סימן ג

דיני בית הכסא

איסור "בל תשקצו"

א. ירגיל אדם את עצמו לפנות בוקר וערב, שהוא זריזות ונקיות. [רמ"א סו"ס ב]. וכן ירגיל עצמו להתפנות קודם שיתפלל, וקודם אכילה ושתיה, שאז הוא צריך לברך. [ספר חסידים סי' תתיח]

Siman 3

Behavior in Restrooms

Day 35

Bal Teshaketzu

Importance of regularity

1) Everyone should develop the habit of emptying one's bowels twice daily, at dawn and in the evening. This habit enhances one's personal hygiene and optimizes his daily timetable. It is likewise advisable to empty one's bowels before praying, and before meals, since one needs to bless God at those times.[112]

112. The source for this halakha is *Hagahot Maimoniyot* (*Hilkhot De'ot* 5) cited by Rama in his gloss at the end of *Siman* 2. The Talmud states (*Berakhot* 62a): Rav Yehuda said in the name of Rav, "One should develop the habit [of emptying one's bowels] each morning and evening, so that it will not be necessary to distance oneself [from one's colleagues during their daily activities]." These instructions are found in a *baraita* as well: Ben Azai said, "Rise early in the morning to go out [to a restroom] and go out in the evening as well, so that it not be necessary to distance yourself." Likewise, in tractate *Tamid* (27b), Rav told his son Hiya, and Rav Huna told his son Rabba, "Take care of your physical needs once it becomes dark and before it becomes light so that you will not have to distance yourself." Rambam ruled accordingly in *Hilkhot De'ot* (5:6).

According to the passage in tractate *Tamid*, it seems that the issue here is to tend to these needs while it is dark so that one may remain close to one's home instead of going far away in order to hide from the view of others. If so, now that everyone has a restroom available in his home and in most other places it should not matter halakhically when or how often one has a bowel movement. However, the Rama commented that this habit promotes hygiene and efficiency, and if so this halakha applies in our societies as well. The *Olat Tamid* (end of *Siman* 2) explained Rama in this manner.

The *Yafe Lalev* (2:9) interpreted the Rama's instructions to mean that one should empty one's bowels in the morning in preparation for *shaharit* and in the afternoon in preparation for *minha* and *arvit*. This matches Maran's instructions in the *Shulhan Arukh* (92:1) that one should always check to see whether one needs to void before beginning the prayers.

The *Sefer Hassidim* (#818) states that one must maintain the body's cleanliness both on its outer surface and inside the body, fulfilling the verse (*Tehillim* 103:1), "בָּרְכִי נַפְשִׁי אֶת ה' וְכָל קִרְבַי אֶת שֵׁם קָדְשׁוֹ – All my inner organs will bless His holy Name." It is forbidden to purposely carry the body's refuse inside one's bowels when it is possible to expel it. Therefore, before going to the synagogue to pray one must ascertain whether one has any urge to go to a restroom for relief. The same applies before a meal since one needs to bless God for his food and drink.

The holy *Zohar* (*Teruma* page 154) likewise gives strict instructions to relieve oneself before eating a meal. Rambam (*Hilkhot De'ot* 4:2) wrote, "One should never eat before making sure that one does not need to relieve oneself."

ב. המשהה נקביו, עובר משום (ויקרא כ, כה) "ולא תשקצו את נפשותיכם" [מכות טז ע"ב, ש"ע סי' ג סי"ז], בין בגדולים בין בקטנים. אך בקטנים יש בזה עוד חשש סכנה של עקרות שיהיה עקר אם משהה. [באו"ח ויצא ה"א, משנ"ב ס"ק לא, כה"ח ס"ק מז]

Forbidden to postpone relief

2) If someone feels the urge to relieve himself and he postpones doing so, he transgresses the Torah's command (*Vayikra* 20:25), "Do not make yourselves disgusting." This applies both to defecating and to urinating. For men, postponing urinating when one has the urge is forbidden for a second reason – there is the danger of this practice impairing their ability to bear children.[113]

113. As explained in the preface to this *Siman*, this is not a Torah prohibition but rather an institution of our Sages.

