

Batei kisa'os parsiyos, Persian privies, were constructed to remove all waste through a drain immediately. They also have a more lax ruling.

Bais hamerchatz, is a public bath house. Due to its heavy use there is a lot of body grime in the water. Even when nobody present is unclothed, the room is considered unclean. The changing rooms are less stringent when nobody unclad is present. A *mikvah*, ritual immersion pool, is only used when the body grime has been removed. It is considered a clean area when no-one present is unclothed. However, by association, one would avoid saying holy things there if possible. The room in which a married couple sleep is also treated as a possible unclean area. The Talmud discusses cattle barns, powder rooms where women make up (the poskim add laundry sheds) in relation to attaching a *mezuzah* there. These uses are called *tashmish genai*, disrespectful usage. Soiled food utensils must be removed from a *sukah* after use. They degrade the *sukah*, a *mitzvah* place. Bowls and sinks where they are washed indeed get very grimy. This might be somewhat comparable to a laundry room or an *ashpah*, garbage heap. If a foul odor permeates it, it would seem disrespectful to wash *kailim* with *pessukim* there.

Modern day rest rooms are discussed by the poskim. If a bath or shower are also present, the room is likely to have some grime. The modern drainage makes it like *batei kisa'os parsiyos*. In general, while there are reasons to rule leniently on these rooms, the poskim avoid relying on these extensively. However, in our discussion, we may apply this to a modern-day sink or dishwasher. While there is a build-up of grime, and while soaking and washing takes place there is plenty of dirt, one could wash such *kailim* there separately. [See Brochos 23b-26a Shabbos 40b 61b-62a Yuma 11a Sukah 29a Sanhedrin 21b, Poskim. Tur Sh Ar YD 282:4 286:1-2 OC 43:1-2 74 639:1, commentaries. Chovas Hadar 2:9-12, notes. References to Halochoscope II:44:C, VIII:39:B.]

In conclusion, such *kailim* may be purchased according to prevailing practice. They should be washed separately and treated with appropriate reverence.

On the Parsha ... Moshe took the *mateh* from before Hashem, as he was commanded to .. Moshe raised his hand and struck the rock with his staff twice .. [20:9 11] Moshe was punished for not speaking to the rock. Yet, it appears that his hitting the rock twice with his *mateh* was also given as a reason for his being barred from leading the people into *Eretz Yisroel*. Furthermore, it seems that the issue was specifically the misuse of this particular *mateh*. Perhaps we may suggest part of the reason for this. This was no ordinary *mateh*. Apart from having been created specially for use when performing the miracles, it had holy inscriptions. By using it for purposes other than those he was instructed to, Moshe was showing irreverence for the actual *mateh*. This *mateh* also symbolized his role as the leader, and he misused it. Therefore, Hashem punished him by taking away part of that leadership role.

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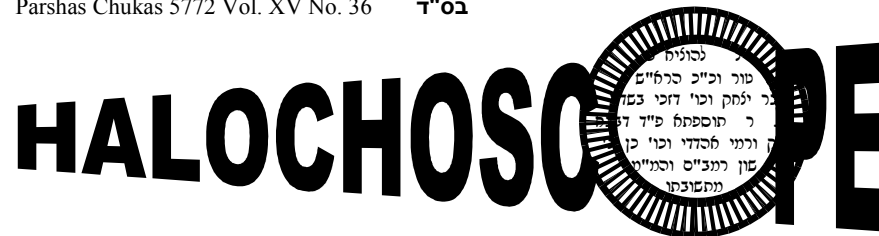
whose *yahrzeit* was on the 4th of Tamuz. ⚡

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This week's question:

Should one avoid buying food utensils that are engraved with *passuk* fragments or *brochos*? Should they be treated with special care, such as when washing them?

