

# SIMAN 75: ONE SHOULD BE CAREFUL ABOUT [A WOMAN'S] UNCOVERED HAIR AND A WOMAN'S [SINGING] VOICE WHEN READING THE SHEMA, AND ALSO NOT TO READ IT IN THE PRESENCE OF NAKEDNESS

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**75:1.** If a handbreadth [approx. 4 inches/10 centimetres] of a woman's body is uncovered (1) at a place where it is the custom [for women] (2) to cover it, even if she is (3) his wife, then (4) it is forbidden to read the Shema in her presence. [Rema: Some say that [the amount of a handbreadth] only applies to his wife, (5) but (6) for any other woman even (7) less than a handbreadth [uncovered] is considered as nakedness (Hago'os Maimoni Chapter 3). It would seem (8) from the words of the Rosh that a handbreadth of a woman's body [uncovered] is considered as nakedness even for another woman [who wishes to read the Shema in the other's presence], but a woman herself, may read [the Shema] even if she is [completely] naked, as explained above in [Siman 74](#).

**MB 1:** *At a place - Because it will lead a man to have lewd thoughts when he looks at it [the uncovered part of the woman's body]; it is considered to be in the category of nakedness and [therefore] it is forbidden to read [the Shema] or to mention any holy thing in its presence like as if she were actually naked. According to what we will explain in paragraph 6 below in the name of the later Rabbis, that in the presence of actual nakedness [reading the Shema, etc.] is forbidden even if he covers his eyes and turns his face away, so the same law would apply here; but there are those who permit this if he is careful not to look at all, and if he has no other alternative it would seem that he may rely on this opinion.*

**MB 2:** *To cover it - But where her face and hands (where it is the custom to leave them uncovered) and also her feet up to the ankle (where it is the custom to go barefoot) are uncovered it is permitted to read the Shema in their presence, as since he is used to [seeing] them they will not lead him to lewd thoughts. In a place where the custom is to cover them [ie. face, hands and feet] then the amount of a handbreadth applies like the rest of the body, but her arms and legs, even if [women] usually go with them uncovered [as with the whole of the western world! --SP] in the way of those who are degenerate, it is forbidden [to read the Shema etc. in their presence].*

**MB 3:** *His wife - Therefore he should be careful that when a [even] small part of his wife's body is uncovered he does not discuss any holy matters.*

**MB 4:** *It is forbidden to read - See in the P'ri Megadim where he brings [differing] opinions as to whether after the fact he needs to go back and repeat the Shema, as he would in a case of complete nakedness; and in the Derech HaChayim it is implied that even after the fact he needs to go back and repeat the Shema. Nevertheless, it seems to me that where he had no intention of looking [at the woman] one need not be strict after the fact to go back and repeat the Shema, even in the case of another woman.*

**MB 5:** *But etc. - See in the Nishmas Odom who writes that according to everyone this law [brought in the Rema] is only Rabbinic and covering one's eyes is effective [ie. where the nakedness is less than a handbreadth --SP] and this also applies to [the case of] a woman's hair that is brought in paragraph 2 below.*

**MB 6:** *For any other woman - Whether unmarried or married.*

**MB 7:** *Less than a handbreadth - If the leg is uncovered then there are some who say that even in the case of his own wife it is forbidden to read the Shema in her presence even if less than a handbreadth is showing, as [the leg] is the part of the body that causes more lewd thoughts than any other organ.*

All this [discussion about the amount of skin that constitutes nakedness] is only in regard to the prohibition of reading the Shema, since the prohibition is, according to many Rabbis, not to read the Shema in the presence of [a woman part of whose body is] uncovered even if he does not intend to look [at the uncovered part]. But as far as the prohibition of looking [at a woman's body] is concerned, everyone holds that one who looks at a woman, even at her little finger, since he is looking at her for his own benefit he thereby transgresses the Negative Commandment of "You shall not follow [after your heart or] after your eyes" [to be found in the 3rd paragraph of the Shema]. And the Rabbis said that even if he is possessed of Torah learning and good deeds, this will not wipe clean the judgment of Gehinnom [Hell] against him. But a merely casual and unintentional glance without [thought of benefit] is permitted, if not morally advisable. And in the book Minchas Shmuel he advises strongly that an important man should be careful in all cases.

The P'ri Megadim writes that for those places on the body which are normally covered (eg. the arms and other such parts of the body) even casual looking is forbidden. The Rabbis write that nowadays young girls are considered as being in a state of Niddah [ie. as having menstruated] as soon as they reach the age of maturity [ie. when they would be expected to start menstruating]. Because she is thus forbidden to him, her body is therefore in the category of nakedness [for the purpose of the laws we have been discussing] [i.e. a man must be careful about looking at her, just as he would about someone else's wife -- YM].

