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.

היו ידיו מטונפות או שנגע במקומות המכוסים שבגופו, אם יכול ליטול ידיו במים או בשאר מידי דמנקי סמוך לשמיעתו בזריזות באופן שלא יתארך הזמן יותר מכדי דבור, יעשה כן, ויברך על הברק או הרעם, ובלאו הכי, אינו רשאי לברך. [ראה משנ"ב ס"ק יא ואחרו"]. ונתבאר בילקוט יוסף אנגלית סימן רכ"ז הלכה ט"ו ובהערה שם.

לה. לכתחילה צריך לקיים המצות במקום טהור ונקי (כמ"ש בזוה"ק פ' תרומה), אולם מי שהוצרך לקיים מצוה במקום מטונף, כגון להפריש תרומות ומעשרות בלא ברכה, או ליטול לולב בלא ברכה, אם הוא מקום אונס גמור ושעת הדחק שאי אפשר לנקות המקום, כגון שהוא חבוש בבית האסורים וכדומה, יכול לקיים המצוה במקום זה בלי ברכה. וכל שכן שרשאי לעשות שם צדקה וגמילות חסד, שהן מצות שבין אדם לחבירו, ואינן צריכות מחשבה מיוחדת לשם מצוה. [יבי"א ח"ו חיו"ד סי' כט]

וכן מותר במקום הצורך להרהר בצרכי מצוה, כגון בעניני צדקה, כשנמצא בתוך החדר הפנימי של בית המרחץ, אף על פי שאסור להרהר שם בדברי תורה. [הליכו"ע שם]

rinse them in water or rub them on some other cleansing surface and recite the blessing within one second of the thunder or lightning, he should do so. Otherwise, he may not recite any blessing at all. See more about this in the *Yalkut Yosef Berakhot* (*Siman* 227:15) and the footnote there.

Performing mitzvot

35) Ideally, one should make sure to be in a clean place [where it is permissible to recite prayers and Torah verses] whenever performing a mitzvah. When one has no other choice, however, it is possible to fulfill a mitzvah even in a place polluted with sewage. For example, if someone is locked in a prison cell and he is forced to relieve himself in the cell, he may perform the mitzvah of *lulav* and *etrog*, or that of separating *teruma* and *ma'asarot* from the produce he eats. He may not recite any blessings, however.

In such a situation, the prisoner may certainly perform the mitzvah of giving charity or doing favors for others, since those mitzvot can be fulfilled without thinking about spiritual matters.[150] In fact, one may always make plans for performing the mitzvah of giving charity even in places where one may not think about Torah topics, such as in the inner chamber of a public bathhouse.[151]

150. Maran the Rishon Letziyon came to this conclusion after a lengthy discussion in responsa *Yabia Omer* (Vol. VI, *Y.D.* #29). He cited proof for his ruling from the Talmud Yerushalmi (*Demai* 1:4) that permits one to separate the *ma'asarot* from *demai* produce even while in a public bathhouse since no blessing is required for that mitzvah. Therefore, it is permissible to perform any mitzvah even in a place polluted with sewage if one lacks the opportunity to perform it elsewhere, but it is forbidden to recite the blessing in such a place. He added that it is certainly permissible to give charity in unclean places, because that mitzvah may be performed without thinking of any spiritual or halakhic matters. The essence of giving charity is to assist the poor person, and the recipient of the charity does not care what the giver is thinking as he gives the charity. See the *Yalkut Yosef Yom Tov English Edition* (footnote on page 60) and *Yalkut Yosef Sukkot English Edition* (page 283).

151. The *Ben Ish Hai* (*parashat Vayetze* halakha 16) ruled that it is forbidden to make plans for performing a mitzvah while in the inner chamber of a public bathhouse.

לו. יש ליזהר מאד בקדושת הספרים, ומי שאינו נזהר בקדושתם, כגון שנותן גרף של רעי לצורך הילדים הקטנים באותו חדר שהספרים שם, וריח רע מגיע בכל החדר שהספרים שם, עליו נאמר שגופו נעשה מחולל על הבריות, ועליו נאמר כי דבר ה' בזה. [עי' ביאור הלכה סו"ס פג, ענף עץ אבות עמ' רס] **ונהגו** לכסות הקטנים שלא יהיו ערומים לאור הנר של שבת קדש משום ביזוי מצוה. ואפילו ברחוק קצת אסור משום בזוי מצוה, אחר שהאור הוא של מצוה. [ראה רמ"א סו"ס רעה, ילקו"י עמ' רפא]

לז. לכתחלה אין להכנס לבית הכסא כאשר יש בכיס בגדו ספר קודש קטן, ולכן קודם שיכנס לבית הכסא יניח את הספר מחוץ לבית הכסא ויכנס לשם. אולם אם הוא נמצא במקום של גוים ואי

Respecting Torah books

36) One must take great care to respect the sanctity of one's Torah books. If someone does not treat them with respect, he will end up being disgraced by others as a punishment for his disgracing the Torah, as the Torah states (*Bemidbar* 15:31), "כִּי דְבַר ה' בָּזָה – he has disgraced the Word of God." Therefore, one must never keep a child's potty in a room containing Torah books, allowing the odor to permeate the area where the books are shelved.[152]

Respecting Shabbat lights

The custom is to avoid exposing the nakedness of little children where the Shabbat lights have been kindled. Anyone who fails to be careful about this might be guilty of disgracing the mitzvah. Even if the child is some distance from the Shabbat lights, it must be avoided if their light shines on the child's nakedness.