The issues [based largely on Halochoscope X:22]:

A) The *mitzvos* to protect the sanctity of sacred utterances and items

B) Sanctity of *kailim*, utensils

C) The status of a place of mundane physical activity

A) The sanctity of sacred items

Items invested with holiness must be treated with reverence. They may not be disposed of in the usual manner, but are stored or buried when they wear out. The *mitzvos* that apply to this include: *Umikdashi tira'u*, to show awe for the sanctuary; *Lo sechalelu*, not to desecrate Hashem and His Name; *Lo sa'asun kain*, not to profane items dedicated to Hashem as would be done to idols. Such items might be *tashmishei kedusha*, utensils that serve or service holiness, or *kedusha atzma*, actual holy items. Even items that are twice removed from the source of the sanctity, but are used in its connection, have some sanctity. These are called *tashmish detashmish*.

Tashmishei mitzvah, items used in the performance of a *mitzvah*, specifically, those required for the actual *mitzvah*, are governed by a different *mitzvah*. We learn from the *mitzvah* to cover the blood of slaughtered undomesticated animals or fowl, that one may not behave disrespectfully towards a *mitzvah*. While a *tashmish mitzvah* is in use for the *mitzvah*, or anytime that it is still viable, it may not be used for mundane purposes. When it is no longer viable, it is disposed of in a respectful way. If it is put into the garbage, it should be wrapped and placed there gently, so it is not soiled by the other items there.

In connection with rest rooms and the like, more *mitzvos* come into play. The Torah says that when Hashem is within our camps, our camps shall be holy, and He shall not see within us a nakedness. These are a *mitzvah* to keep unholiness from the presence of holiness, including writings and mouthing words of Torah and *tefilos*, and a *mitzvah* forbidding bringing something holy into a place reserved for the unclean. In a place where it is impossible to contain unclean items, one may not recite a *tefilah*. If a holy item must be taken in there it must be kept covered. If a dirty item is brought into a clean place, covering it would be sufficient to allow holiness to remain.

There are levels of uncleanness, such as where a foul smell is or is not present. There are also levels of holiness, such as thinking, saying, uttering Names of Hashem, or bringing in items that are on one of the levels of sanctity discussed in the next section. Depending on the level, concealment can vary. In general, there are two levels of covering up. One could put it into one pouch, or a double pouch. One of the pouches must be a

neutral pouch not designated for the item. Alternatively, one could create a miniature separate domain for the item. This involves either erecting a partition or placing a covering with the dimensions of an *ohel*, tent that qualifies to prevent spread of *tum'ah* defilement. This is a canopy of at least a cubic *tefach* (about four inches in each dimension). [See Brochos Perek 3, Poskim. References to Halochoscope III:1:A.]

B) Sanctity of kailim

Items attain holiness as they are made with intent, or when dedicated for exclusive use in connection with holiness. A *sefer Torah* is written with intent to endow it with special holiness. Its materials are also prepared in this way. The manner of its writing, lettering, content and preparation with special intent are all invested with sanctity. Printed *sefarim* also have the holiness of their lettering and content. Ordinary items designated for use in servicing the holy items attain their sanctity when they are first used. It is possible to stipulate that they do not become dedicated for this use. Then they remain mundane while the holy item is not being serviced by them. Items used for a *mitzvah* attain their sanctity only while they are being used in the service of the *mitzvah*. Nonetheless, they should be treated with some respect afterwards.

Holy quotes in a secular publication are not usually cited for learning purposes. The poskim discuss newspapers, currency and personal correspondence. Newspapers sometimes contain Torah lessons, or words representing holy Names. Currency, especially in Israel, sometimes contains an excerpt of a verse, a Name of Hashem, or even a picture of a selection of *Rambam*. Personal correspondence and invitations often includes a verse written in wit. Some of the sanctity is intended, but is not done for its learning value. There is an issue with respectful treatment and disposal of these items. This raises the question whether one may write correspondence this way. If something will eventually be left in a disrespectful state, one should take care not to write a Holy Name of Hashem in it. The Talmud condemns those who write *brochos* or *tefilos* (they were always memorized, rather than read from a *siddur*), or amulets. Should a fire break out on *shabbos*, these would have to be left to burn. Items that are used to study from may be rescued and removed to another domain. The Talmud discusses a holiday to celebrate the day that people stopped writing Hashem's Name in secular documents, such as bills of loan. When disposed of, the Name of Hashem had been desecrated. The celebration highlights the need to avoid this. It is forbidden to write the Names of Hashem for no reason. One may not write or even engrave them (see below) on mundane items.

