* 109a) to its "insistence" (see n. 48): "*Shibbeta* is a princess [*Bat Melekh*], and temperamentally resists, skipping and jumping [from hand to hand] until thoroughly removed" (*ibid.*).

The elevation of demonology to a metaphysical level — with its severe dualist implications — is developed initially in the Gnostic Kabbalah of the thirteenth century. See G. Scholem, "Kabbalat R. Ya'akov ve-R. Yitzhak B'nei R. Ya'akov ha-Kohen," *Madda'ei ha-Yahadut*, 2 (1927), pp. 193-97, 244-64. The centrality of this idea in the *Zohar* is treated by Tishby, *Mishnat ha-Zohar*, I, pp. 287ff. In its most extreme form, the doctrine appears in the sixteenth century thought of Ari. See Tishby, *Torat ha-Ra ve-ha-Kelipah*, pp. 62-90.

57. See earlier n. 48.

58. This posture is typical of the kabbalistic perspective on *ta'amei ha-mitzvot* generally. Rather than interpret the mitzvah-act as addressed to the immediate human context, with the purpose of infusing mundane activity with value, the Kabbalah defines the impact of the

- mitzvah-act primarily in celestial terms — to coordinate the *sefirah*-powers of the Divine personality (such as *hesed* and *din*), and to contain, particularly, the heavenly forces of Satan, in consequence of which the corresponding earthly manifestation of these forces would also be righted. See Scholem, *Major Trends in Jewish Mysticism*, pp. 28-30, 230-33; and his *On the Kabbalah and its Symbolism*, pp. 98-100, 118-157; also Tishby, *Mishnat ha-Zohar*, II, pp. 429-442; I, pp. 290-92.
- 58a. See earlier note 43.
59. *She'elot u-Teshuvot Rashba*, I:191; also cited in *Beit Yosef*, O.H. 4.
60. See *Zohar*, I, 198b (*Miketz*, #118); II, 154b (*Terumah*, #520-21). *Beit Yosef* (O.H. 4) notes the apparent inconsistency of the two sources. The former passage indicates that the right hand be cleansed first, through a flow of water tendered by the left; while the latter passage suggests the reverse, the initial rinsing of the left hand by the right. He ultimately reconciles the sources, by accommodating the text of the second passage to the sense of the first. The cup is taken in the right hand, initially (*Shulhan Arukh*, O.H. 4:10) — establishing the prevalence of *hesed*, the immediate source of the purifying flow (see n. 64) — but the water is not poured. The cup is passed to the left hand, which pours its contents upon the right — a submissive gesture, symbolizing the subservience of *din* to *hesed*. Now the procedure is reversed, the right hand pouring water upon the left — a manifestation, by this time, of the dominance of *hesed* over *din*.
61. The kabbalists are divided on the question of the three-fold repetition of the right-to-left sequence (described in n. 60). According to *Seder ha-Yom* ([see below, end of n. 85], p. 3a), for example, the water, whenever it is poured, is to be poured three times *consecutively*, first on the right hand, then on the left. According to Ari (*Sha'ar ha-Kavvanot*, p. 6), on the other hand, the water must be poured over each hand three times *alternately*, the generally accepted practice. Ari links the requirement to the elusive character of this *ru'ah ra'ah* (see n. 56, above).
62. See *Zohar* sources cited in n. 60; also *Zohar*, I, 184b (*va-Yeshev*, #116, 118).
63. See sources cited, n. 60.
64. That is, *binah* (see Ashlag, *Perush ha-Sullam, va-Yeshev*, following #119). The “waters of *hesed*” (*meimei ha-hesed*) which prevail over *din* (see, for example, *Sha'ar ha-Kavvanot*, p. 6) originate themselves in *binah*. *Binah*, in fact, according to a dominant *Zohar* theme, is the source of *neshamah*. See Tishby, II, pp. 23-6.
- 64a. See earlier n. 48.
65. See earlier n. 6.
66. See earlier n. 8. See also previous note.
67. See earlier n. 7.
68. See below.
