כח. נאמר בתורה: "והיה מחניך קדוש" (דברים כג, טו), לפיכך אסור אפילו להרהר בדברי תורה בבית הכסא או במקומות המטונפים שיש שם צואה ומי רגלים. [שבת קנ ע"א, ש"ע סי' פה ס"ב]. וכל שכן שאסור לדבר במקומות אלו בדברי תורה ואפילו לא בלשון לע"ז. [משנ"ב סי' פה ס"ק י] **ולכן** בהיותו בבית הכסא יחשוב שם חשבונות ביתו והוצאותיו ושאר עניני עסקיו, כדי שלא יבוא לידי הרהור בדברי תורה. ובשבת יחשוב בבנינים וציורים נאים. [משנ"ב שם ס"ק ו, כה"ח שם ס"ק ד] **אבל** אסור לעיין בבית הכסא במשקלי השמות והפעלים של לשון הקודש, שאין דרך להגיע לידיעתם על נכון רק על פי הפסוקים, ויבוא להרהר במקרא. [משנ"ב שם סק"ה, כה"ח שם סק"ח]. וגם אסור לסדר שם בהרהור כתב מליצה או שירים בלשון תלמוד, כי בודאי יבוא להרהר קצת בסוגיות התלמוד אשר מתוכן הוא מסדר מעשה הכתב. [כה"ח שם]

Speaking Torah in unclean places

28) The Torah states (*Devarim* 23:15), "וְהָיָה מַחֲנֶיךָ קָדוֹשׁ – Your camp must be kept holy." Our Sages interpreted the words "your camp" to mean any place where one prays or studies Torah. Such a place must be fit for sacred endeavors, and therefore it is forbidden to speak or even to think of Torah topics while in a restroom or anywhere where human excrement or urine is present.[146] It is forbidden to speak about Torah topics in any language in those places, and not only in Hebrew.

While in a restroom, one should occupy one's mind with thoughts about one's household affairs, expenses and other activities so that one's thoughts will not turn to Torah topics. If it is Shabbat [when the halakha frowns upon thinking about such subjects] one should think about interesting architecture or paintings.

It is forbidden to study Hebrew grammar while in a restroom since the only way to learn the rules correctly is to examine the words as they appear in Biblical verses and it is forbidden to think about verses in a restroom. It is likewise forbidden to think about the lines of a poem using expressions found in the Talmud, for this will almost definitely cause one to think about the Talmudic passages where these expressions appear.

It is permissible to think about the puniness of human beings, being that they must eat and defecate just like all other animals, and about the fact that one's body will eventually

146. The source for this halakha is the Talmud (*Berakhot* 24b) and the *Shulḥan Arukh* (85:2). As explained above in halakha 26, it is forbidden to speak at all in a restroom, either because it is immodest behavior or because it enables demons to inflict injury. The halakha forbidding speaking about Torah topics in a restroom, however, is much more serious.

The Talmud states that it is forbidden to recite the *Shema* while walking through a street containing exposed sewage. If someone was reciting the *Shema* and he entered such a street, he must stop reciting it until he has passed the location of the filth. Ribbi Mi'asha, grandson of Ribbi Yehoshua ben Levi, declared that if someone does not take the care to stop reciting the *Shema* while passing through such a street, he is the kind of person described in the verse (*Yeḥezkel* 20:25), "וְגַם אֲנִי נָתַתִּי לָהֶם חֻקִּים לֹא טוֹבִים וּמִשְׁפָּטִים לֹא יִחְיוּ בָּהֶם – Also, I gave them statutes that are not good and laws by which they cannot live." Ribbi Avhu declared that if he does take care to stop, his reward will be what the Torah states (*Devarim* 32:47), "וּבַדָּבָר הַזֶּה תַּאֲרִיכוּ יָמִים – for this thing you will live long lives."

ופשוט דמותר אדם להתבונן בבית הכסא בגודל שפלותו, ושבסופו יחזור כולו להיות עפר רימה ותולעה, ואין נאה לו הגאוה. [משנ"ב שם]

כט. רשאי לעיין בבית הכסא בעיתון דתי, שאין בו דברי תורה כלל. ואף על פי שהכתב בעתון הוא כתב אשורי וכתוב בלשון הקודש, מעיקר הדין מותר להכניסו לבית הכסא. [ילקו"י עמ' רסה, וכן הובא בשם מרן הראש"ל זצ"ל, בילקו"י עמ' רעא, ובהלכה ברורה סי' פה עמ' קמט]

ל. העוסק בתורה ונמצא באמצע בירור הלכה, אף על פי כן מותר לו להכנס לבית הכסא מתוך הלכה שאינה פסוקה. [רמ"א יו"ד סו"ס רמו, כה"ח סי' פה ס"ק ו ועוד]

לא. הרואה את חבירו שעובר על איסור כשהוא במקום מטונף, או בבית הפנימי של המרחץ (הנחשב למקום מטונף), רשאי להפרישו מהאיסור אף שאומר לו ההלכה בלשון הקודש.

rot away and be consumed by worms until it becomes part of the soil. These thoughts will help to drive away feelings of haughtiness.[147]

Newspapers in a restroom

29) While in a restroom, it is permissible to read a newspaper published by Orthodox Jews, if the paper contains no Torah content. It is permissible to bring such a publication into a restroom even if it is a Hebrew-language paper.

