

MECHITZAH IN SHUL: WHY AND HOW?

by Rabbi Doniel Neustadt

Separate seating for men and women during davening is an ancient practice whose origins hark back to the procedure followed in the Beis ha-Mikdash. During the Festival of Succos, when joyous throngs filled the Beis ha-Mikdash to witness the festivities of Simchas Beis ha-Shoeivah, it was not possible to keep the women totally separate from the men. The rabbis were concerned lest the unavoidable mingling of men and women lead to kalus rosh (excessive frivolity) and thereby mar the sanctity of the holy service. To prevent this from happening, a balcony was erected upon which the women could stand totally apart from the men but still witness the festivities. The Talmud attests that the need for this balcony was considered to be so pressing that its construction was approved even though it is basically forbidden to expand or modify the original structure of the Beis ha-Mikdash. [1]

Following the example set by our Sages in the Beis ha-Mikdash, shuls the world over were built with separate sections for men and women. Some shuls had a raised women's gallery like the balcony in the Beis ha-Mikdash, while others had men's and women's sections on the same floor but with a thick wall between the two. This concept of mechitzah (separation) was so taken for granted, so undisputed, that it was not even mentioned in the Shulchan Aruch as a requirement for a Beis ha-Knesses.[2]

With the advent of the *haskalah* (Jewish Enlightenment) in Western Europe just over 200 years ago, and its wholesale attack on religious observance (including Shabbos, kashrus, milah, etc.), mechitzos in shuls were also compromised or done away with over the vigorous protest of Rabbonim[3] who decried this desecration and forbade davening in any place of worship that lowered or removed the traditional mechitzah.

With the immigration of Jews to the United States in the late 1800's, these transplanted modern "temples" continued their practice of mixed pews and/or halachically unacceptable mechitzos. In the free and easy atmosphere of America, even the more traditional synagogues began to question the necessity of a mechitzah. And so, eventually, the following questions—unthinkable a century earlier—were posed to the venerable poskim in the U.S.: Is a mechitzah halachically required? How high does a mechitzah have to be?

Reason for the balcony in the Beis ha-Mikdash In order to answer these questions correctly, we must first examine what purpose the balcony in the Beis ha-Mikdash served. We explained earlier that a balcony was constructed to prevent kalus rosh, excessive frivolity. The Talmud does not,

however, elaborate on how, exactly, the balcony prevented kalus rosh. There are two possible ways to understand this:

1. Kalus rosh prevails when men can freely gaze at women. It interferes with the men's concentration and profanes the sanctity of the Beis ha-Mikdash. By seating the women on a balcony over the men's section, the men could no longer view the women.[4] The balcony was constructed in one of two ways in order to block the men's view: 1) Either the men's section was directly beneath the balcony, hidden from the women's line of vision. The women were nevertheless able to see a small clearing in the middle of the men's section where the few dancers would perform.[5] (The majority of the men did not actively participate in the festivities; they were merely spectators.[6]) 2) Or the balcony was built above the sides of the men's section, but it was enclosed with a curtain or a one-way mirror. This permitted the women to watch the men from above but completely blocked the men's view of the women[7].
2. Kalus rosh prevails when men and women freely intermingle. By relegating the women to a balcony and physically separating them from "mixing" with the men, the proper decorum and sanctity of the Beis ha-Mikdash is duly preserved[8]. According to this understanding, then, the balcony did not block the men's view entirely. Rather, it separated the two sections and prevented the men and women from communicating or interacting with each other in any way. The question, then, as it applies to present day mechitzos, is as follows: Do we follow the first interpretation and require a mechitzah that completely blocks the men's view, or is it sufficient to have a mechitzah that divides the two sections in a way that prevents frivolity?

The two views of the poskim

There are two schools of thought among contemporary authorities as to the practical halachah. Many poskim[9] hold that the purpose of the mechitzah is to block the men's view of the women. Accordingly:

3. The mechitzah must be high enough to completely block the entire women's section.
4. The entire mechitzah must be made of an opaque material. Glass, flowers and decorative wood slats are not acceptable for any part of the mechitzah.
5. Even a balcony must be completely encircled by a curtain, etc.