69. See earlier note 16. The Kabbalah, operating within a dualistic framework, views the overnight separation of soul and body as a return of the soul to its spiritual source, and thus a potentially fatal abandonment of the body to its source in the realm of deterioration and evil. The “trace” of association with the body, maintained overnight by the soul even according to the Kabbalah (see *Zohar*, I, 83a [*Lekh Lekha*, #146]; II, 215b [*va-Yakhel*, #404-405]), is a patronizing concession, certainly not in accord with the principal thrust of the soul’s ascent. In fact, one *Zohar* passage (II, 215b [*va-Yakhel*, #404]) depicts a resistance on the part of the remaining trace of soul — the physical principle, *nefesh*, located in the blood and under the nighttime domination of *sitra aħra* — to the return of the spiritual principle, *neshamah*. In another passage (I, 92a [*Lekh Lekha*, #362]), the corruption of soul at the hands of body, its repugnant partner, is intimated in the Heavenly judgment and condemnation to which the soul is subjected nightly. Josephus (*War*, VIII, 8:7) ascribes to Eleazar ben Jair at Masada a dualist position, depicting sleep as providing the soul a fulfilling release from the burden of its association with the body, a demonstration of the welcome prospect of death which “frees” the soul from the “miseries” of the body. But this view, notes Urbach (*Emunot ve-De’ot Hazal*, pp. 220-21), is rooted in a Hellenistic-Gnostic body-soul dualism, and stands in sharp contrast to the talmudic view. (See also W. Hirsch, *Rabbinic Psychology* [London, 1947], pp. 154-55.) While distinguishing the elements of body and soul, the talmudic perspective views them as constituting an organic unity. As we have observed in the body of our paper, sleep does not occasion the soul’s welcome abandonment of the body. Rather, in the interest of the body, it “ascends” to draw renewed life, and remains, furthermore, in uninterrupted association with the body.
- See earlier notes, 15, 16.
70. See *Bereshit Rabbah* 14:9; *Yalkut Shimoni, Bereshit* 20, *Kohelet* 969; *Yalkut Mechiri, Tehillim*, 150 (#18).
71. See *Bereshit Rabbah*, *ad loc.*; *Yalkut Shimoni, Kohelet*, *ad loc.* See Urbach, *Emunot ve-De’ot*, p. 220. Also, n. 86, below, comment of R. Benjamin in *Shibbolei ha-Leket*. As for a kabbalistic parallel to a continued association overnight of body and soul, see n. 69, above.
- The opposing views are reflected in contrasting definitions of the aspect of soul involved in our context. The Kabbalah views the overnight ascent of the soul as involving the spiritual dimension, ascending by virtue of its fundamental incompatibility with body — that is, the *neshamah*, distinguished from *nefesh*, as in *Zohar*, II, 215b, cited in earlier note 69. (Although the *Zohar* terminology may not be consistent

on this point — in I:83a, for example, it is the *nefesh* that ascends to its spiritual source, and in I:10b the *ru'ah* — nonetheless, the concept remains clear: it is the spiritual dimension that ascends.) The Midrash, on the other hand, views the ascent as involving a corporate aspect of soul — the principle of physical life animating the body — which “ascends” for the purpose of drawing renewed vitality to sustain the body. (Neither are the midrashic passages consistent in their terminology. R. Meir [citations in n. 70, above] refers both the immediate physical function of soul, as well as its rejuvenating ascent, to *neshamah*, while in passages preceding his statement the two functions are separated: the immediate animation of body is ascribed to *neshamah* [from *neshimah*, breath], the ascent to *ru'ah*. In the “weary-soul” midrashic passage [cited in n. 74], the rejuvenating ascent is ascribed to *nefesh*.)

72. The closest the talmudic-midrashic tradition comes to any overnight crisis notion is the following passage (*Bereshit Rabbah* 14:9; *Yalkut Shimoni, Kohelet*, 969):

Should God set His mind to taking a man's life, his spirit [*ru'ah*] is already in His hand [having ascended when sleep befell him], and his soul [*neshamah*, his breath] could be gathered up within his body [confining his breath to one point within the body, as a result of which the body as a whole would not be sustained — see M. Mirkin, *Midrash Rabbah* (Tel Aviv, 1968), I, pp. 106-07] . . .

