



נשמת • NISHMAT
מדרשה גבוהה ללימודי
תורה לנשים
ע"ש גיני שוטנשטיין (ע"ר)

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WASHING ON SHABBAT AND YOM TOV

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INTRODUCTION:

The Torah laws of Shabbat do not contain any restraints on bathing and washing the body on Shabbat. Of course there are concerns with the heating up of water for washing, which could break the laws of cooking and making a fire. Because of these concerns the Rabbis issued rabbinic decrees limiting washing on Shabbat and Yom Tov. We will examine the halacha and try to explain the rulings for today's world.

FACE, HANDS AND FEET:

The Gemara (Shabbat 40a) records an argument between Rav and Shmuel. Rav was of the opinion that one is permitted to wash one's entire body, limb by limb, with hot water on Shabbat (if the water had been heated up before Shabbat and kept warm). Shmuel however ruled that one could only wash one's hands feet and face. The halacha is like Shmuel as recorded in the Shulchan Aruch (Orech Haim, 326, 1) "It is forbidden to bath one's whole body, even limb by limb, even in water that was heated up before the Shabbat ... but it is permitted to wash in such water one's hands feet and face."

The reason why it is forbidden to bath ones' whole body with hot water is recorded in the Gemara (Shabbat 40a) "Bar Kapara said that originally people washed on Shabbat with water that was heated up before Shabbat. The bath-house attendants began to heat water up on Shabbat, but claimed they had heated it up before Shabbat! The Rabbis then forbade bathing in hot water on Shabbat".

The Beit Yosef (ibid) raises the question of whether when Shmuel rules that one can only wash one's hands feet and face, he meant to permit specifically those limbs and no other, or perhaps his intent was merely to argue with Rav, and permit the washing of any limbs, as long as one does not wash one's whole body. His conclusion is that one can wash any limb, as long as the whole body is not washed – and the Rema (ibid) rules accordingly that not only may one wash their hands feet and face but "other limbs also, as long as one does not wash one's entire body." We rule moreover, like the Magen Avraham (ibid, 2) that not only does this forbid washing the "entire body", but even the majority of the body (based on the rule that the majority is considered equivalent to the whole).

SUMMARY: - We see that it is totally permissible on Shabbat to wash up to half the body in cold water, or even hot water that was heated before Shabbat.

We now will turn to the question of which hot water may be used.

WASHING ON SHABBAT WITH HOT WATER:

We have seen that hot water that was heated up before Shabbat may be used (in a limited way) on Shabbat. Even so one needs to take care. For even if the hot water was heated up before Shabbat in a boiler (as is the case in most hot water systems in Israel, and many overseas) one may infract other laws of Shabbat when turning on the hot tap on Shabbat. If the boiler is still on during the Shabbat (overseas nearly all the boilers are left ignited constantly, whereas in Israel they are only turned on as needed), then when the hot tap is turned on, cold water runs into the boiler in place of the hot water that is flowing out. This is totally forbidden on Shabbat as one is effect "cooking" this cold water. It is also very clear that hot water systems that heat up the cold water on demand, as it flows out towards the hot tap, heating up the water as needed, are totally forbidden.

Even if the boiler was turned off before Shabbat (or in places where the boiler works on an "off-peak" schedule, turning itself on and off at set times), there may still remain a problem. Even when the boiler is now off, cold water will still flow into it when the hot tap is turned on. This cold water will come into contact with the hot water that is in the tank (from before Shabbat) and be heated up by it. This too is prohibited, and is considered as "cooking" the cold water. Here however the reality needs to be examined. If the boiler was turned off before Shabbat, and subsequently a large amount of hot water was removed from the tank (when someone showered for Shabbat, say), then the boiler will now contain hot water, near the top of the tank, and cold water, near the bottom. Thus, when the hot tap is turned on during Shabbat, causing cold water to flow into the tank, it will not in fact be heated up at all, but rather mingle with the cold water near the bottom of the tank. In such a case one could use the hot water on Shabbat. Of course this depends on whether in fact the boiler is really turned off, and if enough hot water was removed before Shabbat. These factors need to be checked.

