ג. יש בני אדם שיש להם טבע עיצור תמיד (עצירות), וכאשר בודקים עצמם בבית הכסא צריכים להתעכב שם שיעור עד שיגמרו צרכיהם. ויש בני אדם שצריכים לילך כמה פעמים. הנה אין להם לקוץ בזה, אלא יבדקו עצמם יפה כראוי להם. ואף על פי שמכח זה הם מתבטלים מלימודם, מכל מקום הם מוכרחים בזה לקיום מצות הבורא יתברך. ואם יאבדו זמן הרבה בזה, מה בכך ? — גם זה בכלל מצוה יחשב, וכמו שכתב הרב חסד לאלפים ז"ל (סי' ב אות י) על זה: מה לנו מזמן אם לעשות הטוב והישר בעיני אלהים. [מקבציאל פי ויצא הלכה ב]

ד. אם היה עוסק בתורה, או שהתחיל לשמוע קריאת התורה, או קריאת המגילה, או קריאת ההלל, ונתעורר בו צורך לנקביו, ויכול להחזיק עצמו עד כדי שיעור הליכת פרסה (דהיינו שעה ושתים עשרה דקות), יסיים הענין שעוסק בו ואחר כך יצא לנקביו. ואפילו אם היה מסופק אם יכול להחזיק עצמו עד שעה וחומש, רשאי להמתין עד שיסיים הענין, ואחר כך יצא לנקביו.

Sacrificing time

3) This halakha might be very costly in time. Some people are habitually constipated and it takes them a long time to relieve themselves even when they have the urge. Others need to relieve themselves several times a day. Although this takes away from the time they would allot to Torah study, the halakha must be observed. This activity is likewise a mitzvah. The *Hesed La'alafim* (2:10) wrote regarding this, "What is our time for if not to do that which is proper in God's Eyes?"[115]

Interrupting Torah study

4) If someone felt an urge to relieve himself after he began studying Torah, during the synagogue Torah reading, during the reading of *Megillat Esther* or while he was reciting Hallel, he may finish what he is doing and only then go to relieve himself as long as he feels that he could postpone relieving himself for seventy-two minutes if he was forced to do so. Even if he is not sure that he would be able to postpone it for seventy-two minutes, it is still permissible to finish what he is doing before going to relieve himself.

115. The source of this halakha is *sefer Mikabtze'el* (*parashat Vayetze* halakha 2).

Postponing relief as a medical treatment

The *Nimuke Orah Hayim* (3:3, cited in the *Yalkut Yosef* page 253) cited his father relating that his holy Torah mentors taught him a tradition that if someone suffers from diarrhea but is otherwise healthy, he should treat his condition by forcing himself to hold it in whenever possible, rather than go to a restroom and surrendering to the urge to void. His condition is due to some sort of internal inflammation that makes him feel a false urge to defecate very often. By refusing to relieve himself, he will overcome his condition and recover. In such a case, this person is not guilty of *bal teshaketzu* although he ignores the urge to relieve himself. It is permissible to postpone relief for medicinal purposes.

The responsa *Sheraga Hameir* (Vol. I, #74) cited a proof to this ruling from the Talmud (*Shabbat* 108a) relating that Shemuel wished to cure Rav of his constipation. He fed him barley bread, fried sardines and beer, but then he blocked the way to the restroom although Rav felt a strong urge to relieve himself. He wanted Rav to postpone relieving himself until the healing substances had a chance to permeate his system. Apparently, when someone postpones relief for medicinal purposes, he does not transgress the prohibition of *bal teshaketzu*.

