The Chicago Center
Digest
Mishna Berura
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סימן מ"ג סעיף ה'-ט'

Halacha Highlight

Bringing *sefarim* into a bathroom

Mishnah Berurah Siman 43 Seif Koton 25

ושאר ספרים וכתבים שיש בהן שמות אם הם בכיס שרי להכניסן

Regarding other *sefarim* and writings that include the name of Hashem it is permitted to bring them into a bathroom if they are contained in a utensil

Mishnah Berurah (ס"ק כ"ה) writes in the name of Magen Avrohom that *sefarim* and writings that include the name of Hashem may be brought into a bathroom if they are in a container. He then references Elya Rabba who maintains that two utensils are required similar to the requirement for bringing *tefillin* into a bathroom. Sha'ar HaTzion (ס"ק י"ז) notes that Shulchan Aruch HaRav maintains a stringent position and rules that one may not bring a *sefer* into a bathroom that is in one's home with a single covering. Sefer Chaye Moshe notes that Elya Rabba only mentions writings that contain Hashem's name and does not reference *sefarim*. This indicates that his requirement for two utensils is limited to writings that contain the name of Hashem but a *sefer* that contains Torah thoughts but does not have Hashem's name is not included in this stringency.

Teshuvas Tzitz Eliezer (חי"א סי' ה') rules that one may enter a bathroom with Torah writings that do not include the name of Hashem and two utensils are not required. Sefer Halichos Shlomo (פ"ב סע' כ"א והע' ל"ג) writes that words of Torah that do not include the name of Hashem that are in a bag in one's pocket may be brought into a bathroom. The reason is that the prohibition applies only when they are exposed but if they are covered and in one's garment it is permitted. Furthermore, this ruling may even apply if the writings include the name of Hashem but they certainly apply to Torah writings that do not include Hashem's name. Additionally, he writes that there is no issue with carrying money that has printed the name of G-d into a bathroom. According to Shach one is even allowed to erase the name of Hashem when written in a foreign language. Although most Poskim disagree with his position about this matter all would agree that bringing the name of Hashem written in a foreign language is permitted since this matter is considered more lenient than erasing Hashem's name.

Stories to Share

Clean Vessels

ש"ע ס' מ"ג, ט': "מתר לרופא לקח עביט של מי רגלים..."

We find on today's amud a story of a doctor who wished to carry a urine sample in his hands while wearing tefillin.

A certain religious nurse handled urine samples fairly regularly, taking them in his hands without a thought. By the time he got to them, they were always sealed and very clean on the outside. Human nature is such that we can get accustomed to virtually anything if we do it all the time. This nurse was quite used to this and took them with hardly a thought.

During his work break he would often have coffee like many of his colleagues. One day, he realized that he may be halachically required to wash his hands because he had handled some samples, even though they were sealed and clean on the outside. After all, he never said divrei kedushah near such samples. So perhaps he was obligated to wash his hands, even though the vessels are completely clean? He had no way to determine the halachah on his own, so he decided to ask.

When this question reached the Kaf Hachaim he ruled that netilas yadayim was not necessary. "Unless the vessel is dirty on the outside, no netilas yadayim is required no matter what is inside it. Regarding metal or glass vials this is obvious. Even regarding clay and the like which are porous and one is prohibited from saying holy words in front of them, even if these they are clean on the outside and sealed, one need not wash his hands."

כף החיים, ס' ד', ס"ק פ"ח

Overview

Siman 43 Seif 5:

If one will enter a permanent bathroom to relieve himself he must remove his *tefillin* at a distance of four amos. Some maintain that one must remove his *tefillin* even if he will not relieve himself in the bathroom and one should be stringent about this matter. **The *tefillin* should be wrapped in its *retzuos* and held in one's right hand in a garment near his heart. He should be cautious not to allow a *tefach* of the *retzuah* out from his hand. Upon exiting the bathroom he should walk four *amos* away before putting his *tefillin* back on.**

- One must remove his *tefillin* four *amos* away even from a temporary bathroom if he will defecate. Additionally, one must remove his *tefillin* four *amos* away from a permanent bathroom even if he will merely urinate. (M.B. 18)
- There is a disagreement whether it is prohibited to enter the bathroom while wearing *tefillin* if one does not intend to relieve himself. (M.B. 19)
- There is a disagreement about the permissibility of walking through a dirty street while wearing *tefillin*. Radvaz maintains that one should make sure that his *tefillin* are covered and if they can not be properly covered they should be donned in the courtyard of the *Bais HaKnesses*. (M.B. 20)

Siman 43 Seif 6:

If one was wearing *tefillin* and felt the urge to go to the bathroom at night or if it was close enough to night that he would not put them on again after he exits, he should not enter with his *tefillin* wrapped in a garment, even to urinate if the bathroom is permanent. Rather, he should remove them and place them into a utensil if it contains the capacity of a *tefach* or another utensil that is not designed for *tefillin* even if it is not a *tefach* and then hold that utensil in his hand as he enters the bathroom.

- The allowance in the previous *seif* applies only when there will be time left in the day for one to put on his *tefillin* again, otherwise they should be put into a utensil. (M.B. 21)

Siman 43 Seif 7:

These *halachos* are true for a bathroom in the field but in regards to a bathroom in one's home one should not enter with his *tefillin* at all since they could be left in a safe location.

- Shulchan Aruch's wording implies that one should not bring his *tefillin* into a bathroom in his home even in a utensil. (M.B. 24)
- There is a disagreement whether sefarim that enter a bathroom require two utensils or one is sufficient. (M.B. 25)

Siman 43 Seif 8:

If one realized that he is wearing his *tefillin* while relieving himself, he should place his hand on his *tefillin* until he completes the first discharge. He should then exit, remove his tefillin and then reenter the bathroom

Siman 43 Seif 9:

A doctor is permitted to take a bucket with urine in his hands while wearing his *shel rosh* but a *ba'al nefesh* will be stringent about this matter.

- This *halacha* applies even to one who is not a doctor. (M.B. 27)