Despite its ominous tone, this passage refers to no metaphysical crisis inherent in the dynamics of sleep. It is, rather, a moralistic warning, advising a man to take to heart that he is particularly vulnerable to Divine punishment during sleep, should he ever be adjudged unrighteous. In fact, the concluding segment of the passage reports God's considerate dismissal of the death-option and his ongoing maintenance of the *neshamah* within the body to warm it. Thus the “ascent” of the *ru'ah* is in no way a threatening abandonment. Similarly, *Devarim Rabbah* 5:15.

73. The notion of “trust” in God's overnight restoration of the soul is rooted, according to the midrashic tradition, in Psalm 31:6 (a reference adapted by the poet in the concluding segment of *Adon Olam*, which was recited originally before retiring — see talmudic basis for pronouncing this verse, *Berakhot* 5a). See *Midrash Tehillim* 25:2, cited in part in the body of our paper immediately below. The Kabbalah, too, subscribes to the overnight trust notion on the basis of the above verse. However, the issue for the Kabbalah is not trust in the reinvigoration of a weary soul, but in the very restoration of the soul intact. In fact, in several *Zohar* passages, it is not only the body that is endangered by the ontological prospect of an unrestored soul, but the soul itself that is

threatened with Heavenly judgment and destruction. See *Zohar*, III, 119a [*ba-Midbar*, #41-45]; I, 92a [*Lekh Lekha*, #362].

74. *Midrash Tehillim* 25:2; *Yalkut Shimoni, Tehillim* 702.
75. *Bereshit Rabbah* 78:1; see also *Midrash Tehillim* 25:2; *Eikhah Rabbah* 3:21; *Yalkut Shimoni, Tehillim* 702.
76. See W. Hirsch, *Rabbinic Psychology*, p. 147, n. 68, who quotes Tertullian and Athenagoras' citation of the argument for bodily resurrection based on sleep — a temporary suspension of animation followed by a return of greater strength.
77. See n. 30, earlier.
78. If anything, it is precisely the contrary that is true. Death was perceived by the ancient mind as a form of sleep, and thus, upon death, the soul was viewed as having only temporarily taken leave of the body, surely to return. So that rather than define overnight sleep ominously, in terms of a death-crisis, death was viewed hopefully and expectantly as a passing episode of sleep. See Hirsch, *Rabbinic Psychology*, p. 22.
79. *Berakhot* 60b. The pronouncement of this *berakhah* as the first utterance each morning raised a series of problems in the literature of the *rishonim*. First, the recitation of a *berakhah*, involving the *shem ha-Shem*, with soiled hands (see earlier note 12). Second, the formulation of a *berakhah* without the standard *Barukh-atah-ha-Shem* introduction, a phenomenon normally limited to a *berakhah* positioned in sequence following a previous blessing, where the *hatimah* of the earlier *berakhah* obviates the need for a *petihah* in the later one. *Elohaim Neshamah*, as the opening morning *berakhah*, stands in no such sequence. Several solutions were suggested: a) The *berakhah* is, in fact, in sequence — following *birkat ha-Mappil*, recited upon retiring the previous evening (Ra'avad, *Teshuvot u-Fesakim* [Jerusalem, 1964], 44; Meiri, *Berakhot* 60b). b) As a *berakhah* lacking *keva*, fixed application (since it is contingent on prolonged sleep), it does not warrant the standard introduction (Ra'avad, *loc. cit.*). c) *Elohaim Neshamah*, as a (particular type of) *birkat hoda'ah*, takes no *petihah* (*Tosafot, Berakhot* 14a, 46a, *Pesahim* 104b). The latter point is developed along two planes: 1) The very theme of a *birkat hoda'ah* implicitly expresses the content of the missing *petihah* — namely, that God reigns supreme (*Shibbolei ha-Leket*, 2, in the name of *yesh meforeshin*). 2) A *birkat hoda'ah* of this type addresses a delayed benefit — in this case, the ability, once again, to function physically, a development which will first become manifest as the awakening process progresses. As such, it must open with an immediate identification of the source of the benefit (*neshamah she-natata bi*), lest the *barukh-atah* formula, addressing an undefined referent, be deemed, at its outset, a *berakhah le-vatalah*. Similarly *birkat geshamim*, recited over the advent of rain following a drought. The benefit is not immediate, since only with the fruition of