When involved in Torah study

30) It is permissible for a person who is in the midst of researching a complicated halakhic matter to go into a restroom even though he has not yet resolved the halakha upon which he needs to rule.

Reproaching in unclean places

31) If someone sees another person doing something that is forbidden according to the halakha, he may tell him that it is forbidden and that he must desist, even though they are in a filthy place or in the inner chamber of a public bathhouse [which has the same status]. Even if he speaks in Hebrew it is permitted.[148] If the person

147. In the *Maggid Mesharim* (*parashat Beshalah* page 55b), the angel instructed Maran Harav Yosef Karo, "You must direct all your thoughts toward developing your love and fear for Me at all times. Even when you are in a place where filth is present you should think about your own lowliness." The *Nefesh Hahayim* (4:27 in parenthetical passage) likewise ruled that it is permissible to think about developing and building proper character traits even in places where Torah study is forbidden.

The six constant mitzvot

The *Levushe Mordekhai* Winkler (*Tinyana Y.D.* #171) ruled that it is forbidden to think about any of the six "constant mitzvot" while in a restroom or wherever there is filth. The *Hokhmat Shelomo* Kluger (*Siman* 85) ruled that it is permissible to think about God's existence in these places, and Harav Hayim Kanyevsky (cited in *Da'at Nota* #44) concurred with this as long as the person does not think about any verses or Talmudic passages. The responsa *Tzitz Eliezer* (Vol. XIII, #1), however, concurred with the *Levushe Mordekhai*. He explained that one must remain aware that God exists wherever one is located, but one must not contemplate this consciously in places of filth.

148. The *Mishna Berura* (85:14) cited a debate among the *Poskim* how this is to be done. According to the *Haye Adam*, it is forbidden to use the expression, "It is forbidden to do that," since that is the language of teaching a halakha and it is an act of Torah study. Instead, one should use the expression, "Don't do that," or, "Stop doing that." For example, if he notices someone cutting his hair during the afternoon of 14 Nisan (the day before Pesah), he should

ואם אין דבריו נשמעין בקיצור, יוכל להעריך לפניהם גודל האיסור בכל חלקיו כדי להפרישן. [משנ"ב סי' פה ס"ק יד]

לב. אם נכנס בליבו הרהור עבירה באשה, מותר להרהר בבית הכסא בדברי תורה כדי להנצל מאיסור הרהור אשה וכדומה. משום שזה כמו להפרישו מאיסורים, שהתורה מצלת מהרהורים רעים. [משנ"ב שם ס"ק יג, כה"ח שם ס"ק טז]

לג. יש ליזהר שכאשר בונים בית חדש, ובונים בית כסא, יש לבנותו רחוק מהחדר שבו יושבים ועוסקים בתורה, שלא יגיע להם ריח רע וכו', וגם כדי שלא ישמע דברי תורה בעת שהותו בבית הכסא. וכל

refuses to listen, it is permissible to explain to him at length why it is forbidden and why we must be strict in observing that halakha, until he agrees to correct his behavior.

Torah to dispel sinful thoughts

32) If a man in a restroom is plagued by sinful sexual thoughts, he may begin to think of Torah topics to dispel those sinful thoughts from his mind. This is based on the same principle as the previous halakha permitting one to tell someone a halakha to stop him from sinning. Thinking about Torah is the antidote for sinful thoughts.

Keep restroom distant from Torah study

33) When constructing a house or other building, care should be taken to plan it so that the restroom is not adjacent to a room where people will be studying Torah. For one thing, if the odors of the restroom reach that room, it will force the people there to interrupt their Torah studies. Furthermore, it is important that anyone in the restroom should not be able to hear the Torah conversations from the other room.[149] This is especially important when constructing a synagogue or yeshivah building.

say, "We don't have haircuts now." Although the person will understand that he is being told a halakha, this expression is not the language one uses when teaching the halakha to a class.

Other *Poskim* (*Kesef Mishne* on *Hilkhot Keriyat Shema* 3:5 and the *Magen Avraham* 85:5) permitted telling him the halakha in any manner, and in practice we may follow this opinion. In fact, the *Mishna Berura* (*Bi'ur Halakha*) cited Rabbenu Nissim ruling according to the lenient opinion.