What is the law about hot water that was heated up on Shabbat, but in a permitted fashion? We can imagine this when the hot water was heated up by a non-Jew for himself, or when the water was placed away from the fire in such a way that it could only become lukewarm (which is a permissible way of heating up hot water on Shabbat). Or when the water was heated up by a time clock. Or even when it was placed on the fire directly before Shabbat, in such a way as it heated up by itself on Shabbat.

There are divergent opinions about this subject (see Shevtat HaShabbat, Melechat Bishul, Baer Rochovot, 127; Shmirat Shabbat KeHilchatah, 14, footnote 11 amongst others). There are those who are completely lenient on this question and allow hot water that was heated up in a permitted fashion to be used for (permitted) washing on Shabbat. (See the Tehillat L'David 326,10). However most codifiers follow the opinion of the Magan Avraham (ibid, 6-7) who rules that even when the water was heated in a permitted way, it is forbidden to wash with it on Shabbat (see the Machazit HaShekel ibid).

Rabi Akiva Eiger, in his glosses to the (Shulchan Aruch 326), makes a distinction between when there was some action done to the water on Shabbat, in order to heat it up, and when the water was heated up on Shabbat without any action being needed on Shabbat itself to do so. Rav Shlomo Zalman Orbach zt"l rules in line with this (See Shmirat Shabbat KeHilchatah, ibid) and therefore permits water that was placed on the fire directly before Shabbat, but only heated up on Shabbat itself.

Hot water that was heated up by a non-Jew on Shabbat is also forbidden according to the Aruch HaShulchan (ibid, 2). However Rav Moshe Fienstien, zt"l, in his Igrot Moshe, (Orach Haim, vol. 1, 126, 2) rules that where the non-Jew heated the water for his own needs it is permissible on Shabbat. (See Shmirat Shabbat KeHilchato, Chapter 14, footnote 11, where he rules like the Aruch HaShulchan).

Whether a solar powered water heating system may be used at all on Shabbat is the subject of some controversy. There are those that forbid it completely (Rav Shlomo Zalman Orbach zt"l, the Minchat Yitzchak, and others), whilst there are those who permit it (The Tzitz Eliezer, and Rav Ovadyah Yosef and others). Even according to those who permit the use of these solar powered water heaters on Shabbat, we need to examine if the water is considered permitted to wash with on Shabbat, or is it included in the forbidden category of water that was heated up on Shabbat? In the work Shmirat Shabbat KeHilchatoh (ibid, 3) he rules that this water is permitted to wash with on Shabbat. Even the cold water that was heated up by the sun on Shabbat itself, (and even the cold water that ran into the tank and solar panels on Shabbat as a result of our turning the hot tap on) may be use – according to those who permit the use of solar powered water systems on Shabbat. This is because even though the water was heated up on Shabbat (in a permitted manner), which we would normally have ruled is forbidden (in line with the Magen Avraham above), it was heated up by itself without needing any action from a person to cause it to heat up (as we wrote in the name of Rabi Akiva Eiger above). And even the new water that flowed into the system on Shabbat when we turned on the hot tap was only heated up as a very indirect result of our action, with no specific intent to do so, and as such is considered as having been heated up by itself on Shabbat.

The temperature at which the water is considered "hot water" is not at all clear. Rav Feinstein z"l ruled that the water has to be less than the temperature that most normal people wash in during the week for it to be considered not hot water, and water that is as hot as most people wash in during the week is considered "hot water" (Igrot Moshe, Orech Haim 4, 74). See however Shmirat Shabbat KeHilchato (14, footnote 3) where he cites opinions ranging from that if the hot water can be felt at all it is considered "hot", to those that say everything less than "yad soledet bo" (about 45 degrees) is not "hot".

SUMMARY – on Shabbat one may wash up to half their body in permitted hot water. The types of hot water that is considered permitted to (partially) wash with on Shabbat are, water heated before Shabbat that can be used without causing new cold water to cook; or water that was heated on Shabbat by itself, which includes water from the solar water unit (according to those who rule that solar water heaters are permitted on Shabbat); and possibly water heated up by a non-Jew for his own use. There is a debate about how cold water must be to still be considered "cold" water.

