

Washing on Yom Kippur

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Please note that this is not an official responsum of the CJLS.

Do the restrictions on washing hands, etc.. during Yom Kippur apply this year, considering the benefits of hygiene in slowing the spread of COVID-19?

They do not. Washing/sanitizing hands is not only permitted, but required in most circumstances.

What is the nature of the prohibition of washing?

Washing is one of the 6 prohibitions of Yom Kippur (shabbat *melakhot*, and not eating and drinking, washing, anointing, leather-soled sandals, and sex). While all these prohibitions are connected to the Torah, *not doing Shabbat melakhot* and *not eating and drinking* are explicitly derived from the Torah (Yoma 74b, 77a), thus more severe prohibitions, and carry heavier punishments (i.e., *karet*).

The others are considered to be *asmakhtot* (assumed rabbinic practice/law given weight by attaching it to a biblical verse) and, therefore, allowed more leniency (when necessary) than the first two prohibitions. (See Tur O.H. 611, and Beit Yosef s.v. Ve'af Al Ga. and, Yoma 73b.)

What are some governing halakhic sources to help us in this matter?

- *Hamira Sakanta Me'issura* - Regulations concerning danger to life (*sakkanat nefashot*) are more imperative than ritual prohibitions. (Hullin 10a) **This principle covers it. Washing for hygiene reasons that produce a medical benefit that could slow the spread and prevent sickness or death is certainly permitted, and as stated above and below, required.**

- *Rehitzah* (washing): The washing that the rabbis forbade was most likely specifically **pleasure washing** (for us, a full shower or an extended warm or cold face wash).
In other words, washing for cleanliness in a specifically dirty and focused area wasn't really problematic. This *heter* (permission) for washing away dirt and washing after the bathroom is explicit in the Talmud (Yoma 77b) and the Codes (O.H. 613). I think we could easily say that everyone's hands are *behezkat melukhlakh* (considered dirty) right now, due to possible COVID-19 contact and that would be enough to permit. Furthermore, washing after the bathroom is about cleanliness and avoiding the spreading of germs, which **hand-sanitizing** clearly is about as well.
- *Pikkuah nefesh and Sakkant Nefashot* -- During the pandemic, washing one's hands frequently is also mandated by public authorities to stop the spread of the COVID-19 virus, and thus is not only justified, but required, for the sake of potentially saving lives.

Although one could make an argument that Purell might be sikhah (anointing), it does not fit the goals of anointing, which were to smell good (like a deodorant), to keep the hands well oiled and smooth, or to treat those already sick.. Purell, in contrast, is a soap-water concoction intended to clean the hands and avoid illness.