Postponing urination

The *Ben Ish Hai*, cited above, warned that besides the prohibition of *bal teshaketzu*, there is the danger of men causing themselves to become sterile by constantly holding in their urine when they have the urge to void. Harav Zalman (*Mahadura Tinyana* 3:11, cited in the *Kaf Hahayim* Sofer 3:47) cited some *Poskim* who ruled that the prohibition of *bal teshaketzu* does not apply to someone who postpones urinating, but it is prohibited because of the danger of becoming sterile. Most *Aharonim* agreed that *bal teshaketzu* applies as well.

Harav Zalman wrote that our Sages forbade postponing urinating since it poses a danger to one's health and because it might cause one to become sterile. In the new edition of *Ben Ish Hai* (5774), the editor pointed this out and suggested that the text of Harav Zalman should be corrected to read simply that there is a possible danger of becoming sterile, and not that there is a danger of other health problems. He argued that all the *Rishonim* and *Aharonim*, including the *Ben Ish Hai*, who discussed this issue mentioned only the danger of becoming sterile. [Nevertheless, it is a medical fact that the habit of "holding it in" can cause serious health issues. *Translator's note*]

How long may one delay?

The *Ben Ish Hai* (*parashat Vayetze* halakha 3, cited by the *Kaf Hahayim* Sofer 3:50) wrote that if someone would be capable of postponing relieving himself for at least seventy-two minutes, it means that there is no urgency and the prohibition of *bal teshaketzu* does not apply. There is no health hazard in such a case, either, whether the slight urge felt is for defecating or for urinating. He cited other *Poskim* who ruled that even if someone would not be able to postpone it for seventy-two minutes, the prohibition applies only if the urge is so strong that his body would expel the waste product unless he consciously holds it in. If the opposite is the case, that he would need to push to get his body to expel it, there is no prohibition of *bal teshaketzu* if he postpones relieving himself.

The *Eshel Avraham* of Butchatch (3:17) wrote that if the urge to relieve oneself would go away after ignoring it for a few minutes, the person does not transgress the prohibition of *bal teshaketzu*, nor is there any danger of becoming sterile. The *sefer Orhot Rabbenu* (Vol. I, page 14) relates that the Steipler Rav relied on this ruling in practice.

The Torah Forbids causing sterility

All the *Aharonim* agreed to the concept that if a man postpones urinating when he has the urge to do so, he transgresses the Torah prohibition of, "There shall not be anyone sterile among you" (*Devarim* 7:14). The Talmud teaches (*Bekhorot* 44b) that a man has two tubes in his groin, one that expels urine and one that expels semen. The two tubes are thin-walled and adjacent to one another. [This likely refers to a man's bladder and his two seminal vesicles.] If they become ruptured, the Talmud concludes, allowing the urine to enter the passage way of the semen, that person will become sterile.

Many *Aharonim* assumed that this can happen as a result of postponing urinating when one has the urge to do so. Indeed, the Talmud (*Yevamot* 64b) relates that several *Amora'im* became sterile since they repeatedly refused to leave the *bet midrash* while their Torah mentors were lecturing.

The *Sefar Haredim* pointed out that the verse, "There shall not be anyone sterile among you," is a blessing and a reward for observing the mitzvot properly, not a prohibition. Nevertheless, he explained, we can derive from here that it is forbidden to cause oneself to become sterile. See more about this in the *Yafe Lalev* (3:21).

The *Mishna Berura* (3:22) ruled that because of this a man may urinate if necessary in public, even in the view of women. One is not expected to endanger one's health in order to act modestly, he explained. See the comment of the *Igrot Moshe* below in the footnote to halakha 12.