אולם אם יודע בעצמו שאינו יכול להחזיק עצמו עד שעה וחומש, נכון יותר שיפסיק ויצא לנקביו מיד. אלא אם כן יגרם לו ביטול תורה מחמת כן, או שהוא מלמד תורה לתלמידים, וחושש שמא יתבטלו מלימודם מחמת כן. [הליכו"ע ח"א עמ' לט]

ה. גם בהיותו שוכב על מיטתו בלילה, אם הרגיש שצריך לעשות צרכיו, יתאזר לקום, ולא יתעצל ולא יתרשל, הן מחמת הקור, הן מחמת החושך וכיוצא. [באו"ח שם ס"ב]

If he knows that he would not be able to postpone relieving himself for seventy-two minutes, the proper thing to do is interrupt what he is doing and go to relieve himself immediately. If this will result in a loss of time for Torah study and he could gain time by postponing relieving himself for a few minutes, however, he may postpone it for that short time. Likewise, if he is in the midst of teaching a Torah class and the interruption would cause the entire group to miss some Torah learning, he may postpone it for a few minutes.[116]

During the night

5) Even someone is comfortably wrapped in his blankets in bed at night, if he feels an urge to relieve himself he must get up despite the cold and darkness and take care of his needs.

When someone wakes up in the middle of the night to relieve himself and he plans to go back to sleep immediately, he should relieve himself, wash his hands after exiting the

116. The *Ben Ish Hai* (*parashat Vayetze* halakha 1) states: "If someone feels an urge to relieve himself while he is the midst of studying Torah or some other activity, it is quite foolish for him to wait until he finishes the passage of *Zohar* or chapter of *Tehillim* that he is reading before going to relieve himself. In fact, it is a mitzvah accomplished through a sin, which is not counted as a mitzvah at all."

Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 38) suggested that this ruling is refuted by the *Mishna Berura* (*Bi'ur Halakha* 92:2). Since Maran ruled in the *Shulhan Arukh* that if someone feels such an urge while reciting the *Amida* he must not interrupt his prayers, the *Mishna Berura* deduced that the same leniency applies if such an urge comes to someone while listening to the Torah reading. Since he began to listen before he felt any urge at all and even now he does not feel a real urgency to relieve himself, postponing it does not infringe on the prohibition of *bal teshaketzu* and he may continue to listen to the Torah reading. Likewise, he may respond to the blessings and *Barekhu* recited by those who are called up to the Torah. The same applies if he was in the middle of reciting Hallel or *Megillat Esther* or anything similar. As long as his urgency to relieve himself is not strong enough to be an infringement on the prohibition of *bal teshaketzu*, he may finish whatever he is doing before relieving himself.

In fact, even if someone is in the midst of studying Torah and feels a slight urge to relieve himself, he may finish the passage he is studying at the moment even though he estimates that he would not be able to postpone relieving himself for seventy-two minutes. The halakhic concept that permits someone to complete his activity since he began while he felt no urge whatsoever applies to the activity of Torah study as well, as we find in *Shabbat* (11a).

Maran the Rishon Letziyon concurred with this ruling, but he added that this ruling applies only if the person feels that he would be able to postpone relieving himself for seventy-two minutes, or if he at least thinks that he might be able to do so. If he is sure that he would not be able to postpone it that long, then the correct thing to do is to interrupt one's activities immediately and go to relieve oneself. If stopping immediately would result in a loss of time from Torah study, or if the person is teaching Torah to a group, he may postpone relieving himself until an appropriate moment, following the ruling of the *Mishna Berura*.

The *Yalkut Yosef* (footnote on page 258) disagreed with this interpretation of his father's rulings, claiming that the editor of the *Halikhot Olam* misunderstood his words. The halakha as it appears above, however, is as written by the editor of *Halikhot Olam* (Harav David Yosef).

וכשניעור בלילה לעשות צרכיו, ודעתו לישון מיד אחר כך, אם בדעתו להמשיך לישון מיד, יטול ידיו לאחר שיצא מהשירותים, ויברך "אשר יצר", אך לא יברך "על נטילת ידים", שהרי דעתו לחזור ולישון. ובקומו בבוקר יטול ידיו, ויברך "על נטילת ידים". [אור לציון ח"א עמ' יט, ילקו"י עמ' שנה]

restroom and recite the blessing of *asher yatzar*. He should not recite the blessing of *al netillat yadayim* since he plans to go back to sleep. Upon rising in the morning, he should perform *netillat yadayim* again and recite the blessing for this mitzvah.[117]

117. The *Or Letziyon* (Vol. I, page 19) wrote that the *Poskim* debated the halakha about someone who gets up in the middle of the night, performs *netillat yadayim* and later goes back to sleep until the morning. See the *Bet Yosef* (*Siman* 4). One opinion is that he must recite the blessing of *al netillat yadayim* both times, and the other is that he may recite it only once. The *Or Letziyon* concluded that one should postpone reciting the blessing until one rises for the day. This is likewise the ruling of the *Yalkut Yosef* (page 355).

