

GENDER RELATIONSHIPS

by Rabbi Doniel Neustadt

Question: If a lady fell and the only way to help her up entails touching her, may a man (literally) give her a hand?

Discussion: It goes without saying that if she fell and finds herself in a life-threatening situation, anything and everything must be done to save her life^[1]. While affectionate physical contact between the genders is strictly forbidden^[2] —indeed, at times it falls into the category of *yehareig va'al ya'avov*^[3] —when the contact is not of an affectionate nature (*derech chibbah*) it is permitted^[4]. The same halachah applies if the lady is in danger of losing a limb or of if she were to suffer any other permanent disabling injury. Even if she is not injured but simply cannot get up by herself due to infirmity, a man may extend a hand to help her rise and steady herself, especially if there is no one else around to assist her. The halachos apply equally in reverse - if a man falls, and only a woman is available to assist him.

Question: May one accept change from a cashier if he is concerned that his hand will touch hers in the process?

Discussion: If one's intention is merely to receive the change, he need not be concerned about any unintended touch. Obviously, if one's intention is to touch her hand and to enjoy the sensation, it is strictly forbidden.

Question: Is it ever permitted to shake hands with a woman? Is there a dispensation to do so if otherwise one would suffer a substantial loss or would embarrass the woman, possibly causing a *chillul Hashem*?

Discussion: As mentioned earlier, physical contact between the genders is strictly forbidden when it is an expression of affection. When it is clearly not so, it is permitted. Shaking a woman's hand in a social setting, e.g., at a wedding, or in order to establish a friendship or a personal relationship is strictly forbidden according to all views, and at times falls into the category of *yehareig va'al ya'avov*. Even if the woman extended her hand first, one must not shake it; rather one must decline in the most sensitive and gracious way possible. The concern that she will be embarrassed if the man does not shake her hand is of no consequence—it remains strictly forbidden^[5].

There are, however, some situations where a handshake is offered as a matter of protocol, such as an introduction to a customer or an employer, to a doctor or to a distinguished politician. In these situations, the handshake is not a sign of affection, friendship or a personal relationship and would,

theoretically, be permitted. Still, the poskim are in agreement that one must do whatever he can to avoid shaking hands under these circumstances as well. This is because the yetzer hara for arayos is overwhelming. An innocent handshake may lead to a casual embrace; a harmless introduction may blossom into a full-blown illicit relationship. It is extremely difficult to define what is and what is not derech chibah when it comes to a handshake, and it is, therefore, the consensus of the poskim to be stringent in this matter^[6].

Under extenuating circumstances, e.g., one would lose his job were he not to shake hands with a female customer, or if, by refusing an extended hand, one would publicly humiliate a prominent personality, there are some poskim who find some room for leniency to return a handshake, if the hand is proffered in a manner which is clearly not affectionate^[7]. All poskim agree that one must do whatever he can to avoid being caught in such a situation.

All of these halachos apply equally to men and women.

Question: What, if any, are the restrictions on affectionate physical contact [putting arm around shoulder, stroking cheek, hugging, kissing, etc.] between a man and his female relatives?

Discussion: For the purpose of these halachos, we shall divide "relatives" into three separate groups: 1) Affectionate physical contact between a man and his mother, daughter, granddaughter, or sister under the age of 11 is categorically permitted. 2) Affectionate physical contact between a man and his sister over the age of 11, or a "blood" aunt [his father's or mother's sister] is neither strictly forbidden nor expressly permitted. Rather, in the words of the Shulchan Aruch^[8], it is "most deplorable, a prohibited (type of) action, and an act of foolishness^[9]." 3) Affectionate physical contact between a man and all other female relatives (such as cousins, nieces or in-laws) over the age of 3 is strictly forbidden.

1. *Sotah 21b*.

2. See Sha'arei Teshuvah 3:80 and Beur Halachah, 339:3, s.v. lehakel.

3. Rama, Y.D. 157:1; Chayei Adam 21:13; Nidchei Yisrael 19:2.

4. Shach, Y.D. 157:10; Igros Moshe, E.H 2:14.

5. Oral ruling in the name of the Chazon Ish, quoted in Karyana Digarta 162 and Moadim u'Zmanim 4:316.

6. Igros Moshe, O.C. 1:113; E.H. 1:56; E.H. 4:32-9; Rav Y.Z. Gustman, quoted in Halichos Yisrael, pg. 281; Az Nidberu 2:73.

7. See Nishmas Chayim (Rav Chaim Barlin) 135; Teshuvos v'Hanhagos 4:300, quoting an oral ruling from Rav M. Feinstein; Emes l'Yaakov, E.H. 21, note 4; Rav C.P. Scheinberg, quoted in Halichos Yisrael,

pg. 282.

8. E.H. 21:7.

9. Igros Moshe, Y.D. 2:137 explains that the Rabbis have deemed it "deplorable" and "foolish" because it may lead to physical contact with other relatives with whom physical contact is strictly forbidden.

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