the crop will the rain have demonstrated its function (Abudarham, *Seder Shaḥarit shel Ḥol*).

Several geonim and *rishonim*, in response to the *petiḥah* issue, actually place *Elohai Neshamah* in sequential position following one or another of the morning *berakhot*: *Asher Yatzar* (*Seder R. Amram*, I, p. 53; *Rosh*, *Teshuvot* 4:1; *Orhot Hayyim*, *Hilkhot Me'ah Berakhot*); *ha-Ma'avir Shenah* (*Shibbolei ha-Leket*, 2, in his brother's name; see end of our n. 85, reference to a Palestinian text published by Mann, according to which a *ma'avir shenah* element and a *teḥiyyat ha-metim* element [the latter identical in theme with the *ḥatimah* of *Elohai Neshamah*] constitute two components of a single *berakhah*); *Asher Natan la-Sekhvi Vinah* (*Sefer ha-Manhig*, 1; see also manuscript reading noted in *Seder R. Amram*, p. 53). See observation of R. Avraham Ishbili, cited earlier (n. 12), suggesting that the Talmud did not intend in its sequence of *berakhot* a definitive order; thus the basis for the variety of subsequent traditions.

80. Similarly, *birkat ha-Mappil*, prescribed by the Talmud (*Berakhot* 60b) for pronouncement prior to retiring. The *berakhah* appeals for sound, unperturbed sleep, and a healthy awakening in the morning, among other elements (see references in n. 85). No anticipation of any metaphysical crisis is implied.

In contrast, the *Zohar* views the nightly moment of retiring as preparatory to a death-experience: "At night let a man address himself [to the fact that] he is passing [*she-hu niftar*] from the world . . ." (II:213b). In line with this notion, the kabbalistic tradition developed, in fact, a series of nightly confessional devotions prior to sleep, normally prescribed for a man literally on his death bed. Such pronouncements were framed on both a popular pietistic level (*Seder ha-Yom*, pp. 35a-b; *Siddur ha-Geonim veba-Mekubbalim*, IV [Jerusalem, 5731], pp. 100ff.), and on a sophisticated level of symbolic meditation. According to Ari, the soul's abandonment of the body and ascent to the upper worlds requires a man's profound confessional act, enabling it to divest itself of its contamination. In addition, one must submit himself to a meditative mystical passage through the ordeal of capital punishment (*arba mitot bet din*), following which the liberation of the soul is fully accomplished (*Sha'ar ha-Kavvanot*, *Derushei ha-Laylah*, *Derush* 5, p. 355).

But while this first phase of the nightly dynamic involves a renunciation of one's corporate self, the second phase is even more dramatic. Having shed his corporate identity, the individual, according to Ari, now identifies with his ascending soul, and enters upon a daring celestial mission — to arouse the disparate, alienated *sefirah* elements to reunion. Once successfully contributing to the consolidation of the Heavenly personality and thus activating its machinery, the *neshamah*

receives, reciprocally, a revitalized flow of life and is, in effect, reborn (*ibid.*, *Derush* 3, pp. 342-3). The complex dynamics of the above operation are read symbolically by Ari into *birkat ha-Mappil* and *Shema* (thus the esoteric connotation of terms such as *einai*, *ishon bat ayin*, etc., as well as phrases such as *ha-mappil ḥevlei shenah*, which now depict *sefirah* interplay — [*ibid.*, *Derush* 6, pp. 361-2]). And it is, in fact, on the wings of *birkat ha-Mappil* and *keri'at Shema*, with their specially potent words and Divine names, that one pursues his celestial task (*ibid.*, *Derush* 5, pp. 353-58; *Derush* 6, 358-62).

