יא. יהא צנוע בבית הכסא. ולא יגלה עצמו עד שישב. [ש"ע ס"ב]. וכן לא יקום כשהוא מגולה, אלא יכסה עצמו ואחר כך יעמוד. [ראה משנ"ב ס"ק ב]. ועי' בהערה.

יב. יזהר לסגור הדלת של בית הכסא אפילו בלילה בחושך ואפילה משום צניעות, כי יש פוסקים שמנו את הצניעות מכלל המצות של תורה. ומכל מקום אם יש בבית הכסא ריח רע קשה לו מאד, והוא פותח הדלת לאצולי פורתא, יש להקל בחושך לילה ואין רואהו. [באו"ח ויצא ה"ד, כה"ח ס"ק ז]. וכל אדם צריך להזהר בזה, ולא רק תלמידי חכמים. [ילקו"י עמ' רסא. ועי' רמב"ם הל' דעות פ"ה ה"ד, ובקרית ספר סי' ב הערה טז] ואף כשיוצא לנקביו קטנים להטלת מי רגליו, יהא צנוע. ואפילו אם מחמת שמחפש מקום צנוע צריך להשהות עצמו מעט, אין לחוש בזה משום איסור בל תשקצו, וגדול כבוד הבריות. [הליכו"ע ח"א עמ' לט]. ובפרט אם הוא תלמיד חכם, ונשמר שלא יבאו היהירים ועמי הארץ לדבר סרה על התלמידי חכמים

Modesty in a restroom

11) Even when in a restroom,[124] one must act modestly and not undress until one sits down. Likewise, one should not get up [and walk away from the toilet seat] until one gets dressed. See the footnote.[125]

Modesty at night

12) Even in the complete darkness of night, one must make sure to shut the door of the restroom while relieving oneself, for the sake of modesty. The reason for this stringency is that some *Poskim* counted modest behavior as one of the mitzvot of the Torah.[126] This is important for everyone, not only Torah scholars.

Even so, if there is a very strong stench in the restroom, one may be lenient in the darkness of night to leave the door open and allow fresh air to circulate inside.

The halakha demanding modest behavior applies when one urinates as well. Even if will be necessary to postpone urinating for a few minutes until one finds a private place,

124. In the preface to this *Siman*, the importance of remaining modest while in the restroom is discussed at length. Also, there is a debate among the *Poskim* whether there is a Torah obligation to be modest or if it is only an institution of our Sages.

125. The *Yalkut Yosef* (footnote on page 261) suggested that the rule forbidding one to undress before sitting down applies only in the restrooms of antiquity, when the common practice was to crouch over the latrine and not to sit on a seat. In our times when the common practice is to sit on a toilet seat, people cannot be expected to undress only after they are seated. Therefore, it is permissible to undress just before sitting down. This is likewise the ruling of Harav Shalom Messas (in his approbation to *Netivot Hahayim* Vol. I).

Despite this, there are multiple proofs from the Talmud that even in the Talmudic era the common practice in a restroom was to sit on a seat over the latrine. The *Yafe Lalev* (3:9) discussed this issue at length, concluding that our Sages always sat while defecating. Nevertheless, there is a basis for leniency regarding how and when to undress, since it is somewhat difficult to undress after one has already sat down. Furthermore, in our restrooms we can lock the door behind us, ensuring privacy, whereas in the Talmudic era the door had no lock. In fact, the *Ben Ish Hai* (*parashat Vayetze* halakha 5) wrote that since our restrooms are enclosed and have doors that can be latched, we no longer must be so careful about how we undress while inside.

126. The *Ben Ish Hai* (*parashat Vayetze* halakha 4) cited the *Sefer Mitzvot Katan* among the *Poskim* who ruled that the necessity of modest behavior is a mitzvah of the Torah. He commented that although other *Poskim* disagreed, listing this as an institution of our Sages and an admirable trait for which the nation of Yisrael is known, he concluded that we must be very careful to observe this mitzvah since there is the opinion that it is a Torah obligation. See the *Petah Hadevir* (3:7).

שאין להם דרך ארץ ח"ו, בודאי דרשאי לדחות איסור דבל תשקצו משום כבוד הבריות ועל כולם כבוד התורה. [הליכו"ע שם בהערה]

the prohibition of *bal teshaketzu* is overridden in this case by the need for maintaining one's self-respect. This is especially important for Torah scholars, who must be on guard not to give scoffers or ignorant people reason to belittle Torah scholars as lacking basic decency. The need to maintain one's self-respect and to protect the Torah's honor certainly overrides the prohibition of *bal teshaketzu*.[127]

127. The *Ben Ish Hai* (*parashat Vayetze* halakha 8) ruled that the necessity for modesty applies when someone needs to defecate, but not when he needs to urinate. When a man feels the urge to urinate, it is forbidden for him to postpone it at all, even for the sake of being modest.

Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 39) challenged this ruling, citing the Talmud (*Yevamot* 103a) relating how King Sha'ul went into a cave to relieve himself. Rashi explained that he needed to urinate. Our Sages praised King Sha'ul profusely for his extreme modesty, explaining that even though he was in the complete darkness of the recesses of the cave, he kept his body covered completely, spreading his cloak around himself like a tent so that he could relieve himself without exposing his nakedness. Although other commentators understood that King Sha'ul needed to defecate in the cave, the simple explanation is as Rashi wrote, that he needed only to urinate. Obviously, then, King Sha'ul took the time to go into the cave and adjust his cloak before he urinated. According to the *Ben Ish Hai* it was forbidden for him to act in this manner, it seems.

Maran the Rishon Letziyon wrote that in our time and culture, most people consider it indecent to urinate in view of others. There are places where a person could be fined for this. Therefore, there is no prohibition in postponing urinating for a short time in order to find some privacy. The need for maintaining one's self-respect overrides other considerations. This is the ruling of the responsa *Terumat Hadeshen* (#16) who added that for this reason we find that several *Amora'im* habitually postponed urinating if the urge came to them during a Talmudic lecture, and this resulted in their becoming sterile (*Yevamot* 64b). Likewise, the Talmud relates (*Bekhorot* 44b) that when Shemuel needed to urinate while he was delivering a lecture, he instructed his attendants to stretch a cloth across him so that people would not see him. Although he technically was permitted to urinate in everyone's view, he postponed it until the cloak was stretched in front of him for the sake of extra modesty and out of respect for the study hall. In fact, the *Peri Megadim* (*Mishbetzot Zahav* 3:13) ruled that since the prohibition of *bal teshaketzu* is only an institution of our Sages, it is overridden by the need to maintain one's self-respect. Therefore, it is permissible to postpone urinating until one finds a private spot. This is likewise the ruling of the *Mishna Berura* and the *Arukh Hashulhan* in the end of this *Siman*.

Although the ruling of Maran the Rishon Letziyon is certainly correct, it does not directly contradict the ruling of the *Ben Ish Hai*. They both agree that when one has no choice one must ignore the fact that others are present and urinate without delay, even in view of a woman. If someone can quickly find a private spot to urinate, however, even the *Ben Ish Hai* agrees that one should do so, as we find in the story of King Sha'ul. Maran the Rishon Letziyon meant only to explain that it is incorrect to simply turn around in the street and urinate onto the wall when in most cases it is possible to find some privacy in only a couple of minutes. He was not referring to a case where one urgently needs to urinate immediately, for then he would endanger his health by postponing it. He was referring to a case where one feels a slight urge to urinate, and in such a case a postponement of a few minutes poses no health threat at all.

Urinal fixtures

The *Igrot Moshe* (*Y.D.* Vol. III, #47:5) recommended that when someone goes to a men's room to urinate, he should choose a toilet stall rather than a urinal fixture on the wall. Since he has this choice, it is better to be more modest. If all the toilet stalls are occupied, however, he may use the urinal. When constructing men's rooms in public buildings, barriers should be placed between each urinal to maximize the privacy each one provides.

יג. מותר לעצור עצמו מנקביו, כשנדרש לשם כך לצורך בדיקה רפואית.

יד. לא יגלה עצמו כי אם מאחריו טפח ומלפניו טפחיים, ואשה מלאחריה טפח ומלפניה ולא כלום. [ש"ע ס"ד]. ומכל מקום אם חושש שמא יתלכלכו בגדיו מחמת כן, אין צריך להחמיר בזה. ובפרט שיש להקל בבתי הכסא שבזמנינו שיש להם מחיצות והדלת סגורה, ואין מקפידין בהם בענין הגילוי כל כך.

[ראה באו"ח פ' ויצא ה"ה, כה"ח ס"ק יג, ילקו"י עמ' רס, הלכה ברורה עמ' לט]

טו. לא ישתין מעומד, מפני ניצוצות הניתזין על רגליו, אם לא שיעמוד במקום גבוה או שישתין לתוך עפר תיחוח. [ש"ע ס"ג]. ובבתי כסא שיש בהם חור אין חשש הנזכר. [עי' רוח חיים כאן]. וכל שכן בבתי כסאות שלנו, אין בהם חשש הנזכר, ומותר להשתין בהם מעומד. [ראה ילקו"י עמ' רפו]

Postponing relief for medical reasons

13) It is permissible to postpone relieving oneself if this is necessary as part of a medical treatment or examination.[128]

Modesty while relieving oneself

14) Technically, the halakha is that a man may expose only two square *tefaḥim* of his body when urinating, and when defecating he may expose only one square *tefaḥ* of his rectum. A woman may expose only one square *tefaḥ* of her body when voiding. If the person needs to expose more of his body in order to prevent his clothing becoming soiled, he [or she] may do so. Nowadays, since our restrooms are enclosed and the person using it can close and lock the door, we need not be so stringent about this.[129]

Urinating on the ground

15) A man must not urinate [onto the ground] while standing, since it is likely that the urine will splatter back onto his legs. It is permissible if he is standing on something higher than the ground in front of him, or if he is urinating onto soft sand [that will absorb the urine on contact]. In restrooms where a hole has been dug for this purpose, it is certainly permissible. The entire issue does not apply to our restrooms with modern toilet bowls or urinals; men may definitely urinate while standing.[130]

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128. A similar ruling by the *Nimuke Oraḥ Ḥayim* and the responsa *Sheraga Hameir* appears above in the footnote to halakha 3. See also the *Piske Teshuvot* (page 33).

