

Urhatz

The topic of the handwashing prior to the appetizer course ('*qarpas*') has been dealt with extensively in *Haggadah* scholarship, including by Goldschmidt, Tabory, Safrai & Safrai, and Kulp. I have nothing to add regarding the historical facts, so I will start by just recapitulating their findings:

a) No tannaitic source mentions hand washing at the *Seder*, however, other tannaitic sources, in particular *Tosefta B'rachot* 4:8 describe washing hands as a preparation for eating appetizers at a meal.

b) The Talmud *Bavli* (*Pesahim* 115 a-b) assumes the existence of a mandatory handwashing prior to the appetizer course at the *Seder* and connects this to the general principle that כל שטיבולו במשקה צריך נטילת ידיים. Because the lettuce¹ must be dipped into haroset to remove *qipa* (apparently some sort of worm or parasite), one must wash one's hands before starting.

c) All the *Geonim* and early *Rishonim*, including *Rashi* and *Rambam*, require the usual *b'racha* before handwashing. The text of על נטילת ידיים or an instruction to say the *b'racha* is found in medieval *haggadot* according to both the Babylonian and Palestinian rites.

d) Beginning in the 12th century, Ashkenazi authorities began to cast doubt on the necessity of saying a *b'racha*. Their argument was logical: the *halacha*, according to *Hullin* 106a, had been fixed so that, when eating *hullin*, handwashing is only necessary before eating bread. The requirement to wash hands before eating something dipped in a *mashqeh* is based on two principles. First, *stam yadayim* (hands that one has not been careful to keep *tahor* since the last act of handwashing) are *sheni letumah d'rabanan*. Secondly, any fluid that becomes *tamei* at any level automatically becomes *rishon letumah d'rabanan*.² Thus when dipping food, your unwashed hands would make the *mashqeh* a *rishon letumah*, which in turn would make the food you are eating *sheni letumah*. However, this is only relevant to those who eat all their food in a state of purity, whereas we make no effort to do so today.

¹ The Talmud *Bavli* here assumes that lettuce is eaten during the appetizer course, despite its conclusion in the *sugya* 114b-115a that other leafy vegetables should be used if possible.

² This rule is stated in Mishnah *Parah* 8:7 חוץ מטמא את המשקין להיות תחלה לטמא אחד ולפסל אחד, חוץ כל הפוסל את התרומה, מטמא את המשקין להיות תחלה לטמא אחד ולפסל אחד, חוץ מטבול יום. In the *Bavli*, *Shabbat* 14b, the *gemara* discusses separately why *mashqin* can defile food (for which they would need to be considered at least a *rishon letumah*) and why they can defile *keilim* (for which they must be considered at least an *av batumah*). The reason given for the former is this is גזירה משום משקין הבאה מחמת שרץ and for the latter is גזירה משום משקין דוב. The former seems to mean that since *mashqin* that are *sheni* or *sh'lishi letumah* can easily be mixed up with ones that are *rishon letumah*, we treat them all as *rishon letumah*. The latter seems to mean that since *mashqin* that are *sheni* or *sh'lishi letumah* can easily be mixed up with ones that are *av letumah*, we treat them all as *av batumah*. I have never understood the latter proposition, since it does not seem to me likely that one would confuse wine, milk or oil with the urine or saliva of a *zar*. The former, however, is readily explicable. *Rashi* explains the reason for making the first *gezeirah* only on fluids, when the same logic would apply to food as well as follows: והא דגזור בכל טומאת משקין להיות תחלה ולא גזור נמי באוכלין גזירה משום אוכל הבא מחמת שרץ היינו טעמא דאחמיר רבנן במשקין משום דעלולין לקבל טומאה שאינן צריכין תיקון הכשר להביאן לידי טומאה אבל אוכלין צריכין תיקון נתינת מים להכשירן.

e) Gradually, this ruling spread, first through the Ashkenazi world and then among Sephardi authorities. The *Shulhan Arukh* rules that since the matter is a *mahloqet*, one should wash hands before dipping both at *Seder* night and all year round, but say no *b'racha*. This has become the near-universal practice at the *Seder*, though during the rest of the year most Jews do not wash their hands at all (ritually) before eating dipped food. Most *halachic* authorities still recommend doing so, but justify the prevalent lenient practice.