**MB 8:** from the words of the Rosh - But the Rashboah disagrees with this law brought by the Rosh, that a woman's nakedness prevents another woman from saying the Shema. His reasoning is that he holds that just as she may herself read the Shema when she is naked, so we see that the uncovering of her whole body does not transgress "And no naked thing shall be seen by you" except for men [looking at her] and then only because [looking might lead a man to] lewd thoughts. So therefore [not only the woman herself, but] even another woman is permitted to read the Shema and Daven in her presence when she is naked. The later Rabbis agreed with the Rashboah and their opinion is that the Rosh also agrees with this [indicating that they believe the Rema's interpretation of the Rosh is incorrect -SP]. But you should also know that it is only permitted for her to read the Shema in the presence of a naked woman when that [woman] is sitting down, so that her lower regions will not be visible, but if she is standing up then the law applicable to [the one reading the Shema] is the same as if she were in the presence of a naked man and even with the other's permission she is prohibited [from reading the Shema].

**75:2. It is forbidden to read the Shema when the hair (9) of a woman (10) who normally covers it is uncovered. {Rema: even if she is his wife}. But in the case of (11) young girls (12) who normally go with with their heads uncovered it is permitted [to read the Shema in their presence --SP]. {Rema: And the same law [regarding the hair of young girls] also applies to women's hair (13) that normally (14) pokes out of their hairbands (Beis Yosef in the name of the Rashboah), and all the more so (15) the hair of a wig even if she usually covers it - Hago'os Alfasi Hachodoshim.}**

**MB 9:** Of a woman - In the case of a man's hair, it is permitted to read the Shema even if hair from his lower regions pokes through a hole in his clothing; but if the scrotum is visible then this is considered as nakedness [and reading the Shema is then forbidden].

**MB 10:** which she usually covers - And even if she only normally covers it in the marketplace [ie. in public] but not at home or in the courtyard [in front of her house], nevertheless this is still considered as nakedness according to everyone, even at home, and it is forbidden to read the Shema in her presence if some part [of her hair] is uncovered. You should also know that even if this woman and her friends in that place make it a practice of going with their heads uncovered in the marketplace in the way of those who are degenerate, it is still forbidden [to read the Shema in their presence], like the case of an uncovered leg where it is forbidden [to read the Shema in its presence] in all cases as we have explained in MB 2 above, since she is required by law to cover her hair. This involves a Torah prohibition, because the verse says [regarding a Sotah, a suspected adulteress] "And he shall uncover the woman's head" - and this implies that her head was covered initially [the Torah would not tell the Kohen to uncover her hair if it was uncovered normally, thus we can deduce that married women must have their heads covered --SP]. Further, all daughters of Israel who uphold the Law of Moses have been careful about this since the days of our forefathers right up to the present day; it [uncovered hair] is considered as nakedness and it is forbidden to read the Shema in its presence.

And [the Shulchan Aruch] does not mean to imply by singling out young girls that they are permitted to go with their heads uncovered [in any event] or [in the case of married women as well] that some hair may poke out of their hairbands, since it all depends on the custom of the place. If the custom in a particular place is that all daughters of Israel are careful not to reveal even the tiniest part of their hair then [if they do so] it must be that this [i.e. letting any hair be uncovered] is considered as nakedness and it is forbidden to read the Shema in their presence; and [being that he is \_not\_ used to seeing even this hair,] one cannot rely upon the leniency that exists where one is used to [seeing] them (which would mean that it would not lead to lewd thoughts), which is seen later on [in MB 13].

**MB 11:** *Young girls - Young girls who are betrothed ["Arusos"] (\*) are forbidden to go with their heads uncovered, and the same applies to young girls who have had marital relations, that they are required to cover their heads; nevertheless, if she has conducted herself in an immoral manner and does not want to go with a scarf on her head in the way of [married] women i.e. she does not want this to be a public advertisement of her conduct --SP] then one cannot force her to do so.*

[(\*) In Jewish Law there are two steps in getting married - the "Eirusin" [betrothal] and the "Nessu'in" [the wedding ceremony itself]. In times past the two would often be up to a year apart, and a woman who is betrothed is not permitted to any man (including her husband to be) and therefore she must cover her head like a married woman. Nowadays, betrothal and marriage both take place under the Chupah, with the reading of the Kesuboh (marriage document) separating them. Therefore this law does not generally apply today. --SP]

**MB 12:** *Who normally etc. - See in the Magen Avrohom who writes that they should go with their heads uncovered only if their hair is neatly tied up but not if it is loose, but the Machatzis Hashekel and the Magen Giborim are lenient about this.*

The Chayei Odom writes that in the case of non-Jewish women who are not careful about covering their hair, it requires investigation as to whether or not the law that applies to them is the same as that for young girls [or must we be careful about seeing their hair as with a married Jewish woman].

**MB 13:** *That normally etc. - He means to say that it is permitted to read the Shema in this case, even in the presence of another woman, as since he is used to [seeing them] like this it will not lead to lewd thoughts. But deliberately to look at another woman, even at her hair that is poking out of her hairband, this is forbidden (Eliyahu Rabbah).*

**MB 14:** *Pokes out etc. - He means to say that apart from a hat on her head she has a hairband which is a piece of material that binds the hair together tightly so that it does not come out; and it this small amount of hair that is impossible to contain and pokes out of the hairband on which the Rashboh is lenient (Chasam Sofer Siman 36 see there).*

The Zohar [a mystical commentary on the Torah of Mishnaic origin, compiled by Rabbi Shimon Bar

Yochail on Sidra Noso is extremely strict that not one hair of a woman should be visible as it brings poverty on her household, renders her children of no account in their generation and causes an evil spirit to abide on her house. And all the more so [does this apply] if she goes like this in public.