129. The source for this halakha is the Talmud (*Berakhot* 23b), where an explanation is given for its details. The halakha appears in the *Shulḥan Arukh* (3:4). Harav Yaakov Castro (glosses on the *Shulḥan Arukh*) added that of course one may expose the part of the body that sits on the toilet seat. The measurements appearing in the halakha mean that one may expose this much of the body besides the part on the seat. Otherwise, he argued, it would be impossible to avoid soiling one's clothes.

The *Ben Ish Ḥai* (*parashat Vayetze* halakha 5) added that since our restrooms are enclosed and have a door that ensures privacy, one may certainly expose as much of the body as necessary in order to avoid soiling one's clothes. The *Aḥaronim* concurred with this.

130. The Talmud (*Nidda* 13a) teaches that a man must not urinate while standing since the urine is likely to splatter back onto his legs and people will suspect that his penis was severed and he is incapable of urinating in a stream like normal men. If this man has children, people will then suspect that someone else fathered them. The *Shulḥan Arukh* (3:13) cites this halakha.

טז. יזהר שלא יאחוז באמה וישתין, אם לא מעטרה ולמטה, מפני שמוציא שכבת זרע לבטלה, אלא אם כן הוא נשוי. ומידת חסידות ליזהר אפילו הנשוי. [ש"ע ס"ד]

יז. לא ילכו שנים ביחד לבית הכסא, אלא יכנס אחד לבדו ויסגור הדלת בעדו. ויש להזהיר בזה גם על הקטנים, אם משום שירגילו במילי דצניעותא, ואם משום שלא ירגילו במילי דפריצותא. ואפילו בקטנים שאין יודעים עשות רע, וכל שכן בגדולים קצת. [באו"ח ה"ו, כה"ח סק"ד]

יח. לא ישב במהרה ובחוזק, ולא יאנוס לדחוק עצמו יותר מדאי. [ש"ע ס"ט]. ויבדוק עצמו היטב, ולא ימהר לצאת, אלא ישהה שם עד שירגיש בעצמו שאינו צריך עוד. [כה"ח ס"ק יט בשם הח"א]

Day 40

Holding the penis

16) It is forbidden for an unmarried man to hold onto his penis while urinating, for it might stimulate him and cause him to ejaculate. A married man [who is less likely to be stimulated in this manner] is permitted to hold it while urinating, but the halakha commends men who refrain from doing this even if they are married. It is permissible, however, to hold the penis by the glans while urinating.[131]

Two people in the restroom

17) It is forbidden for two people to be together in the restroom [while one defecates]. The person who needs it should enter the restroom and shut the door behind him. Children should be trained to maintain privacy while using a restroom. This will help them to develop modest habits and it will distance them from perverse behavior. This applies even to very small children and certainly to older children.

Health tips

18) When someone needs to defecate, he should not seat himself forcefully onto the toilet, nor should he push too hard to force his stool out of his body.[132] Also, he should not get up and leave too quickly, until he has ascertained that he has no need to excrete any more.

In light of this, the *Ru'ah Hayim* Palachi instructs men to make sure to aim their urine into the hole on the floor of the restroom, thus avoiding this problem. This is equal to standing on someone above ground level, which the Talmud states is permissible. It is certainly permissible to urinate while standing into modern-day toilets, since they are engineered to avoid such mishaps. This is likewise the ruling of the *Yalkut Yosef* (page 286).

131. The source for this is the Talmud (*Nidda* 13a), cited in the *Shulhan Arukh* 3:14). Judaism forbids masturbation of any kind, even if unintended, as explained in the *Shulhan Arukh* (*E.H.* 23:4). If a man is married, however, the halakha assumes that the slight stimulation of the act of holding the penis while urinating will not rouse him sexually, and it will not result in his ejaculating. Even a married man may not ever handle his penis unnecessarily, except when he urinates (*Mishna Berura* 3:27).

The *Aharonim* debated whether this leniency for someone married applies only when the man's wife is readily available or if it applies even when she is *nidda* or when he is alone far away from home. Harav HIDA (*Birke Yosef*) cited the *Aguda* ruling stringently in these cases, and this is the conclusion of the *Kaf Hahayim* Sofer (3:22) and the *Yalkut Yosef* (page 287).

The *Shemen Hama'or* (cited in the *Kaf Hahayim* Sofer) debated whether the leniency for married men applies only when they are home together with their wives or if it applies as long as she is in the same city. He did not come to a conclusion.

The *Artzot Hahayim* (cited in the *Mishna Berura* 3:28) ruled that if a married man is standing in a place from where it is possible that he might fall, he may certainly hold his penis to urinate. In such a situation, there is no chance that he will be roused sexually.

132. The source for this halakha is the Talmud (*Shabbat* 82a), cited in the *Shulhan Arukh* (3:9). The Talmud explains that if a person pushes too hard he might cause irreversible damage to his colon and anus.