

HALOCHOSCOPE

May one enter a rest room wearing a necklace that has a ring on it with part of a *Passuk* written out?

The issues:

- A) The mitzvos to protect the sanctity of sacred utterances and items
 - B) Sanctity on Jewelry
 - 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 Detasmish*.

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*, item for use with the *mitzvah*, is in use for the *mitzvah*, or anytime that it is still viable, it may not be used for mundane purposes. One may not perform overly mundane acts with it, even though this will not interfere with its uses in the service of the *mitzvah*. When it is no longer viable, it may be 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. Thus, our question expands. May one wear the jewelry while attending nature's calls, even if one is not in a rest room?

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, the covering or 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 Jewelry

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. [The Name of Hashem in a foreign language and script (used in many foreign currencies) is a discussion all unto itself.] 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 also discusses a holiday instituted 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 mistreated and 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 on prayer shawls.

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. However, there are 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 may be used, but a minority view considers any 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. If Torah thoughts must be included in a newspaper, they should be given their own page.

Currency is most relevant to our case. It will not be disposed of disrespectfully, but will be taken into places where the holy words might be shamed. The printers should be discouraged from making this, but if the words are too small to read without a magnifying glass, it is clearly not made to be studied. Further, there is a possibility that this does not even count as lettering. Photo-offset is also less like lettering than is printing. However, engraving and embossing might be considered lettering. The poskim discuss amulets. The amulets were often hung on children who were not potty-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.

The poskim discuss jewelry with the Name of Hashem on it. Firstly, there is some discussion on the engraving. Assuming it is considered writing, there is a prohibition involved with making this jewelry. Second, there is an issue with wearing it. There are substantial grounds to forbid benefiting from this jewelry. Third, the issue of going into unclean places is raised. From here it would appear that the ring in our case, which does not have Names of Hashem, but has part of a *passuk*, raises this issue somewhat.

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 interpret this to mean that it may not be brought in there under any circumstances due to its intense sanctity. Others say it means 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 or written 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. There was a dispensation given for a woman who wore a ring style amulet at all times, provided that she covered the Name of Hashem or turned it inside her hand, when entering these places. [See Shabbos 61b Erchin 6a, Gitin 6b, Rosh Hashana 18b, Poskim. Tur Sh. Ar. Y.D. 276:13 282 283:4 284 O.C. 40 43, commentaries. Tzedaka Umishpat 16: note 43 Chavos Yair 16. Igros Moshe Y.D. II:134.]

C) Rest Rooms


There are a few types of places deemed unclean. Most obvious are rest rooms. In Talmudic times a *bais hakisai*, 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*, unfixated area, is any spot chosen for urination. The rules are somewhat less stringent there. *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. Modern day rest rooms are discussed by the poskim. If a bath or shower are also present, the 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. The permissibility to take *tefilin* with into a *bais hakisai* (see below on *parsha*) refers to one who is on a trip and is wearing them. He has no choice but to remove them and leave them somewhere, so he is allowed to take them in with him. However, if one is home or in any place where he can leave the sacred items outside the rest room in a safe place, he should not take them in with him. This applies to items that require two pouches. For items that require one pouch, many poskim rule leniently, allowing them to be taken there inside a pocket. [See Brochos 23b-26a Shabbos 40b 61b-62a Sanhedrin 21b, Poskim. Tur Sh. Ar. Y.D. 282:4 O.C. 43:1-2, 74, commentaries. References to Halocholescope II:44:C, VIII:39:B.]

Our case, due to the nature of the item, would be considered the type of item requiring one pouch. It does not have a full passuk on it. The passuk was never written to be learned from. Accordingly, it should be covered or placed in a pocket, but may be brought into these places. However, she should not wear it on her hand, because she will probably touch parts that are normally concealed with her hands.

On the Parsha ... *Yehuda said [to Chirah] let her keep them, lest we become disgraced ...* Yehuda decided not to follow up any more on regaining possession of his securities. He was concerned that this would arouse negative publicity. The Talmud [Brochos 23a] mandates removing one's Tefilin, covering them, and taking them inside when entering a public *bais hakisai* because of an incident that took place. A scholar removed his tefilin and left them outside a *bais hakisai*. A woman of ill repute found them and later used them to accuse the scholar of a scandalous act with her. [There was some distinguishing mark on them (see Yaabetz).] To avoid having them fall into the wrong hands, one should keep his tefilin with him when entering a *bais hakisai*. Perhaps a precedent is to be found in this *parsha*. According to some [see Baal Haturim] Yehuda had given Tamar his tefilin as a security. Later, he was afraid that the possession of these items by the 'unknown woman' would lead to scandal, and regretted having given them. **For further discussion:** Should one take extra care in the treatment of a *Chanukiah Menorah*? Is there an issue with taking it into a bathroom? Does *bizuy mitzvah* come into play?



Sponsored by Michael Schwarz in honor of his wife Yahel, on the occasion of her birthday, on the Thirtieth of Kislev. May she receive *brochos* in the merit of these *halochos* and the people who are learning them. 

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