Therefore we require that a woman should not permit even the beams of her house to see one hair of her head. And if she conducts herself thus, then it is written [in Psalms] "your children [shall be] like olive plants" - just as the olive [does not shed its leaves either in winter or summer but always retains its superiority over other trees, so] her children will excel over all other children; her husband will, moreover, receive blessings from above and from below, will be blessed with riches, with children and children's children". This is a brief version of the words of the Zohar. And the Magen Avrohom writes that one should conduct oneself according the Zohar. And in Tractate Yoma they mention a particular woman who merited by her extreme modesty, in that the beams of her house did not see [any of her hair], that [seven] High Priests descended from her.

[Please note carefully what is said in Yoma - that this is considered extreme modesty, and the Magen Avrohom encourages following this practice. It is certainly an admirable custom, but not obligatory.]

**MB 15:** *The hair of a wig - We call a wig [lit. "unnatural hair"] hair that has been cut and is no longer attached to the her skin. And he [the Rema] is of the opinion that our Rabbis of blessed memory did not refer to this when they said that a woman's hair is considered as nakedness; and it is also permitted to uncover it and [while she is wearing it] her head is not considered to be uncovered. But some Rabbis disagree and say that even a wig is considered like a woman's actual hair [and therefore is] nakedness, and [wearing it] does not satisfy the prohibition against uncovering her head. The P'ri Megadim writes that in countries where where women go out [in public] with a wig one may rely on the Shulchan Aruch [ie. the Rema's note thereon] and it may be inferred from [what the P'ri Megadim writes] that even where a woman cuts off her own hair and then puts it back on her head [in the form of a wig] one may also be lenient [and permit it], but in the book Magen Giborim he is strict about this - see there. And he [the P'ri Megadim] writes further there that if it is not the custom of the place for women to go [out] wearing a wig then certainly the law is according to those who are strict on this because of "Mareis Ho'Ayin" [people will "see with their eyes" a woman with a wig on and think that she has her own hair uncovered. I know this can be a problem nowadays when wigs look so much real hair. When we first got married my wife and I were staying with my mother for a Shabbos and another woman in Shul who was sitting next to my mother wanted to know why her daughter in law did not cover her hair! For this reason many Chassidic women wear a hat on their wigs. --SPI]*

**75:3. (16) One should be careful not to hear\* the voice of (17) a woman singing when he is reading the Shema. [Rema: And even his own wife. But her (18) speaking voice not considered "nakedness" (Beis Yosef in the name of the Ohel Mo'ed and the Hago'os Maimoni.) [\* this refers not merely to \_listening\_ to her, but even hearing. One should not read the Shema if a woman**

**can be heard singing. As will be seen in MB 17, it is only permitted to hear a woman sing, even when one is \_not\_ reading Shema, in relatively rare instances. -- YMI**

**MB 16:** *One should be careful etc. - And [even] after the fact he should go back and repeat the Shema, but without the Blessings thereof - see in the Bi'ur HaGr'a and the P'ri Megadim.*

**MB 17:** *A woman singing - Even if she is unmarried, but if he is not reading the Shema [or any other prayers] it is permitted provided he does not intend to get enjoyment from [her singing], in order that he should not be led to have lewd thoughts. But the singing of a married woman (and also that of any other woman who is forbidden to him [eg. his sister]) is always forbidden for him to listen to, and an unmarried woman who is in a state of Niddah [ie. has menstruated and has not been to the Mikveh (ritual bath) to cleanse herself] is considered as one who is forbidden to him for these purposes; and nowadays [because women do not go to Mikveh until they are married], all young girls are assumed to be in a state of Niddah once they reach the age of maturity.*

The singing of an unmarried non-Jewish woman is also considered as "nakedness" and it is forbidden to listen to it whether he is a Kohen or a Yisroel. Nevertheless, if he is traveling among non-Jews or he is in a city and he is in an unavoidable situation where it is impossible for him to stop them, since we do not find that [a non-Jewish woman's singing] is called "nakedness" from the Torah point of view it is permitted for him to read the Shema and make Blessings, because were this not the case [that we permit him to read the Shema etc.] since we live among non-Jews the Torah and Davening would be abrogated, and on this it is said [in Psalms] "Now is the time to act in the L-rd's cause; they have destroyed your Torah", but he should force his heart to concentrate on the holiness that he is involved in and not pay any attention to the singing.

**MB 18:** *Speaking voice - Meaning that because one is used to hearing women speak, he will not be led to have lewd thoughts, and even from a married woman. Even so, it is forbidden to listen to her speaking voice for enjoyment, because it is even forbidden to derive enjoyment from looking at her clothes.*