Analysis

The argument against saying the *b'racha* is not without force, but, in truth, it is an argument for not washing hands at all. The practice of washing without a *b'racha* is indicative of a halachic system that had become dysfunctional as a result of an inability to make decisions. Even worse is the present situation in which most people do not wash at all before eating dipped foods during the year and make a special point of doing so without a *b'racha* at the *Seder*. Many attempts have been made to justify this 'halachic process', but the reality is that it results in a halachic system that does not appear to make sense. Children learn that there are two handwashings at the *Seder*, one without a *b'racha* and one with a *b'racha* and only learn the reasons why at *yeshiva*, if at all. By this time, they have already imbibed the impression that Judaism consists of performing arbitrary and random rituals and this impression is extremely hard to dispel. It is of great importance, therefore, that whatever practice you follow it should be consistent with what you do throughout the year and that you should be clear about why you are doing it. I personally follow the ruling of Rav Bar Hayyim and wash with a *b'racha* before eating food dipped in a *mashkeh* during the entire year, and do so on *Seder* night as well.

An additional reason that the *b'racha* fell out of use is the spread, for separate reasons, of the custom of only eating less than a *kezayit* of a vegetable for *qarpas*. The *Mishneh Berurah* presents this as a halachic argument: since the *Shulhan Arukh* (OH 158:3-4) rules that one should not say a *b'racha* on washing hands before eating less than a *cebeitzah* even of bread and perhaps not wash at all when eating less than a *kezayit*, it is therefore logical not to say a *b'racha* when eating less than a *kezayit* of a food dipped in a *mashqeh* (OH 158:20 and *Biur Halacha* 473 פחות מכזית). This seems to be, as he indicates, an *ex-postfacto* argument (albeit a very good one), but I believe that, even without an explicit halachic argument to this effect, people felt and feel, not unreasonably, that a tiny sprig of parsley dipped in salt water does not really merit the blessing *al netilat yadayim*. As I will describe in some detail, however, in the next Reactionary Note, the *Seder* according to the Palestinian rite includes multiple appetizer courses, many of which would involve getting your fingers dirty by dipping foods like meat into various kinds of dip. If one follows this practice (and there are numerous benefits to doing so), washing your hands with a *b'racha* beforehand is not only halachically correct, but also seems much more natural and fitting.

As a general rule, people wash their hands by getting up, going over to the sink and washing each hand separately using a two-handled cup. There is nothing wrong with this.³ However, the standard practice assumed by *Hazal* is quite different. You should stay seated, or reclining in a *chaise longue*, stick out both hands at once and have someone pour a *revi'it* or more of water over them. If you have a domestic servant then this is obviously very easy to arrange, but even without I have found it is quite feasible with a bit of sharing of responsibility. It is also a fun job that you can give to children who want to 'do something' at the *Seder*. My experience is that following this practice gives the *Seder* or any festive or Shabbat meal a greater feeling of specialness.⁴

A final point to add is that in some parts of the Ashkenazi world a custom emerged in which only the leader of the *Seder* washes his hands at this stage. This obviously makes no sense and serves to reinforce the impression of the *Seder* as a sort of magical service of incomprehensible ritual acts.

³ It is the case that *Rema* (אורח חיים קס"א), following *Tosefot*, stipulates a maximum period of the time it takes to walk 22 *amot* in between washing hands and saying the *b'racha* on bread, which is essentially impossible if one gets up to go to the sink, but this claim is a classic example of *Tosefot* overreaching in their struggle to wring the maximum of meaning by juxtaposing different Talmudic texts.

⁴ There are a numerous *halachot* regarding the proper way to wash ones hands that are not widely observed. Here is not the appropriate place to discuss them, but it is, of course, proper for all those who have time to study and implement them.