

KRIAT SHEMA 3:4

by Rabbi Yitzchak Etshalom

4. Not only regarding K'riat Sh'ma, but any matter which is **Divrei haKodesh** (lit. "matters of sanctity") is forbidden to say in a bathhouse or Beit haKissei - even to say it in **Lashon Hol** (lit. "mundane language" - i.e. not Hebrew). Not only saying it [is forbidden], but even **l'harher b'libo** (lit. "to contemplate in his heart") about words of Torah in a Beit haKissei, in a bathhouse or in a **makom hatinnofet** (lit. "filthy place") i.e. a place where there is feces or urine - is forbidden.

LASHON HAKODESH AND LASHON HOL
(the "Holy Tongue" and other languages)

Yitzchak Etshalom

I.

THE SOURCE The Gemara (Shabbat 40b), commenting on the frequently cited statement of R. Yohanan (see e.g. Shabbat 150a, Berakhot 24b, Avodah Zarah 44b) "It is permissible to contemplate words of Torah anywhere except for a bathhouse or a Beit haKissei" - quotes Abaye's ruling: "mundane matters may be said [even] in **Lashon haKodesh** (the Holy Tongue); holy matters may not be said [even] in **Lashon Hol** (mundane language - not Hebrew)."

Three questions come to the fore:

(1) Why would we think that holy matters (i.e. words of Torah) would be any different if said in another language, such that Abaye needs to tell us that this is also forbidden in an unsuitable place?

(2) Again, why would we think that mundane matters would be problematic if spoken in Lashon haKodesh, that Abaye has to tell us that such speech is permissible in a bathhouse and Beit haKissei?

(3) The Gemara makes a not-so-subtle leap from **hirhur** (contemplation) to **dibbur** (speech), as follows: Building on R. Yohanan's ruling, that one is not allowed to think about words of Torah in these places, Abaye's rule which eliminates the distinction between Hebrew and other languages is focussed on speech. (First of all, his wording is "to speak"; second of all, it seems that language distinctions here would only be meaningful if spoken - but, see Tosafot Shabbat 40b s.v. v'Khi Teima).

II.

BIRKAT HATORAH

In the Gemara (Berakhot 11b) there is a discussion about what sort of learning may not be initiated without reciting Birkat haTorah (the blessing said before studying - this will be discussed in detail at Tefillah, Chapter 7):

R. Huna: only for *Mikra* (Scripture); R. Elazar: Mikra and Midrash (exegetical study) R. Yohanan: Mikra, Midrash and Mishnah (received traditions) Rava: Mikra, Midrash, Mishnah and Talmud (analysis of the first three - see our posting at Talmud Torah 1:11-12).

Although Rava's opinion is that which is adopted Halakhically, why are there these different "levels" of Torah study, which seem to move in ever-widening circles from Mikra? Does this "continuum" mean that Torah study which is "further" from Mikra is considered less worthy as Torah study? This hardly seems to be the case, considering the stress which has always been placed on the study and analysis of the oral Torah within the traditional world of Torah students.

A look at Ramban's addenda to Rambam's Sefer haMitzvot may shed some light on this issue.

RAMBAN'S ADDENDUM TO SEFER HAMITZVOT

The Gemara (Makkot 24) tells us that we received 613 Mitzvot at Sinai - 248 *Mitzvot 'Aseh* (Mitzvot of commission) and 365 *Mitzvot Lo Ta'aseh* (Mitzvot of omission) - but the Gemara does not list which Mitzvot are included on each list. Beginning with the Halakhot Gedolot, post-Talmudic scholars debated which Mitzvot should be included on these lists. Perhaps the most famous listing is that of Rambam - which actually serves as an introductory piece to the work we are studying - the Mishneh Torah. Before setting out his list (which diverged in some significant ways from those of his predecessors), Rambam established 14 rules by which he maintained Mitzvot merit inclusion.

As could be anticipated, his listing was challenged - both as a defense of the Halakhot Gedolot and from independent perspectives. Ramban (Nachmanides - Spain, 13th c.) composed a commentary on Sefer haMitzvot which is included in many editions. Besides his commentary, he also included a list of those Mitzvot which, to his reasoning, Rambam "forgot" to include on the list. Currently, the most famous of these "addenda" is Mitzvat 'Aseh Addendum #4 - the Mitzvah to settle the Land of Israel.

Of relevance to us - Mitzvat 'Aseh Addendum #15 is: "to give thanks to His Name, may it be exalted, at any time when we read from the Torah..." Ramban's prooftext, which is first used in the Gemara (Berakhot 21a) is the verse in Devarim [Deuteronomy] 32 (v. 3): "When I call God's Name, give thanks to our God." The Gemara (ibid.) understands this as a directive to bless God before reading from the Torah. However, if we look carefully at the verse, it doesn't indicate anything about studying Torah - rather "reading" - more directly "calling God's Name".