וכל המשהה נקביו הרי זה בכלל משקץ נפשו, יתר על חלאים רעים שיביא על עצמו ויתחייב בנפשו. [רמב"ם הל' מאכלות אסורות פי"ז הל"א]

על כן כל ירא שמים, כאשר ירגיש בעצמו שצריך לעשות צרכיו, הן גדולים הן קטנים, יתגבר כארי, ויאזור חלציו לקום מהר, ולא ישוב מפני כל. וילך ויצא לנקביו מיד. [מקבציאל פ' ויצא ה"א, הליכו"ע ח"א עמ' לח]

ויש בני אדם נכשלים בדבר זה, ואם יבא לו התעוררות [ונדחק מאוד לנקביו] והוא עוסק בעניניו [ומתאפק], ואינו קם במהירות, וחושב עד שיגמור העסק עוד מעט, וזו שטות גדולה. וכתב בחסד לאלפים ז"ל בשם המקובלים, דהמיקל בזה מונע ממנו טהרת המחשבה. ומי שהוא בעל נפש ורוצה להדבק בקונו, צריך להזהר שיהא גופו נקי בכל שעה, וזה מועיל גם כן לבריאות הגוף, ונעשה בריה חדשה. [באו"ח ויצא ה"א]. וראה בהקדמה לעיל.

Rambam wrote that anyone who postpones relieving himself is guilty of filthying his body and soul, besides the fact that such a habit can promote debilitating illnesses. The afflicted person will be held accountable in Heaven for not protecting his health.

Therefore, anyone who possesses the fear of Heaven will make haste to relieve himself as soon as he feels an urge to do so, whether it is to defecate or to urinate. He should allow nothing to stand in his way of tending to his physical needs immediately.

Some people have a misconception about this. If they are in the middle of some activity and suddenly get an urge to relieve themselves, they remain where they are [and hold it in even when they urgently need relief], thinking that they will go as soon as they come to a good stopping point. This, the *Ben Ish Hai* declared, is absolutely foolish.[114] Instead, they must interrupt what they are doing and run to a restroom.

The *Hesed La'alafim*, citing the kabbalists, warned that if someone postpones relieving himself he damages his soul, specifically his ability to maintain clean and holy thoughts. Anyone who cares about his spiritual well-being and wishes to enjoy a close connection to God must make sure that his body is clean of waste at all times. Besides, it is good for one's physical health as well, making one feel like a new person every single day. See more about this in the preface to this *Siman*.

The *Hazon Ish* (*E.H.* 12:7) wrote that according to modern medicine there is no such thing as becoming sterile due to a rupture in the tubes as described above. Based on this, the *BeYitzhak Yikare* (glosses on the *Mishna Berura*) suggested that in our times the prohibition of, "There shall not be anyone sterile among you," does not apply to someone who postpones urinating. This is difficult to accept, since all the contemporaries of the *Hazon Ish*, including the authors of *Mishna Berura*, the *Ben Ish Hai* and the *Kaf Hahayim* Sofer, ruled that it does apply. [More likely, there are other physiological reasons why a man would become impotent due to postponing urinating.]

The *sefer Ozer Yisrael* (page 67) likewise argued that if we would accept the *Hazon Ish's* new ruling, we would have to discard the halakha permitting men to urinate in public. This halakha comes directly from the Talmud (*Bekhorot* 44b) relating that Rav Ashi was once urinating on the bank of the Euphrates when people warned him that his mother-in-law was approaching. He replied, "I would do it directly into her ear if I had no other place to turn. I certainly don't care if she notices what I am doing." The author concluded that we must not alter the halakhot despite the *Hazon Ish's* argument. See below in the footnote to halakha 12.

114. The source of this halakha is the *Ben Ish Hai*. In this volume, the halakha has been interpreted as applying to a situation where the person needs urgently to relieve himself and there is no question that postponing it is an infringement of the halakha of *bal teshaketzu*.