There might be a simpler way to reconcile this issue. Some *Poskim* ruled that one may perform the morning *netillat yadayim* without using a utensil to pour the water on the hands. After exiting a restroom [during the day] it is not necessary to wash one's hands using a utensil; it is enough to turn on the faucet and rinse the hands in the water streaming down. See the *Yalkut Yosef Berakhot English Edition*, *Siman* 165. In fact, the *Or Letziyon* (page 21) ruled that although it is preferable to use a utensil for the morning *netillat yadayim*, one can fulfill the mitzvah even if he does not use a utensil. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. IX, #108), however, ruled that it is not at all certain that the mitzvah has been fulfilled if one does not use a utensil to pour the water. Therefore, he ruled that one may not recite the blessing of *al netillat yadayim* unless one used a utensil for the mitzvah.

In light of this, when the person rises in the middle of the night and intends to go right back to sleep, it is likely that he may rely on the lenient opinion to perform *netillat yadayim* without a utensil, simply rinsing his hands under the faucet. Then, he can certainly recite the blessing in the morning when he performs *netillat yadayim* with a utensil.

Neither the *Or Letziyon* nor the *Yalkut Yosef* mentioned the fact that it is necessary to perform *netillat yadayim* before relieving oneself. Nevertheless, there is no question that it is necessary since the person walks from the bed to the restroom, which is most likely a distance more than four cubits. Furthermore, he needs *netillat yadayim* in order to clean himself and touch his body apertures. The *Ben Ish Hai* (*parashat Vayetze* halakha 2) ruled clearly that one must perform *netillat yadayim* upon waking up before going to a restroom.

Harav Shelomo Zalman Auerbach (*Halikhot Shelomo Tefilla*, page 170) ruled that if someone gets up in the middle of the night in order to relieve himself and go back to sleep, he may go to the restroom without performing *netillat yadayim* next to his bed. He can perform *netillat yadayim* at the sink. In this case, he explained, one may rely upon the *Poskim* who ruled that as long as one is inside the same house it is as if he has walked less than four cubits. He cited the *Eshel Avraham* of Butchatch (*Siman* 4) who ruled that only after one has risen for the day it is forbidden to walk four cubits without *netillat yadayim*, but not when one intends to go back to sleep after a short interruption. Although this might not be an accepted ruling and it is possible that the *Ben Ish Hai* disagrees with it, one may follow this leniency when inside a house. This is certainly a basis for those who are lenient in this matter.

Rav Auerbach added that when necessary one may relieve oneself without washing one's hands at all, not before relieving oneself and not afterward. One can wait until rising in the morning to recite the blessing of *asher yatzar*.

This is not to be followed in practice, however. The *Yalkut Yosef* ruled clearly that one must recite the blessing of *asher yatzar* before going back to sleep. The maximum time for reciting this blessing is seventy-two minutes after relieving oneself, as will be explained below in *Siman* 7:15. It is true that there are *Poskim* who ruled that one may recite the blessing as long as one does not have the urge to relieve oneself a second time, we do not follow that opinion. The limit is seventy-two minutes.

When washing hands would keep one awake

The *Yalkut Yosef* discussed the situation of a person who woke up in the middle of the night to relieve himself, but he feels that if he pours cold water on his hands he will not be able to fall asleep afterward. In this case or in any situation where it is difficult to wash one's hands with water, one may be lenient and cleanse one's hands with a towel or anything that effectively wipes them clean, and then one may recite the blessing of *asher yatzar*. This ruling is based on the responsa *Yabia Omer* (Vol. IV, #2) that states that if someone wakes up thirsty in the middle of the night, he may drink water without performing *netillat yadayim* and go