As we see from the Midrash (see also Ramban on Shemot 33:6) - the whole Torah is considered

"God's Names". Whatever that may mean (I have no experience in mystical studies) - it clearly pertains only to the written words. Therefore, we can understand the verse in Devarim 32 as stating: When we call God's Name (by reading Torah), we should first give thanks to Him. If so, it follows that the closer we are to actually "calling God's Name" - the greater our responsibility to thank Him. This would explain the four opinions about Birkat haTorah in Berakhot 11b - each one moves further away from Mikra and from "calling God's Name".

III.

"V'HAYAH MAHAN EKHA KADOSH"

As noted in last week's shiur, the prohibitions associated with holy matters and disgusting/shameful places is rooted in the Torah's command regarding the camp - "Because the LORD your God travels along with your camp, to save you and to hand over your enemies to you, therefore your camp must be holy..."; it is God's Presence which demands a proper setting.

Based on the approach of Talmud Torah as [also] "calling God's Name" (see also Beresheet [Genesis] 12:8, 13:4, 21:33, 26:25), we would think that the closer one is to actually "calling God's Name" - the greater the prohibition would be.

(This seems to be borne out by the Tosefta in Berakhot 2:21, which lists those sections of the bathhouse where different levels of prohibition obtain - and uses "Mikra" as the "code-word" for words of Torah.)

Therefore, if someone were to speak words of Torah in a language other than the original, we might think that this is not included in the prohibition - as this does not "bring God into the camp" - as it were - and there is no impropriety or defamation of God's Name.

Conversely, since Lashon haKodesh is the language of the Torah, we might think that any conversation in that language has inherent sanctity and should be forbidden in a bathhouse or Beit haKissey.

So far, we have explained the "...even in..." of Abaye's ruling: Holy matters may not be discussed - _even in_ another language - and why mundane matters may be discussed _even in_ Lashon haKodesh.

IV.

HIRHUR B'DIVREI TORAH

Why then is the contemplation of Torah ideas also forbidden in these places? Surely, there is no "calling of God's Name" involved!

To answer this, we have to go back to the sugya in Berakhot 11b, with the four opinions about Birkat haTorah (above, section II). Are the progressively "wider-scope" opinions merely expanding the understanding of "God's Name" involved in studying Torah?

Perhaps the debate is more pronounced: Whereas R. Huna (Mikra only) and R. Elazar (Mikra and Midrash) seem to be focussed on the written Torah only, R. Yohanan expands the Berakha to include Mishnah - which in no way is directly connected with Mikra. Rava certainly disputes the first two positions - as "Talmud" is a far cry from Mikra, at least within the scope of Talmud Torah.

Without going into too much detail in that sugya - which properly belongs to Hilkhhot Tefillah Chapter 7 - it seems that [at least] Rava [if not R. Yohanan] is redefining the understanding of "calling on God's Name" - it is not just - or even chiefly - the vocalization of words of Torah; it is chiefly the understanding and analysis of those words and their traditional explanation (Oral Torah). Calling God's Name happens in its most intense and immanent way through the internalization of Torah text - and through the analysis, synthesis etc. of those texts - processes which can only happen with contemplation. This does not exclude verbalization - but reorients the focus of study from the spoken word to the thought.

Following this, it seems clear that there is no "leap" from speaking to contemplation of words of Torah; either way, God's Name is being evoked - which is improper in these places.

V. POSTSCRIPT

On the notion of "Holy Language" as a description of Hebrew - see Rambam in the Guide III:8 and Ramban (Commentary on the Torah - Shemot [Exodus] 30:13).

On the role of Lashon haKodesh in Talmud Torah - see Sifri on Devarim 11:19.

now, to the questions:

Q1: Is K'riat Sh'ma on a par with other words of Torah regarding this Halakhah? In other words, do we apply the other restrictions (such as not reading it facing a Beit haKissei) to words of Torah?

A: Evidently not. Remember that the "problem" with reading K'riat Sh'ma in places like this is twofold (or perhaps three-fold! - depending on how we understand the Lashon haKodesh problem - see shiur above):

(a) Words of Torah in an inappropriate place;

(b) Acceptance of God's rule (*Kabbalat Ol Malkhut Shamayim*) in a place whose associations fly in the face of that acceptance. (See previous posting on K'riat Sh'ma 3:02-03).

The problem with saying words of Torah seems to be connected with being IN a place which is either disgusting (Beit haKissei) or shameful (bathhouse). That is either because the "elevating" nature of Torah study stands too much in contrast with these surroundings - or because such study sanctifies the surroundings, something which is inappropriate there. However, this has nothing to do

with facing such a place - where the only problem is our mental association with that place. Facing a Beit haKissei seems to only be a problem for the "direct relationship" component of K'riat Sh'ma (Kabbalat Ol) which is most fully realized -and therefore prohibited - in the case of Tefillah.

Q2: Why would we think that saying words of Torah in English (for example) would be permitted in a place where we may not do so in Hebrew?

A: See the shiur.

Q3: Why is *hirhur* (contemplation) also forbidden in these places?

A: See the shiur.

Q4: What are the perimetric boundaries of "filth", beyond which we may speak (and think about) words of Torah?

A: These will be discussed later on in this chapter (beginning with Halakhah 8)

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