

HALOCHOSCOPE ^{TOI}

A non-Torah publication has some Torah quotes. This is bound as a hard back book. May one print such quotes in this type of publication, and if so, may they be printed in regular Hebrew lettering? May this be taken into a bathroom?

The issues:

(A) The holiness of a publication with Torah quotes

(B) Taking holy items into a place dedicated to mundane physical activities

(A) *The holiness of the publication*

Items that are invested with holiness must be treated with reverence. they may not be simply disposed of, but are stored or buried after they are worn out. This is derived from the Scriptural Mitzvos to show awe for the *Mikdash*, and not to profane Hashem, His name and items dedicated to Him, in the same way that we should do to idols. Such items are called *Tashmishei Kedusha*, utensils that serve holiness, or even *Kedusha Atzma*, actual holy items.

An item attains Holiness if it is invested with it either as it is made, or by being dedicated for use only in connection with holiness. A *Sefer Torah* is written with intent to endow it with holiness. It has holiness due to its specially prepared materials, its specially holy lettering and its content. The holiness of content is due to its use as a Torah study aid and stimulant. A printed Sefer is endowed with the holiness of its lettering (if it is written in true Hebrew characters) and its content. Presumably, the person manning the presses did not have special intent to produce a holy item. Unless specially prepared parchment is used, its materials do not have inherent holiness.

A secular publication that has some holy content does not have the same holiness of content. Presumably, the quotes are not to be learned from, unless they are cited as part of a lesson. The Poskim discuss three similar cases, currency, newspapers and personal correspondence. Personal correspondence, including invitations, sometimes includes a verse written in wit. Newspapers sometimes contain true Torah lessons, and often contain words representing holy names. Currency, especially in Israel, sometimes has an excerpt of verse, a Name of Hashem, or even, in one case, a picture of a piece of Rambam.

The issues dealt with involve disposal of these items and their respectful

treatment. Based on these issues, a question arises on whether one may write correspondence in this way. If the item will be left in a disrespectful status, one should take care not to write a holy Name of Hashem in it. This is based on a Talmudic passage condemning those who write out Tefilos and Brochos, or amulets. These contain Shaimos and are at risk of being left to burn if a fire should break out on a Shabbos. Items that have holiness of content, due to their being learned from, or due to their being part of the holy Scriptures, may be rescued from a burning house and removed to another domain. (Provided the new domain is within an area to which one may carry according to Scriptural law, but forbidden Rabbinically.) Another passage discusses the celebration instituted to commemorate the day that people stopped writing Hashem's Name in a secular document. Previously, these documents were discarded leading to mistreatment of Hashem's Name. The celebration shows how important it is that one does not allow such a situation to arise.

The Poskim debate using a Passuk, excluding Hashem's Name, in a personal letter. If it is meant as a witty reference rather than to teach a Torah lesson, it is permitted by many. Even so, there are guidelines on how a Passuk should be written or printed, such as not quoting three words consecutively, or if one must cite such, to be sure to line or score the paper above the lettering. If the Passuk is written to teach Torah, one must be careful to treat it with due respect. On no account may the actual Name of Hashem be written. Even the word Shalom, which is translated as peace, but also refers to Hashem in many contexts, should not be written in full. Abbreviations may be used, although there is a minority view that considers any of the actual letters of Hashem's Name holy. In this view, the old substitute of two letters Yud with a third on top (on its side) are holy.

Invitations pose a yet more serious issue. They are often not even opened, but disposed of immediately. Often people write entire Pesukim on an invitation. This is not written as a witty reference, but a prayer or blessing on the occasion. This is discouraged by the Poskim. However, the positive side of it is that when they are discarded in their envelopes the mistreatment is somewhat mitigated. The Poskim discuss the best way to dispose of items such as these and newspapers with Torah ideas printed in them. They need not be put away in a Genizah, locked storage for old Shaimos. They may be disposed of respectfully. The biggest issue is that in the garbage can they are left to rot with all sorts of undesirable matter. If they are respectfully wrapped, then placed gently into the garbage, they are being disposed of nicely. They will then be buried in a landfill, or incinerated, which in the circumstances is considered indirect destruction and is acceptable. Nonetheless, printing

the invitations or newspapers in this way is discouraged. If Torah thoughts must be included, they should be given a separate page to themselves. Regarding the currency, the issue is not so much its destruction. People do not throw away banknotes. However, they are taken into places where they might be shamed, such as bathrooms (see next section). Here too, the printers should not have printed it thus. However, the actual excerpt of Rambam printed on it is considered too small to read. Therefore, it is not considered as though it was made to be studied.