ו. המונע עצמו מלהפיח, אינו עובר באיסור בל תשקצו. [משנ"ב ס"ק לא, כה"ח ס"ק מז]. ולכן מותר להעמיד עצמו מלהפיח במקום שיש שם אנשים, כשהדבר גורם לו בושה, או גורם צער לאחרים. [ילקו"י עמ' רנח]. וכן צריך להזהר שלא יפיח כשהתפילין מונחים עליו, ואם אינו יכול להעמיד עצמו, יזיז מעט את התפילין של ראש וינתקם ממקומם, ואחר כך יחזירם. [שם]

ז. יש אומרים שבכלל איסור בל תשקצו שלא ישהה נקביו, נכלל גם שלא ישהה צואת האף, מדכתיב (בראשית ז, כב) "כל אשר נשמת רוח באפיו". [שלחן שלמה סי' ג אות יא]

Day 37

Breaking wind

6) It is permissible to postpone breaking wind. The prohibition of *bal teshaketzu* does not apply to this at all.[118] Therefore, if someone needs to break wind but he is embarrassed to do it in the presence of others or if he knows that it would be bothersome to the others, he may postpone it until he leaves their presence. Likewise, when someone is wearing tefillin he must make sure not to break wind until removing them. If that is impossible, he must at least move his *tefillin shel rosh* out of place momentarily.

Blowing one's nose

7) According to some *Poskim*, the prohibition of *bal teshaketzu* applies as well to someone who fails to blow his nose when there is mucus built up in one's nostrils. They based this ruling on the verse (*Bereshit* 7:22), "All whose life-spirit is in his nostrils."[119]

back to sleep. All he needs to do is to wipe his hands clean before reciting the blessing for the water. See below in *Siman* 4:52.

118. This is the ruling of the *Terumat Hadeshen* (#16), cited by Maran in the *Bet Yosef* (*Siman* 103:2), the *Peri Megadim*, Harav Akiva Eiger, the *Sha'are Teshuva* and the *Mishna Berura* (all at the end of *Siman* 3). The *Mishna Berura* repeated this ruling in *Siman* 103:3.

119. The *Yalkut Yosef* (page 256) and the *Ketzine Eretz* (page 3) cited this halakha in the name of the *Misgeret Zahav* (glosses on the *Kitzur Shulhan Arukh* Ganzfried, *Siman* 4). The original source is the *Shulhan Shelomo* (3:11). It is unclear how he derived this halakha from the verse he cited, however. In all likelihood, he did not mean that the verse is a source for the halakha, but only an allusion to it.

Although the *Shulhan Shelomo* seems to equate the need to blow one's nose clean with the acts of urinating and defecating, it is difficult to agree with this position. The *Aharonim* debated whether it is necessary to wash hands after touching nasal mucus as if it is excrement, as explained in the *Kaf Hahayim* Sofer (4:97), the *Mishna Berura* (92:30) and the *Yalkut Yosef* (page 424). The *Shulhan Shelomo* ruled stringently regarding this, and that, apparently, is the basis for this ruling. Since most other *Poskim* ruled that nasal mucus is not the same as excrement, it is unlikely that the prohibition of *bal teshaketzu* applies to it. The prohibition of *bal teshaketzu* is not a Torah mitzvah; it is an institution of our Sages, and as such there is room for leniency.

Furthermore, the *Poskim* instructed us to clear our mouths and noses of mucus and spittle before beginning the *Amida* so that those things will not interfere with our prayers. It seems from this that at other times there is no halakhic urgency to empty one's nose of its mucus.

The responsa *Rivevot Efrayim* suggested that there is support for the position of the *Shulhan Shelomo* from the *sefer Yesod Veshoresh Ha'avoda* (author's will #22): "I was always careful to wipe my nose immediately with a handkerchief when it was necessary, even if I was in the middle of something important. I felt that it would be extremely disrespectful to stand before my Creator with filth on my nose. God must be honored in every situation. This is even more important while studying the holy Torah and certainly when praying or reciting a blessing. I was always careful about this matter for these reasons.

It could be that this was due to the author's extreme piety and not that he felt any halakhic need for this habit. Furthermore, it seems that he meant that he always wiped his nose immediately when the mucus was already coming