Carrying Torah books in pockets

37) It is best to refrain from entering a restroom while a Torah booklet is in one's pocket. Instead, one should place the booklet down outside the restroom and then enter it. If one is in a non-Jewish establishment and it is not possible

---

Specifically, he ruled that one must not makes plans about giving charity, preparing for Shabbat, planning one's sukkah, *lulav*, matzo or other such mitzvot.

Maran the Rishon Letziyon (*Halikhot Olam* Vol. I, page 44) challenged this ruling, citing the passage of the Talmud Yerushalmi, as mentioned in the previous footnote. In light of this, even while in the bathhouse it is permissible to decide to whom one wishes to give charity and how much to give.

Furthermore, Harav Avraham Danzig (*Haye Adam-Nishmat Adam* 3:2) deduced from Rabbenu Yona (*Sha'are Teshuva*) that although it is forbidden by the Torah to speak about Torah topics while in a place polluted by sewage, the Torah does not forbid thinking about Torah topics in such places. That is forbidden by our Sages only. If so, it can be permitted when absolutely necessary.

In the *Yalkut Yosef Sukkot English Edition* (footnote on page 51), it is explained that it is permissible to think in a bathhouse about one's practical plans to construct a sukkah, but it is forbidden to review the various halakhic opinions about the construction of a sukkah.

152. In the *Mishna Berura* (*Bi'ur Halakha Siman* 83), the author related that he was peeved to find a family who kept a bedpan under a bench in a closet used as a restroom, while the stench of the bedpan's contents permeated the entire room outside that closet, despite the fact that their Torah books were stored in that same room. That homeowner received his due punishment, for his son left the ways of the Torah and mitzvot, and the homeowner's reputation was disgraced as a result. This is what our Sages taught (*Avot* 4:6), "Whoever disgraces the Torah will be disgraced among people."

Maran the Rishon Letziyon (*Anaf Etz Avot*, page 260) wrote likewise that this Mishnah applies to someone who fails to give Torah books the respect they deserve. This includes someone who has marital relations in a room containing Torah books without covering them properly or someone who places a child's soiled potty in that room.

אפשר לו להניח את הספר מחוץ לבית הכסא, וכל כיוצא בזה, מותר לו להכנס לבית הכסא כשהספר מונח בכיס בגדו. ואם יכול יעטוף הספר בשקית ניילון.

ומכל מקום מותר להכנס לבית הכסא עם תמונה של רב, שאין בתמונות אלו שום קדושה, אף שאין לנהוג בהם מנהג בזיון. [ילקו"י עמ' רסט]

עוד מהלכות בית הכסא

לח. יש להחמיר לכתחלה שלא להכניס אוכלים ומשקים לבית הכסא אפילו הם צרורים וחתומים בקופסא סגורה, ולכן אין להצניע ולאחסן קופסאות מאכל סגורים בחדר השירותים. אבל בדיעבד יש להתירם אפילו אין בהם הפסד מרובה. ואם יש לו בכיס בגדו אוכלים, ורוצה להכנס לבית הכסא, אם אין לו מקום להניחם, מותר להכנס בהם לבית הכסא אף לכתחילה.

ואוכלים שאינם מחופים שהכניסום לבית הכסא, אם אפשר לרוחצם ג' פעמים כגון פירות וכיוצא בהם, ירחצם ג' פעמים, ואם אי אפשר לרחצם, מותרים בדיעבד. והמחמיר שלא לאוכלם תבא עליו **ברכה**. [יביע"א ח"ד סי' ה, בתוכן הענינים]

to leave the booklet unattended, however, one may take it into the restroom while it is hidden within one's pocket. If possible, one should first wrap the booklet in a plastic bag.

It is permissible to enter a restroom while carrying a portrait of a Torah scholar. Such portraits have no sanctity. Nevertheless, one must never treat them disrespectfully.

Rules Pertaining to Restrooms

Food in a restroom

38) One should avoid bringing any food or beverages into a restroom, even if they are in a sealed container. The restroom may not be used as a storage room for canned goods. If food was taken into a restroom, however, it may still be eaten even if it would be no great loss to throw it out. If someone has food in his pocket and he has nowhere to put it when he goes to the restroom, he may enter the restroom even though the food is in his pocket.

If unwrapped fruit was taken into a restroom, it should afterward be rinsed three times before anyone eats it. If the food item is one that cannot be rinsed in water, it may be eaten as is. Anyone who refrains from eating food that had been taken into a restroom, however, will receive a special blessing from Heaven.[153]

153. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. III, #1:10) cited the *Shalme Tzibbur* ruling that the harmful forces that reside in a restroom infects a person's hands but it does not infect the water taken into the restroom. Harav Hayim Palachi and Harav Yosef Hayim, however, maintained that the harmful forces do infect that water or any food taken into the restroom, rendering them forbidden. This was explained in the *Yalkut Yosef Berakhot English Edition* (*Siman* 160:32).

In responsa *Yabia Omer* (Vol. IV, #5), Maran the Rishon Letziyon ruled that if the food is wrapped, it may be eaten after it is removed from the restroom. If it is not wrapped, it should be rinsed three times to remove the harmful forces from it. If this is not possible, we may rely on the opinion of the *Shalme Tzibbur* who ruled that the harmful forces do not infect foods taken into a restroom. Besides, some *Aharonim* ruled that in modern times no harmful spiritual forces exist. In any case, if the adults