81. The restoration of the soul each morning in the sense of *physical refreshment* — a theme granted by the talmudic-midrashic tradition, as we have seen — is associated by the *rishonim* with another morning *berakhah*, namely, "*ha-Ma'avir Shenah me-Einai . . . Gomel Hasadim Tovim le-Amo Yisrael*." See *Tosafot*, *Berakhot* 46a; Abudarham, *Seder Shaḥarit shel Ḥol*. See also *Orhot Hayyim*, *Hilkhot Me'ah Berakhot*, 10, where the latter *berakhah* addresses the overnight digestion of one's food in addition to the refreshment theme (see *Yoma* 1:4, *va-Yikra Rabbah* 4:4, where sleep is seen as induced by food). *Tur* (O.H. 46), on the other hand, associates the refreshment theme with still another *berakhah*, *ha-Noten la-Ya'ef Ko'ah*, a *berakhah* unlisted in any talmudic text (though see *Bah*), but appearing in the Ashkenazic liturgy.

The kabbalists, though, tend to define the refreshment theme, contrary to its original midrashic sense, as identical with their theme of daily resurrection, depicting the "worn-out" and "tattered" soul as ontologically in crisis rather than simply fatigued — threatened with destruction because of its corrosion by sin. With morning, the soul is returned, *spiritually* cleansed and reborn. (See Ari's position, *Sha'ar ha-Kavvanot*, p. 11, where *birkat ha-Noten la-Ya'ef Ko'ah*, as well as *birkat Malbish Arumim*, are lent such a connotation, referring to the rebirth, respectively, of *spiritually weakened* [thus *la-ya'ef*] and thoroughly corrupted [thus *arumim*] souls. Thus Ari's vindication of *birkat ha-Noten la-Ya'ef Ko'ah*, unmentioned in the Talmud, against *Beit Yosef's* objections. See *Sha'ar ha-Kavvanot*, *ad loc.* [*'nakhon le-omerah . . . af al pi she-yesh megamgemin ba-davar'*]; *Sha'arei Teshuvah*, O.H. 46:10; *Beit Yosef*, O.H. 46.)

82. On the precise moment of the soul's introduction into body, see L. Ginzberg, *The Legends of the Jews*, V, pp. 80-81 (n. 25).
83. The phrase, "*Elohai, neshamah she-natata bi . . .*," refers, of course, to the initial moment of the soul's introduction into the body (see previous note). In fact, the reading of many early texts including our talmudic text (see *Seder Rav Amram*, p. 53; *Kuzari* I:115, *Ibn Tibbon* translation; *Rambam*, *Hilkhot Tefillah* 7:3; *Piskei Rid*, *Berakhot*, p. 174; *Piskei Riaz*, *Berakhot*, p. 94) omits the word *hi* following the term



tehorah, thus making the "purity" of the soul descriptive of its original pristine state (see *Shabbat* 152b) rather than necessarily indicative of its present condition. Hence: "O Lord, the soul which You placed within me, in purity, was created by You . . ." (See especially the reading of the Munich manuscript, *Dikdukei Soferim, Berakhot*, p. 346: *be-taharah*.) The term *tehorah* functions in this context as an adverbial modifier of the verb *natata* rather than as a predicate adjective. One recent commentator, in fact, suggests, based on *Niddah* 30b, that the *berakhah* represents a statement of obligation — a promise on the part of the individual to preserve the original purity of his *neshamah* (see *Siddur Otzar ha-Tefillot, Perush Iyyun Tefillah* on this *berakhah*). See also the talmudic reference to the intrauterine adjuration of the fetus immediately prior to birth, in which the identical phraseology appears: "Know ye that the Holy One Blessed Be He is pure and His servants are pure and that the soul He has placed within you is pure." (In contrast, Levi Ginzberg [*Geonica*, II, p. 109], based on a geonic text [*ibid.*, p. 115], argues the case in favor of an early dating of the *hi*-element. The sense of the passage would accordingly be that despite the sins of the body with which it has been associated, the soul returns pure each morning.)