149. This halakha is found in the *Kaf Hahayim* Palachi (8:25). Based on this, it is self-understood that when planning the construction of a synagogue, the restrooms must be positioned distant from the sanctuary so that people will not hear the prayers while they are in the restroom. Likewise, when people are standing in the building's hallway discussing a Torah topic, they should make sure that they are not near the restroom where people inside can hear them.

The responsa *She'elat Ya'abetz* (Vol. II, #54) discussed whether or not it is permissible for the sanctuary of a synagogue to share a wall with a restroom. The *Yalkut Yosef* (footnote on page 267) notes that his father, Maran the Rishon Letziyon, was asked such a question by the leaders of the Sha'ar Hashamayim synagogue in Cairo in Adar, 5741. They wished to move the restroom to be adjacent to the sanctuary, sharing a wall. Maran the Rishon Letziyon told them that this is forbidden, but they could do it by building a second wall parallel to the synagogue wall, leaving only a centimeter or less between them. He warned them that, in any case, they must make sure that the odors of the restroom will not be noticed in the sanctuary.

Using a restroom adjacent to a synagogue

If someone finds that a synagogue and restroom share a wall [and therefore people in the restroom can hear the prayers being recited in the sanctuary], it is nevertheless permissible to use the restroom since he can do nothing

שכן כשבונים בית כנסת או בית מדרש שיש להרחיק את מבנה בית הכסא מבית הכנסת, כדי שהשוהים בבית הכסא לא ישמעו דברים שבקדושה ויבואו להרהר בהם בבית הכסא.

ואמנם אם אירע דבר זה, מותר להכנס לבית הכסא לעשות צרכיו, דהוי בגדר אונס, אך יסיח דעתו מהדברים שבקדושה, כגון על ידי שיחשוב שם בחשבונות וכדומה [ילקו"י עמ' רסו]. או על ידי שיניח שתי אצבעות ידיו בשתי אזניו כדי שלא ישמע ויהרהר. [הרב קול ששון בס' מזמור לאסף ט ע"ב]

ויש להקפיד תמיד שלא יהיה ריח רע נודף לבית הכנסת, וכל שכן בשעה שמתפללין. [ילקו"י שם]

לד. היה יושב בבית הכסא ושמע קול רעם או ראה ברק, אם יכול לצאת ולברך כדי דבור יצא ויברך, ואם לאו לא יצא. (ש"ע סי' רכז ס"ג). והיינו היכא שלא עשה צרכיו ולא נגע בידיו במקומות המכוסים [משנ"ב ס"ק יא ואחרו"]. והוא הדין אם היה הולך במבואות המטונפות, ויכול לזרז עצמו לצאת משם תיכף ולברך תוך כדי דיבור יעשה כן, ואם לאו לא יברך. [משנ"ב שם ס"ק ט ואחרו"]

If someone needs to go to a public restroom and realizes that he can hear Torah conversations clearly from inside, he may nevertheless remain in the restroom and take care of his needs. It is not his fault that these sounds come to his ears. He should attempt not to pay attention to the conversations, however, by concentrating on his household affairs or other secular subjects. Alternatively, he can try plugging his ears with his fingers so that he will not hear those conversations.

The officers in charge of a synagogue are responsible to see to it that bad odors do not reach the inside of the sanctuary, especially not while the congregation is praying.

Day 44

Thunder or lightning

34) If someone was in a restroom, but he had not relieved himself or touched any body parts that require hand-washing, and he heard a thunderclap or he saw a lightning bolt, he may exit the restroom and recite the appropriate blessing if he can do so within a second of the thunder or lightning. Likewise, if someone was walking along a street polluted with sewage when this happened and he would be able to leave the polluted area within a second of the thunder or lightning, he should do so and recite the blessing. If more than a second passes by the time he arrives in a clean place, he must not recite the blessing.

If someone's hands are soiled or if he had touched parts of his body that are normally clothed, he must cleanse his hands before he may recite any blessing. If he can quickly

about it. If he knows about this in advance, he should try to avoid using that restroom if possible. Although the halakha is that one is not responsible for things that he cannot avoid, as Maran ruled in the *Bet Yosef* (*Siman* 85), a person is expected to take steps to prevent these unavoidable situations. See the *Birke Yosef* (85:6), the *Mishna Berura* (85:8), the *Kaf Hahayim* Sofer (85:5) and the *Ma'or Yisrael* (comment on *Ta'anit* 20b).

Although Harav Hayim Palachi ruled that it is forbidden to construct a restroom adjacent to a synagogue so that people will not be forced to hear the prayers while they are using the restroom, he would agree that if someone finds a synagogue built in that way he may use its restroom if he has no other restroom available in the vicinity. In his responsa *Lev Hayim* (Vol. III, #6), he ruled clearly that even if someone knows that he will hear the Torah reading while in the restroom he may enter it if he needs to use it. It is not his fault that he hears the Torah reading.