WASHING IN COLD WATER ON SHABBAT:

We have seen there are various restrictions on bathing with hot water on Shabbat. However, in relation to cold water, the law is more lenient. The Gemara (Shabbat 39b) relates an argument about bathing on Shabbat. "One is not permitted to shower one's whole body, neither in hot or cold water, according to R' Meir. R' Shimon permits it [both hot and cold water]. R' Yehudah rules that hot water is forbidden, but cold water is permitted". The codifiers rule like R' Yehudah (see the Beit Yosef, Orech Haim, 326, 1).

Therefore one should be able to have a bath or shower in cold water on Shabbat with no limitations. However, the Magen Avraham (326, 8) rules that the custom is to refrain from washing even in cold water on Shabbat. Citing the Maharil he gives several reasons for this stricture – as a safeguard against squeezing out hair; as a safeguard against walking out with the water droplets in a place with no eruv; as a safeguard against swimming (which itself is rabbinically forbidden in a river). [Based on this custom there is some discussion about immersing in a mikvah on Shabbat, which is beyond the scope of this article. Suffice to say that prevailing custom is to permit such use of the mikva.] This stricture is ruled extensively in the ashkanazi world as halacha, though the Serphadim are lenient and allow washing one's whole body in cold water (Yalkut Yosef 326, 3).

Even so, there is room to be lenient and allow Ashkanazim to take a cold shower on Shabbat if they feel uncomfortable. The reason for this is that it is only a customary stricture to refrain, and this custom should not come at the expense of feeling unpleasant on Shabbat. Rav Feinstein z"l (ibid) adds an additional reason to be lenient when needed, and that is that it is not at all clear that the custom to be strict applied to our showers, and perhaps was only referring to bathing at the river or in the open. (See Shmirat Shabbat KeHilchatoh 14, 11 and footnote 36 for other lenient opinions). In my opinion one does not have to be very strict in the definition of "uncomfortable" in this question, as we are only dealing with a custom that may not even really apply in our showers.

If the hot water system being used is of a permitted nature, then a small amount of hot water may be added to the cold in order to take the chill off it, and it will still be considered a "cold" shower if the temperature is lower than that which people normally shower in (see above).

SUMMARY: - Sephardim may bath their whole body in cold water on Shabbat. Ashkanazim have a tradition not to do so (allowing only to wash up to half their bodies). In a situation of discomfort (even mild discomfort) they too may bath their whole bodies in cold water on Shabbat.

WASHING THE WHOLE BODY IN HOT WATER ON SHABBAT:

We have already seen that there is a Rabbinic prohibition against washing the majority of not allowed on one's body in hot water on Shabbat, and even washing a portion of the body is certain types of hot water.

However Rabbi Akiva Eiger ruled that this rabbinic decree does not apply in a case where it will cause pain. He is not referring to sickness that might come about because one does not wash, but even a lower level discomfort ("mitzta'eh") (Biar Halacha 326,1 "B'Mayim She'homo"). In Shmirat Shabbat KeHilchatoh (14, 1) he writes "a person who is used to washing the whole of his body in warm water every day and will suffer extreme discomfort should he not do so, may wash the whole of his body, even on Shabbat, in warm water, provided that it was heated up before Shabbat".

So, in cases of real discomfort (and certainly in cases where there is a real medical need, for example to lower a fever, etc) – where a cold shower will not suffice – one would be permitted to shower in hot water on Shabbat on the condition that the water was heated in a permitted manner. As we wrote above, that means water heated before Shabbat, or (according to some opinions) water from a solar heater, or perhaps water heated up by a non-Jew for themselves.

Here I feel that one should not be too lenient in defining “discomfort” as we are dealing with a real Rabbinic decree (as opposed to a cold shower – see above). Only when there is serious discomfort, such as in hot weather on the Shabbat after a two day Yom Tov, should this leniency be used. Though of course people differ in their levels of discomfort, and every case should be judged individually.

