

# MODESTY AT THE SHABBOS TABLE

*by Rabbi Doniel Neustadt*

Question: May Kiddush be recited in the presence of a married female guest whose hair is not covered?

Discussion: According to Torah law, a married<sup>[1]</sup> woman must cover her hair whenever she is outside her home<sup>[2]</sup>. In earlier generations, a woman who failed to do so forfeited her kesubah and was liable to be divorced by her husband<sup>[3]</sup>. In more recent times, when some women erroneously, but sincerely, believed that they were not required to cover their hair, many poskim held that the husband was not required to divorce his wife for this transgression, since it was her ignorance of the Law, not her disregard for it, which led her to sin<sup>[4]</sup>.

Many theories have been postulated as to why some women —although meticulous in the observance of other mitzvos—are lax in regard to covering their hair. Some do not cover their hair at all and others do so only partially. It must be stressed that this practice is roundly condemned by all poskim. There are no halachic authorities who permit a married woman to leave her hair uncovered. Indeed, most recently—in the last few decades—there has been a gradual improvement, and many women who did not previously cover their hair have begun to do so.

Since the hair must be covered, it is considered an ervah, "an uncovered area," when it is not covered. No male<sup>[5]</sup> may recite Kerias Shema, pray, recite a blessing, or learn Torah when the uncovered hair is visible to him. Consequently, if a married lady with uncovered hair is sitting at your Shabbos table, Kiddush may not be recited. This halachah applies to one's own wife, sister, mother, daughter and granddaughter as well.

The obligation of covering the hair requires a married woman to cover all of her hair<sup>[6]</sup>. If a woman covers most of her hair but leaves part of it exposed, the part which is exposed is considered an ervah<sup>[7]</sup>. But this includes only the hair of the head itself. Hair that grows on the neck, the forehead or the temples, as well as lighter colored hairs which grow sparsely on the face ("baby hairs") need not be covered<sup>[8]</sup>. [As a basic rule, "head hair" includes only hair which could grow in long strands; short, wispy hairs which cannot grow long are not considered "head hair" and need not be covered<sup>[9]</sup>.]

In the last century or so, the fact that many women did not cover their hair presented a serious problem.

The halachah that a married woman's uncovered hair is considered an ervah regarding Kerias

Shema and all blessings made it practically impossible for men to recite tefillos and blessings or to learn Torah in their own homes. In view of this unfortunate reality, the Aruch ha-Shulchan<sup>[10]</sup> ruled that in a locale where the majority of married women do not cover their hair, we can no longer consider hair an ervah. In his opinion, only in a locale where most women keep their hair covered is uncovered hair considered an ervah. This controversial ruling was accepted by some poskim<sup>[11]</sup> and strongly rejected by others<sup>[12]</sup>. Rav M. Feinstein<sup>[13]</sup> ruled that one may be lenient only under extenuating circumstances. [Quite possibly, the Aruch ha-Shulchan's leniency may not be applicable nowadays in many locations, as more and more women cover their hair and those who do not may no longer be in the majority.] Concerning our case, therefore, the following is the correct protocol:

The preferred solution is to prevail upon the woman—in private without embarrassing her—to cover her hair at least during Kiddush. If not practical, then one should look away from the woman, fix his gaze upon a bencher or a siddur, or close his eyes while reciting Kiddush. The same should be done during recitation of all other devorim shebekdushah, including Birkas ha-Mazon and learning Torah. [Under extenuating circumstances, when none of the above solutions apply, one may rely on the Aruch ha-Shulchan's view that uncovered hair is not considered an ervah.]

If the Shabbos guest is not Jewish, her uncovered hair is not considered an ervah<sup>[14]</sup>.

If a woman<sup>[15]</sup> is not dressed properly according to minimum halachic guidelines<sup>[16]</sup> —whether she is Jewish or not—then, too, the man saying Kiddush must avert his face or close his eyes<sup>[17]</sup>. The Aruch ha-Shulchan's leniency does not apply to immodest dress.

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1. *Divorced or widowed women are also required to do so, although some poskim hold that their obligation is Rabbinic; see Igros Moshe, E.H. 1:57. See Machazeh Eliyahu 118-120 for a complete discussion.*
  2. According to the Zohar, quoted by many poskim, women should cover their hair even in the privacy of their own homes; see Mishnah Berurah 75:14 and Beirur Halachah, s.v. michutz, for more details.
  3. Kesuvos 72a; E.H. 115:1-4.
  4. See Igros Moshe, E.H. 1:114; Doveiv Meishorim 1:124; Lev Avraham 1:105 quoting the Chazon Ish.
  5. But a woman is permitted to daven and recite blessings even though she is facing another woman's uncovered hair; Mishnah Berurah 75:8.
  6. See Teshuvos v'Hanhagos 1:62 quoting Chazon Ish, Doveiv Meisharim 1:124 and Lehoros Nosan, end of vol. 5.
  7. Although in some communities some married women leave a small portion of their hair uncovered, see Modesty, An Adornment for Life, pg. 236-240, who explains that this custom has no

basis in Halachah and should be discontinued. In addition, even the lenient view which allows exposing a bit of hair, only permits exposing a small area measuring a square tefach; see Igros Moshe, E.H. 1:58 and O.C. 4:112-4.

8. A Practical Guide to Tzenius, pg. 24.

9. Piskei Teshuvos 75:10.

10. O.C. 75:7.

11. Ben Ish Chai, Parashas Bo 12; Kaf ha-Chayim 75:16; Seridei Eish 2:14; Yabia Omer 6:13.

12. Mishnah Berurah 75:10; Chazon Ish, O.C. 16:8; Divrei Yoel 10 and most other poskim.

13. Igros Moshe, O.C. 1:39, 42, 43; O.C. 3:23, 24; O.C. 4:15; E.H. 1:114.

14. Igros Moshe, O.C. 4:15.

15. Or a girl who is no longer looked upon as a baby or a toddler - approximately 5-7 years old, depending on her size and maturity; Chazon Ish, O.C. 16:9.

16. Minimum halachic standards require that a woman's legs from her knee and above, her arms from the elbows and up and her neckline from the collarbone and down are completely covered.

17. Mishnah Berurah 75:1; Chazon Ish, O.C. 16:8. Not all poskim agree that closing one's eyes is sufficient in this situation.

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