As stated previously, a mechitzah was a universal, standard feature of every Jewish place of worship. The women's section, whether in the balcony or at the back or side of the shul, was totally separated from the men's. Such a separation was fundamental to shul architecture, as basic as positioning the amud at the front of the shul and a bimah in the middle. It was and still is part of the standard model for a Jewish place of worship.

Rav M. Feinstein,[10] however, after establishing that the requirement for separating men and women during prayer services is a Biblical obligation, holds that the essential halachah follows the second approach that we mentioned earlier. Although he agrees that it is commendable and praiseworthy to maintain the age-old traditional mechitzah, he nevertheless rules that the

widespread practice of many shuls to lower the mechitzah somewhat is permitted according to the basic halachah. As long as the mechitzah is high enough to effectively block out any communication or interaction between the men's and women's sections, it is a halachically valid mechitzah.

Accordingly:

6. The minimum height for a mechitzah is shoulder-high, which the Talmud calculates to be 17 to 18 tefachim high[11]. Allowing for a difference of opinion concerning the exact size of a tefach, Rav Feinstein rules that a 66-inch mechitzah is permitted[12], while in extenuating circumstances, 60 inches will suffice[13]. Any mechitzah lower than that, however, is not considered a mechitzah at all.
7. A balcony does not need to be enclosed by a curtain. It is preferable and recommended, however, to do so if possible.[14]
8. Although, technically, the upper part of the mechitzah may be made out of glass since it serves as a physical barrier between the men and women's sections, it is inadequate, even self-defeating to use glass, as many women, unfortunately, come to shul improperly dressed and /or with their hair not covered properly.[15]
9. A mechitzah which has sizable gaps towards the top is not acceptable since it does not effectively guard against kalus rosh[16]. A mechitzah which has tiny openings in the lattice work is permitted.[17]
10. The mechitzah must reach the minimum required height (60 inches) in both the men's and women's sections. Raising the floor of the women's section—which in effect lowers the height of the mechitzah—defeats the purpose of the mechitzah.[18]

1. Succah 51a. The Biblical source for the separation of men and women, says the Talmud, is found in the verse in Zechariah in which the prophet foretells the eulogy of Mashiach ben Yosef, where men and women will be seated separately. If separate seating is required even at so solemn an affair as a eulogy, how much more so must separate seating be required on a joyous occasion!

2. Tzitz Eliezer 7:8.

3. Led by Rav Shelomo Ganzfried, author of Kitzur Shulchan Aruch, and Maharam Ash, disciple of Chasam Sofer, and countersigned by the Divrei Chayim. The proclamation is published in Lev ha-Ivri. See also Maharam Shick, O.C. 77 and Zichron Yehudah 1:62 who also voiced strong objections to any tampering with the traditional mechitzah.

4. Rambam (commentary to the Mishnah Succah 5:2)

5. Tosfos Yom Tov (commentary to the Mishnah Succah 5:2).

6. Rambam Hilchos Lulav 8:14.

7. Piskei Rid Succah 51; Meiri Midos 2:5; Korban Eidah (Yerushalmi Succah 5:2) as explained in Divrei Yoel 1:10.

8. Rambam, Hilchos Lulav 8:12 and Hilchos Beis ha-Bechirah 5:9; Meiri Succah 51a; Tiferes Yisrael

Succah 5:6; Aruch ha-Shulchan ha-Asid 11.

9. Maharam Shick 77; Rav E. M. Bloch (Taharas Yom Tov, vol. 6); Divrei Yoel, O.C. 10; Shevet ha-Levi 1:29.

10. Igros Moshe, O.C. 1:39 and in various other responsa; Seridei Eish 2:14. See also ruling of Rav Y. E. Henkin (quoted in Teshuvos Bnei Banim, pg. 12).

11. Shabbos 92a.

12. Igros Moshe, O.C. 4:31.

13. Igros Moshe, O.C. 3:23; 3:24; 4:30; 4:31.

14. Igros Moshe, O.C. 1:42.

15. Igros Moshe, O.C. 1:43; 3:23.

16. Igros Moshe, O.C. 4:29.

17. Igros Moshe, O.C. 4:32.

18. Igros Moshe, O.C. 3:23; 3:24; 4:31.

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