SUMMARY: - In cases of real discomfort one may wash even their whole body in hot water on Shabbat – making certain that the hot water system is permissible on Shabbat.

Yom Tov.

All the ways of washing on Shabbat are also allowed on Yom Tov. However on Yom Tov the laws are, in essence, more lenient.

WASHING THE WHOLE BODY IN HOT WATER THAT WAS HEATED BEFORE YOM TOV:

There exists an argument about whether the Rabbinic stricture we saw above about bathing one's whole body in hot water on Shabbat also applies to Yom Tov (see Beit Yosef 511:2). The Rif, in the name of Gaonim, and the Rambam, hold that the stringencies apply only to Shabbat, but on Yom Tov one may wash their entire body in hot water that was heated before Yom Tov (latter we will discuss heating water on Yom Tov for this purpose). He explains that the Rabbinic decree was never applied to Yom Tov at all. The Tosafot however believe that the decree was extended to Yom Tov as well – and there is no difference between Shabbat and Yom Tov in this question.

The Shulchan Aruch (Orech Haim 511,2) rules in line with the Rif and the Rambam that one may indeed wash their whole body in water that was heated before Yom Tov (and this would include all the types of hot water we listed above, such as from a solar water heater, or from an urn filled before the festival etc). This is the halacha for Sephardim. The Ashkanazim however follow the ruling of the Rema (ibid) who rules that Yom Tov is the same as Shabbat in this question and even this pre-heated hot water may not be used to wash the whole body. The Mishna Brurah (ibid 18) brings one leniency on this ruling, and that is that on Shabbat one may only wash up to half ones body limb by limb – but on Yom Tov one may wash their entire body, but still only limb by limb (that is to stand outside the stream of water and to wet and wash each part of the body piece by piece).

SUMMARY – the Sephardim may wash even their whole body at one time in hot water that was heated before Yom Tov, whereas Ashkanazim may only do so limb by limb. But see below for more lenient opinions nowadays.

HEATING WATER TO WASH IN ON YOM TOV:

The laws of cooking allow one to heat water on Yom Tov in order to cook for food. This is also allowed for the purpose of washing one's face hands and feet. However it is forbidden to heat up water for the purpose of washing the rest of one's body. The reason for this is that one is allowed to cook for "ochel nefesh" that is things that are considered the universal norm. That which is for a small section of society alone – such as the very rich – are not allowed. Washing the whole body (as opposed to face hands and feet) is placed in this category (Shulchan Aruch ibid).

The obvious question arises that today washing one's whole body on a daily basis is considered the norm, and if so then may hot water be heated up for this purpose (and all the more so one would be allowed to wash normally in water heated up before Yom Tov, not as the Rema ruled above)? This question is raised in Shmirat Shabbat KeHilchatah (14, footnote 21). There seem to be several sources that indicate that indeed today it is considered "ochel nefesh" to heat up water for washing – see for example the Aruch HaShulchan (511, 5-6) who writes simply that water may be heated up for a women to go the mikvah in, because it is the norm and they can't do without. None the less, in the text of Shmirat Shabbat keHilchatah heating water on Yom Tov to wash one's whole body is forbidden. But in the work Shulchan Shlomo, (Yom Tov, 511, footnote 3) Rav Shlomo Zalman Orbach zt"l is quoted as ruling "today when everybody is accustomed to wash at least once a week it is considered as 'ochel nefesh'. Especially according to those who rule that smoking cigarettes is allowed because it is 'ochel nefesh', even though there are people who certainly suffer from smoking, one can certainly permit washing one's whole body which is pleasurable for everybody".