In our case, the item is bound in a hard backed book. Presumably, a bound book will generally be treated with care. Another factor which does not apply to a bound book, is whether it was initially made to be erased or disposed of after a short time. Many Poskim reject any dispensation based on this factor.

The consensus is that if the excerpt was never written to be studied, it has less holiness. If a Passuk is actually cited it is more serious than a saying. If the Name of Hashem is cited, in any language or alphabet, it is also more serious. In terms of disposal, the Poskim discuss the permissibility of burning the items, though some of those who permit it suggest burying the ashes. In terms of reverence, some Poskim maintain that since the excerpts were never meant as regular Torah lessons, they may be treated with less reverence than regular holy items. However, they may still not be treated totally disrespectfully. [See Shabbos 61b 115a-116b Rosh Hashana 18b, Poskim. Tur Sh. Ar. O.C. 334:12-21, Y.D. 276:13, 282, commentaries. Igros Moshe Y.D. II:135. Minchas Yitzchok I:17-18. Tzitz Eliezer XVI:31.]

(B) Taking the book into a bathroom

Treatment considered disrespectful includes taking holy items into a bathroom. The Talmud requires one to remove Tefilin before entering a rest room. This is based, indirectly, on another restriction. Torah study is forbidden in such areas. This is based on the Scriptural Mitzvah *Velo Yir'eh Becha Ervas Davar*, "[Hashem walks in your encampments] ... your camp shall be holy, He shall not see in you a nakedness." One may not recite Brochos or anything including Hashem's Name in the vicinity of indecency. Torah Study is included in this prohibition. There is a difference between verbalizing the words of Torah, which is akin to reciting a Brocha, and thinking of the subject matter, which is permitted.

The Torah discusses a Mitzvah for a Jewish king to write a *Sefer Torah* for himself. He must carry it with him and study it wherever he goes. From the wording "It shall be with him and he shall read in it ..." the Talmud derives that he may only take it where he may also read it. Reading usually means reading aloud, as opposed to reading silently and thinking. Since we have established the prohibition against

reading it in rest rooms, he may not take it there either. This is a sub-division of the general obligation to respect holy books. Even if the Sefer Torah is wrapped in its cover, it may not be taken into a place of indecency.

The Talmud forbids bringing Tefilin, amulets and written Brochos into a rest room area. Though Tefilin are encased in their leather outer boxes, there are holy letters of Hashem's Name embossed on the cases. Amulets are also encased, but have no holy references written on the cases. Therefore, they may be taken into a rest room when concealed inside their coverings. Regarding printed books of Torah content, there is a debate. Some compare them to amulets, while others maintain that an amulet is enclosed with no intention to remove it. Therefore, the leather case of the amulet may serve to hide the holy amulet from the indecency. Sefarim are meant to be removed from a leather case. Therefore, many Poskim maintain that a Sefer may not be brought into a rest room even inside a case. However, even Tefilin may be taken there if they are inside two cases, one of which is not dedicated to the Tefilin all the time. Accordingly, if the Sefer is covered or wrapped twice, it may be taken into such places.

The Scriptural Mitzvos involved in associating with holy matters in the presence of indecency apply to solid fecal waste and in the presence of one relieving himself. This is extended to include liquid waste and rest areas. Waste matter is constantly present, with the exception of Persian rest rooms, which are considered clean. Most Poskim consider rest rooms as clean as Persian rest rooms. Bath houses that have pools of water are considered unclean due to the dirt that has been washed off into the water. Those that do not have standing pools of water are considered cleaner. Though one should not read Torah aloud in these places, where there is no other choice it is not forbidden. Accordingly, the restriction against taking holy items into such places are also somewhat mitigated.

In our case, since the item is not holy, but is secular with some quotes from holy sources, one may tend to leniency. One may not read from it. It would certainly be more commendable to wrap the item before taking it in the rest room. Needless to say, if people are present relieving themselves or in an indecent state, all the leniencies do not apply. [See Sanhedrin 21b, Shabbos 61b-62a, Brochos 23b-26a, Poskim. Tur Sh. Ar. Y.D. 282:4, O.C. 43:1-2, 74, commentaries. References HalochoScope II:44:C.]