84. In terms of its structural consistency, *Elohai Neshamah* represents a unique type of *berakhah*. Formally, every *berakhah arukhah* must maintain an integrity of theme, reflecting the identical concept in its *petihah* and *hatimah*, as well as in the penultimate line prior to the *hatimah*. *Elohai Neshamah*, however, opens with a reference to the introduction of the soul into body, while closing with a reference to the restoration of soul following death — the latter theme appearing in position, as well, prior to the *hatimah* ("ule-hahazirah bi le-atid lavo"). If we recognize in *Elohai Neshamah*, though, a progression — a depiction of the destiny of the soul from conception through ultimate resurrection — we have in this *berakhah* a consistent focus: the soul, albeit in its various stages of association with the body. A similar phenomenon is manifest in *birkat Asher Ge'alanu* (recited at the *Seder*), as understood by the Jerusalem Talmud (*Berakhot* 1:5). Opening with a thankful reference to *yetzi'at mitzrayim* ("asher ge'alanu . . ."), the *berakhah* shifts to a hopeful appeal for future redemption ("ken . . . yagi'enu le-mo'adim . . ."), closing with a statement of God's ongoing redemptive role ("Barukh atah . . . ga'al yisrael," or perhaps "go'el yisrael"), since the *Yerushalmi* takes the *hatimah*, unlike the *Bavli* (Rava's statement, *Pesahim* 117b), as a reference to the future. It is in this sense that *P'nei Moshe, ad loc.*, understands the *Yerushalmi*, as does *Tosafot, Berakhot* 14a, *Pesahim* 104b. (See D. Goldschmidt, *Haggadah shel Pesah ve-Toledotehah* [Jerusalem, 1960], pp. 58-59, where manuscript support is drawn for the *go'el* reading, as most consistent

with the clearly progressive, future thrust of the latter part of the *berakhah*. See also *hillufei nusḥa'ot* cited by M. Kasher, *Haggadah Shelemah* [Jerusalem, 5727], p. 69.)

85. The plain sense of the *hatimat ha-berakhah* — "*ha-mahazir neshamot li-fegarim metim*" — is future resurrection. (See *Sanhedrin* 108a, where the identical phrase appears in eschatological context.) Thus *Kuzari* I:115, where the entire thrust of the *berakhah* is understood in such terms.

Abudarham (*Seder Shaḥarit shel Hol*), it is true, sees in *Elohai Neshamah* an expression of appreciation for a daily restoration of soul. Thus his interpretation of the *hatimah* as a reference to the reactivation of a sleeping body. However, it is clear that even for Abudarham the daily "restoration" of soul does not suggest any nightly ontological rupture. Abudarham's analysis implies no metaphysical death-crisis, resolved by morning. The thrust of the *berakhah*, according to his view, is empirical — an acknowledgment of the daily return of one's physical capacities, dormant during the night. The critical ontological event referred to in the *berakhah*, according to Abudarham, is one's endowment with soul at conception, an event recalled with appreciation each morning when one begins another day of physical activity. Abudarham interprets the resurrective sense of the *hatimah* figuratively, for, as he puts it, "sleep is analogous to death." (See also *Sefer ha-Mikhtam, Berakhot*, p. 120.) The dimension of renewal is not in any objective restoration each day of a *disengaged* soul, but in the individual's subjective appreciation each morning of his consistently-present soul. Even for Abudarham, the only ontological "restoration of soul", referred to in the body of the *berakhah* is "*le-atid lavo*" — the era of resurrection subsequent to death. (Shelomo Tal's rendering [*Siddur Rinat Yisrael*] of the latter phrase as referring to "*tomorrow and each and every day*, as well as at *tehiyyat ha-metim*," is a blatant misinterpretation.)