It seems to me that one may be lenient at least to the extent of allowing Ashkanazim to wash their whole body, even at one time, with water that was heated before Yom Tov (or its equivalents such as solar heated water – see above). This is because that washing is itself a matter of debate (as we saw above) and one does not have to be doubly strict. (This is especially so as many Rishonim are lenient with water heated from before Yom Tov – see the Eliyah Rabba 511). [Also, the Aruch HaShulchan 511, 4 writes that the argument between the Rif and Rambam, who allow washing on Yom Tov with water heated beforehand, and the Rosh and Tosfot who forbid it, is based on their understanding of why it is forbidden to heat up water on Yom Tov itself. The Rosh believes that heating up water on Yom Tov is forbidden from the Torah because it is not "ochel nefesh", and so the rabbis forbid washing even in water heated up before Yom Tov lest one come to heat water up on Yom Tov itself. But the Rif and Rambam forbid heating up water on Yom Tov because of a Rabbinic decree connected to the running of bath-houses. Therefore they permit using water heated up before the Yom Tov to wash one's whole body in, because to forbid this would be a decree on top of a decree. If so, if one is to deem washing today as "ochel nefesh" even the Rosh would permit it.

However, it is harder to permit heating up water on Yom Tov itself for washing the whole body. Though those who are lenient on this question have on whom to rely, there is still room to question this ruling.

SUMMARY – The original halacha forbade heating up water, on Yom Tov, to wash in, except for the washing of face, hands and feet. There exists a lenient opinion that allows heating up water on Yom Tov to wash with. One may certainly be lenient and allow washing the entire body (even for Ashkenazim) in water heated up before Yom Tov.

CONCLUSIONS:

1. It is totally permissible on Shabbat or Yom Tov to wash up to half the body even in hot water that was heated before Shabbat (see #2-3).
2. The use of hot water from the hot tap on Shabbat is generally forbidden. If there is a solar heating unit installed (quite common in Israel) some allow it and some forbid it. One may use the hot water tap on Yom Tov. [Some electric water units which heat the water on demand may be problematic].
3. The type of hot water that is considered permitted to (partially) wash with on Shabbat (see #1) are, water heated before Shabbat that can be used without causing new cold water to cook (i.e. water from the Shabbat urn); or water that was heated on Shabbat by itself (such as from a solar unit – for those who allow it's use on Shabbat (see #2)); and possibly water heated up by a non-Jew for his own use.
4. There are variant opinions as to what is considered as "hot" or "cold" – some consider water less than 45 degrees as cold, other say if it is colder than normal it is called cold, and others say it must have no hot water in it all.
5. Sephardim may bath their whole body in cold water on Shabbat. Ashkanazim have a tradition not to do so (allowing only to wash up to half their bodies). In a situation of discomfort (even mild discomfort) they too may bath their whole bodies in cold water on Shabbat. [Those who hold the lenient definition of "cold" (see #4) may add some hot water to the cold, making lukewarm water that is still considered "cold water". One must be certain that the hot water that is added is from a permitted source on Shabbat (see #2-3)].
6. In cases of real discomfort one may wash even their whole body in hot water on Shabbat – making certain that the hot water system is permissible on Shabbat (see #2).
7. On Yom Tov Sephardim may wash their entire bodies in hot water heated up before Yom Tov (such as from an urn); or water from a solar unit. Ashkanazim may only wash their entire body in such hot water limb by limb, but not the whole body at one time.
8. There is room to allow even an Ashkanazi to wash their entire bodies in hot water heated up before Yom Tov; or water from a solar unit.
9. The use of hot water heated up on Yom Tov (which includes water from most gas or electric units) is allowed for washing of face, hands and feet. There are opinions that allow washing even the whole body in such water in our day and age when daily washing is the norm. Someone who feels discomfort has all the more reason to rely in this ruling.
10. When washing on Shabbat or Yom Tov one needs to take care not to use a sponge or washcloth. Only liquid soap and shampoo are allowed. One should take care not to squeeze out water from their hair.
11. One may dry themselves with a towel, as well as dry their hair by rubbing it with a towel. One may not squeeze or wring out their hair, even into a towel.
12. It is forbidden to brush or comb one's hair on Shabbat or Yom Tov. One is permitted only to tidy one's hair a little with a soft brush which is not likely to pull out any hair. One may not braid or plate their hair, nor open any braids – but it is allowed to gather the hair into a pony-tail. A woman might want to consider these limitations before washing her hair so as not to have to suffer an unkempt hair-do for the rest of the day.