The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ג' סעיף י"ג-י"ז

Overview

Siman 3 Seif 13:

One should not urinate while standing unless he is on an elevated place or into loose earth (plowed earth).

- In the event that urine drips on one's feet it is a mitzvah to wipe it off. (M.B. 24)

Siman 3 Seif 14:

One must exercise caution how one hold's himself when urinating. The restrictions are more lenient for one who is married but it is pious for a married person to avoid touching himself.

- One whose wife is a niddah or a man who is travelling has the same halachic status as one who is unmarried. (M.B. 27)

Siman 3 Seif 15:

An unmarried person may support the ביצים.

Siman 3 Seif 16:

A married person may only hold himself to urinate but may not rub it.

Siman 3 Seif 17:

One who delays relieving himself violates the prohibition of בל תשקצו.

- One who restrains himself from urinating violates בל תשקצו and לא יהיה עקר (M.B. 31).
- The prohibition of בל תשקצו is put aside in consideration of human dignity, e.g. finding an appropriate place for one to relieve himself. (M.B. 31)

Halacha Highlights

The prohibition of בל תשקצו

Shulchan Aruch Siman 3 Seif 17
המשהה נקביו עובר משום בל תשקצו
One who delays relieving himself violates the prohibition of בל תשקצו

Sha'arei Teshuvah (סי"ק ט"ז) cites a disagreement amongst the Poskim whether the prohibition of בל תשקצו is a Biblical prohibition or a Rabbinic injunction. The important difference between these two positions is whether the prohibition is pushed aside out of consideration of human dignity (כבוד הבריות). A Rabbinic injunction is pushed aside for human dignity but a Biblical prohibition can not be pushed aside in favor of human dignity. Mishnah Berurah (סי"ק ל"א) writes explicitly that the prohibition is pushed aside for human dignity. For this reason Mishnah Berurah writes (סימן צ"ב סק"ז) that someone who is teaching Torah publicly or is delivering a drosha may delay relieving himself out of consideration of human dignity. Similarly, one who was called for an aliyah or a ba'al koreh may delay relieving himself (ע' פסקי תשובות סי' צ"ב אות ו').

Poskim discuss the degree of urgency that violates the prohibition of בל תשקצו. Mishnah Berurah (סימן צ"ב סק"י) indicates that one does not violate the prohibition of בל תשקצו if he does not sense an urgency to relieve himself but just has a general awareness that (התעוררות בעלמא) he will have to relieve himself. Eshel Avrohom (בוטשאטש סי' ג') writes that if a person is able to completely push aside the urge to relieve himself, he does not violate the prohibition. It is only when the urge is so strong that a person cannot distract himself from the urge to relieve himself that the prohibition is violated. Similarly, Shulchan Aruch HaRav (מהדו"ת סי' ג' סע' י"א) writes that the prohibition is violated when one must exert effort to prevent his body from relieving itself. If, however, one is aware that he needs to relieve himself but does not have to exert any effort to restrain himself the prohibition is not violated.

Stories to Share

To Merit Pure Thoughts

ש"ע סי' ג',י"ז: "המשהה נקביו עובר משום בל תשקצו..."

The Botchatcher Rav, zt"l, was wont to say, "The decree of Chazal regarding בל תשקצו was made in accordance with what is normal. Since it is not the norm to interrupt an important conversation or one's involvement in a particular matter merely because he has the urge to use the bathroom, failing to rush to the bathroom when one is otherwise occupied does not violate this prohibition. And the same is true if one has an urge after he goes to sleep. He is not required to rush out of bed to use the bathroom."

However, when Rav Pinchas of Koretz, zt"l, was asked about the prohibition against ignoring a natural urge to go the bathroom, he explained that it is very important not to violate this prohibition. "Many people do not realize that it is hard to tell if they have a need or not. The only solution is that whenever one has even the slightest need he should go to the bathroom as soon as this is feasible. The Baal Haturim even writes that one should try to go to the bathroom before going to sleep to ensure that he does not violate this prohibition."

The Ben Ish Chai, zt"l, would take people who were not careful to task for failing pay attention to the urge to use the bathroom. "Even if one is in the middle of learning or busy with other matters, he should not put off going to the bathroom even until he finishes the inyan he is learning or the like. Instead, he should go immediately. The Chessed L'Alafim, zt"l, writes that one who goes whenever he has the need will merit pure thoughts. Being careful in this regard helps one's physical health as well."

The Kaf Hachaim, zt"l, agrees, and adds, "One should be careful to stop even while learning or the like, since going to the bathroom makes a person into a beriyah chadashah!"