Halevi and Abudarham are agreed that it is one's consciousness of the daily return of physical function — an empirical phenomenon — that serves as the occasion for the *berakhah*. They differ only on the thrust of the *berakhah* formulated in response to the occasion. For Abudarham, the thrust is immediate — an expression of appreciation for the capacities restored. (This theme is to be distinguished from that of physical refreshment [see n. 81], which contrasts one's morning alacrity with the previous night's fatigue. Here in *birkat Elohai Neshamah*, the theme is gratitude for the objective fact of physical function.) For Halevi, on the other hand, the focus is upon the ultimate return of one's life-powers in the era of resurrection following death — an ontological phenomenon suggested by the daily restoration of one's physical capacity. Halevi and Abudarham are in full agreement,

however, that the daily renewal of physical function, which serves as the occasion of the *berakhah*, represents no ontological restoration of a disengaged soul.

There is one geonic passage (*Geonica*, II, p. 115; *Otzar ha-Geonim*, *Berakhot*, *Teshuvot*, p. 136), attributed to R. Natronai Gaon, which incorporates within the body of the *berakhah* a reference to the daily restoration of the soul alongside the eschatological: "You have taken it from me and You have restored it to me, You are destined to take it from me and You are destined to restore it to me in the Future to Come . . ." An even more elaborate reading appears in two talmudic manuscripts (see *Dikdukei Soferim*, *Berakhot*, p. 346, n. 40; the Munich manuscript itself does not include the passage): "You take it from me and You restore it to me, You have taken it from me and You have restored it to me, You are destined to take it from me . . ." Neither the double or triple elaboration appears, however, in *Seder R. Amram* (pp. 53-4), nor in the texts of the *rishonim*, generally (though see *Piskei Rid*, *Berakhot*, p. 174). One cannot escape the impression that this additional element represents a later interpolation into the original talmudic formulation. (We know, for example, of the license taken by various post-talmudic liturgical traditions with an associated *berakhah* [the nighttime counterpart of *Elohaim Neshamah*], *birkat ha-Mappil*, *Berakhot*, *ad loc.* See *Dikdukei Soferim*, *Berakhot*, pp. 345-46, notes 6-30; and *Siddur Otzar ha-Tefillot*, I, *Perush Iyyun Tefillah*, *Birkat ha-Shenah*.) From the perspective of style, the monotonous overuse of the *natol-hahzer* element, in a composition otherwise rich in its variety of expression, is suspicious. Particularly awkward from a substantive point of view is the failure of this text to distinguish, through a variation in choice of terms, between the taking of the soul upon death and its daily taking — phenomena which (even if the death-crisis notion were to be granted) are clearly not identical. The assertion that "You have [already] taken my soul" makes the subsequent projection — "You are destined to take my soul" — anticlimactic.

Be that as it may, the additional passage does not necessarily intimate a death-crisis, certainly not in kabbalistic terms. In an earlier segment of the geonic text, for example, the morning *netilah* is accounted for in purely positive terms as preparatory to prayer ("Hikkon li-k'rat Elohekha Yisrael"), with no reference at all to any *ru'ah ra'ah* notion. Similarly, in *Siddur R. Solomon ben Samson mi-Garmaise* (Jerusalem, 5732), pp. 3-4, where the daily return of the soul is alluded to in the interpretation of the *berakhah* (if not attributable to the text itself — see n. 21, *ad loc.*), *netilat shaḥarit* is associated with the *hikkon* principle (pp. 1-2), with no reference to *ru'ah ra'ah*. Furthermore, the leave taken by the soul is interpreted in this work in the physical context of the midrashic tradition (p. 3), with emphasis on the maintenance of the

body during sleep. Significantly, *Piskei Rid* (see above), as well, though citing the daily-return passage in his text of the *berakhah*, is among those *rishonim* omitting the three-fold *Bat Horin* reference in their compendia (*Piskei Rid*, *Shabbat*, p. 403).