It is even forbidden to embroider verses or the *brocha* on prayer shawls. These are indeed used in the performance of a *mitzvah*. Nonetheless, it is considered disrespectful to 'use' a *passuk* or *brocha* in this manner. It is like taking the matter lightly. This pertains directly to our question. The ending of a *brocha* does not contain Names of Hashem. However, sometimes, it contains a *passuk* fragment, albeit slightly altered. The words *motzie lechem min ha'aretz* are part of a *passuk*, as are the words *lehavdil bain hakodesh uvain hachol*. Even the words *Shabbos kodesh* come from a *passuk*.

There are some precedents to allow leniency. The Talmud forbids writing fragments of the Torah and *sidurim*. However, *sidurim* are printed nowadays, and it became common to write *pesukim* in wall decorations and gravestones. Many poskim maintain that in

modern times the Rabbis have a certain amount of flexibility based on a concept called *ais laasos laShem*. This means that at a time that it is deemed necessary to strengthen the faith, such means may be used. Rather than demeaning Hashem they actually do the opposite. While the original application of this permitted printing sections for use in *shul*, latter authorities debate applying it to permit pictures and the like. However, if such a picture is hanging on a wall, one may not perform unholy activities in its presence. For example, one may not change a diaper in front of a *passuk* or fragment of one.

The poskim debate using a *passuk*, excluding Hashem's Name, in a personal letter. As a witticism, rather than a Torah lesson, many permit it with stipulations. For example, if three consecutive words are used the paper above the lettering must be scored or ruled. If it is written as a Torah lesson, it must be treated with due respect. On no account may the Name of Hashem be written. Even the word '*shalom*', which is translated as 'peace' but also refers to Hashem in context, should not be written in full. Abbreviations are used, but a minority considers a letter meant as part of Hashem's Name to be holy.

Invitations are often disposed of immediately. An entire *passuk* might be written. It is meant as a prayer or blessing, rather than a witty reference. This is discouraged by the poskim. If they are discarded with their envelopes, the mistreatment is somewhat mitigated. While they need not be put in *genizah* (locked storage of old *shaimos*), when such items are disposed of they are left to rot with undesirable matter. If they are wrapped respectfully and placed in there gently, this saves them from the disrespect. They will be buried in a landfill. If incinerated, they are destroyed indirectly, which is acceptable. The poskim discuss amulets that were often hung on children who were not toilet-trained. They contain holy Names written with special intent and are worn in a designated pouch. However, the pouch is never opened and the lettering is never read.

Levels of sanctity pertain to presence with uncleanness. A *sefer Torah* may not be taken into a rest room even with its cover and a pouch. Some say this means that it may not be brought in there under any circumstances due to its intense sanctity. Others maintain that if both were its designated pouches they do not serve as valid coverings, meaning it is the same as lower levels of sanctity. *Tefilin* require a double pouch. Printed *sefarim* are a subject of debate. They need at least one pouch, and maybe two. Some maintain that items that contain no Names of Hashem, or are not printed in square characters require one pouch. *Tashmishei mitzvah* should not be taken into the room if possible. Thus, a *talis* used for *davening* is considered more holy than the small *talis katan* worn all day. It should be left outside the rest room. Amulets have the Name of Hashem, but are sealed in a pouch. A utensil has no inherent sanctity, but the words on it should be covered. [See Brochos 54a 63a Shabbos 61b Erchin 6a, Gitin 6b, Rosh Hashana 18b, Poskim. Tur Sh Ar YD 276:13 282 283:2-4 (Ar Hash 13) 284 OC 40 43, commentaries. Tzedaka Umishpat 16: note 43 94-97. Chavos Yair 16. Igros Moshe YD II:134.]

C) Unclean places

In Talmudic times a *bais hakisai*, privy, was often a secluded area in a field. If it had been used for solid relief it was considered *bais hakisai kavua*. Whether or not the waste matter was present, the location itself posed a problem. A *bais hakisai arai*, unfixed area, is any spot chosen for urination. The rules are somewhat less stringent there.