The opening devotion of the Palestinian tradition (see TJ, *Berakhot* 4:2; *Midrash Tehillim* 17:6) — "Barukh . . . Meḥayye ha-Metim" — is to be understood in terms similar to *Elohaim Neshamah*. It constitutes either a reference to future resurrection, suggested by one's daily awakening, or a figurative depiction of the empirical experience of daily awakening. (Thus the *mahloket aḥaronim* as to whether one's pronouncement of *birkat Meḥayye ha-Metim* in the *Amidah* — clearly a reference to future resurrection — fulfills the *hiyyuv* of the early-morning awakening theme. See *P'ri Hadash*, O.H. 46, 52; *Sha'arei Teshuvah*, O.H. 6:7.) No ontological disengagement or restoration of the soul is entertained by the Palestinian tradition, as is confirmed by a Palestinian *birkat ha-shaḥar* text published by Mann, HUCA, II (1925), p. 278, cited also by L. Ginzberg, *Perushim ve-Hiddushim ba-Yerushalmi*, III, pp. 226-27. In this formulation, *Barukh . . . meḥayye ha-metim* serves as the *ḥatimah* of an elaborate *berakhah*, whose theme is a dual one: a) Praise for one's physical renewal by morning, the elimination of drowsiness. b) An appeal for one's physical and spiritual welfare during the coming day. Particularly significant is the statement immediately preceding the *ḥatimah*, that should one die, may his death serve as atonement for the future, so that he might be worthy of ultimate resurrection — a segment supporting the eschatological sense of the *ḥatimah*. (In these terms, *birkat Meḥayye ha-Metim* reflects a future-oriented progression similar to *birkat Elohaim Neshamah* [see n. 84].)

The popular pronouncement of *Modeh Ani* — which includes an expression of gratitude for a daily restoration of soul — is a relatively recent formulation, apparently of kabbalistic origin. It appears for the first time in *Seder ha-Yom* (Venice, 1599, 3a), an early sixteenth century commentary to *tefillah* by the kabbalist, R. Moses b. Makhir, who headed a yeshivah at Ein Zeitim, north of Safed. (The data recorded in the *Encyclopedia Judaica*, 1972, XII, 200, is inaccurate.) Its recitation is described by R. Moses as permissible even prior to *netilat yadayim* (despite soiled hands) since it includes no *shem ha-Shem* — a concern based, in R. Moses' eyes, on mystical more so than halakhic considerations (*ibid.*, 4a-b; see n. 24 earlier). Thus its preferability to *Elohaim Neshamah* as an opening devotion (see n. 12).

86. Thus see comment of R. Benjamin, cited in *Shibbolei ha-Leket*, 2, who interprets the theme of the *berakhah* as addressed not to the phenomenon of awakening, but to the process of sleep itself — an expression of gratitude to God for having maintained the soul within me

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during the course of the night, even while it had "ascended." See also *Niddah* 30b, where the suggestion that the soul might be "taken from you" describes death itself, not any daily dynamic.

87. Ari, on the other hand, reads into *birkat Elohai Neshamah* from the kabbalistic perspective a symbolic mystical connotation, depicting the soul's critical ascent each night to its activist role in the world of the *sefirot* and its consequent rebirth by morning (*Sha'ar ha-Kavvanot*, pp. 10, 342-3). See earlier, n. 80.
- 87a. See previous note.
88. The experiential implications of the death-crisis may be reflected in the account related of the daily awakening of R. Hayyim Tzanzer: "When he would arise from his sleep, he would utter, in great fear, a loud and prolonged cry through the house; whereupon he would wash his holy hands three times . . ." (*Otzar ha-Hayyim* [Jerusalem, 5723], pp. 34-6). Significantly, R. Hayyim was severely *mahmir* in his mode of fulfilling the morning *netilah*, rinsing his hands according to three distinct sequences — three times *alternately* (as required by Ari); three times *consecutively* (the view of *Seder ha-Yom*); and, finally, three times *simultaneously*, the two hands washed as one. The latter *humra* was otherwise unknown in mystical circles (*Otzar*, commentary to #23). See above, n. 61.