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- Authored by **Rabbi Moishe Dovid Lebovits**
- Reviewed by **Rabbi Benzion Schiffenbauer Shlita**
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Summer Halachos – Select Modesty Issues

Compiled From Previous Halachically Speaking Articles

וְהַצְנֵעַ לֶכֶת עִם אֱלֹהֶיךָ... מיכה פרק ו-ח

כָּל כְּבוּדָּה בַת מֶלֶךְ פְּנִימָה... תהלים פרק מה-יד

Although, the summer is a time to relax, it is not a time to be lenient in *halacha*. Below we will discuss some of the issues in regard to modesty which arise during the summer and their *halachic* ramifications.

Revealing a *Tefach*

Halacha requires that all areas of a woman's body which are considered an

ervah must be kept covered, since even if one *tefach* is revealed and looked at[1] by a man,[2] it can cause improper thoughts.[3] This *din* also applies to one's wife when she is impure.[4] A woman is permitted to reveal her hands and face since they are not considered an *ervah*.[5] (Our discussion will pertain to the leg although other areas of the body must be covered as well, see below).[6]

Tefach or Less

In regards to one's wife one is not allowed to say *krias shema* if a *tefach* is revealed in a part of the body which has to be covered.[7] Many say this *shiur* applies to other women as well.[8] However, some say even less than a *tefach* is *ossur* by a woman who is not his wife.[9]

Reciting *Krias Shema* etc.

If an area which is supposed to be covered is not, one may not recite *krias shema* or other *devarim sh'bekedusha*[10] in front of the woman.[11]

Non-Jew

This issue also applies when facing a non-Jewish woman who is not properly clad.[12]

The Thigh

If one's wife reveals her thigh then even less than a *tefach* (a little revealed) would

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1. There is a discussion in the *poskim* if the *halacha* applies to a picture or "other forms" of seeing (Refer to Minchas Yitzchok 2:84:9, 3:11:1, Yabea Omer O.C. 1:7, 6:12, Be'er Moshe 3:154, Shearim Metzuyanim B'halacha 5:footnote 7:pages 40-42, Orchos Rabbeinu 3:page 205:7).

2. Meseches Berochos 24a, Tur O.C. 75, Shulchan Aruch 75:1. A woman should not say *krias shema* etc. opposite an improperly clad male (Aruch Hashulchan 5).

3. Pri Megadim Eishel Avraham 75:2, Mishnah Berurah 75:1.

4. Shulchan Aruch 75:1.

5. Rosh Meseches Kesubos 2:3, Divrei Chamudos Meseches Berochos 3:116, Rambam Hilchos Issurei Biah 21:3, Bais Yosef 75, Ben Ish Chai Bo 1:8, Shulchan Aruch Harav 75:1, Chai Adom 1:4:2, Mishnah Berurah 75:2.

6. Refer to Shulchan Aruch E.H. 83:1, Mishnah Berurah O.C. 75:2, Yechaveh Da'as 3:67.

7. Rama 75:1, see Magen Avraham 1. If less than a *tefach* is revealed it is permitted. The same would apply to one's mother, sister and daughter (Piskei Teshuvos 75:2).

8. Bach, Rama 75:1, Shulchan Aruch Harav 75:1, Pri Megadim Eishel Avraham 1, Chai Adom 1:4:7, Kitzur Shulchan Aruch 5:16, Aruch Hashulchan 2, Bnei Bonim 4:page 103, Piskei Teshuvos 75:2. Refer to Levusha Shel Torah page 179. There is no difference if she is married or not (Chai Adom 1:4, Mishnah Berurah 6).

9. Rama 75:1, Ben Ish Chai Bo 1:8. See Yufei L'leiv 75:2.

10. Chai Adom 1:4.

11. Tur ibid.

12. Chesed L'alafim 75:5.

forbid the husband from saying *krias shema* etc in front of her.[13] The reason is that a thigh is a place which is subject to more illicit thoughts.[14]

The *poskim* discuss which part of the leg is considered by *halacha* as the thigh.[15] Many say that one does not have to cover below the knee until the foot,[16] while other *poskim* say that from below the knee until the foot is an *ervah* and has to be covered.[17]

However, even according to those who are lenient, the bottom portion (from the knee down) must be covered because of *tznius* since the *derech* is to cover that part.[18] According to the stringent view it has to be covered with stockings which can not be see through or a long skirt.[19] However, the custom of many is to be lenient, and therefore, one does not have to wear thick (non see through) stockings since that area is covered.[20] If a woman is wearing a long skirt the opinion of some *poskim* is that no stockings are required.[21] In the summer months this is something which some women are very lax in and must be corrected.

According to all opinions a skirt above the knees is *ossur* for a woman to wear.[22]

How Young

Some say the above *issur* applies to a girl who is three and up.[23] One can be lenient

13. Bach, Taz 1, Chai Adom 1:4:2, 7, Mishnah Berurah 75:2, 7, Aruch Hashulchan 3.

14. Taz O.C. 75:1.

15. Refer to Eis Tzenuyim Chuchma pages 19-22 in depth.

16. Mishnah Berurah 75:2, Igros Moshe E.H. 4:100, Halichos Shlomo Tefillah 20:footnote 22, Ve'aleihu Lo Yeibol 1:page 315, Chazzon Ish O.C. 16:8, Salmas Chaim 88:page 28, see 89, opinion of Harav Aron Kotler zt"l quoted in Levusha Shel Torah pages 512-516, Halichos Shlomo Tefillah 20:footnote 22. Refer to Rav Akiva Eiger pesakim 98, see Pri Megadim M.Z. 75:1.

17. Oz Nedberu 7:83, Divrei Yatziv E.H, 37 in depth, Maharei Shteiff 43, Shevet Ha'Levi 1:1, 3:91:1, Be'er Moshe 8:101, Halichos Bas Yisroel 4:9, Levusha Shel Torah pages 499-500 in depth, Laws of Daily Living pages 80-81:footnote 36, see Salmas Chaim 91:page 29, Lehoros Nosson 5:92-93.

18. Halichos Shlomo ibid, Halichos Bas Yisroel 4:9, see Avnei Yushfei 2:71:2.

19. Refer to Be'er Moshe 4:147:16, 8:101, Halichos Shlomo Tefillah 20:footnote 12, Kovetz Teshuvos (Harav Elyashiv Shlita) 1:13, Uz Vehador Levusha page 329, page 330 quoting the opinion of Harav Shlomo Zalman Aurbach zt"l and Harav Elyashiv Shlita.

20. Igros Moshe E.H. 4:100:6, see Oz Nedberu 14:49, Levusha Shel Torah 48:pages 506-511, see ibid:page 527.

21. Otzer Dinim L'isha U'lbas page 354:4, Shevet Ha'Levi 5:78:2, Oz Nedberu 12:49. Even according to the lenient opinion one should not go outside with her lower leg uncovered (Ve'aleihu Lo Yeibol 1:page 313:2).

22. Levusha Shel Torah 45:1-2.

23. Chai Adom 1:4, Biur Halacha 75 "tefach", Halichos Shlomo Tefillah 20:9, Oz Nedberu 7:83:page 70. Refer to Chesed L'alafim 75:5 who is unsure if this issue applies to young children. Some say the age is from three and a half (opinion of Harav Elyashiv Shlita quoted in Vezos Ha'beracha page 148:3). Some say until five (opinion of Harav Yaakov Kamenetsky zt"l quoted in Divrei Chachumim page 38:63). This is very common when girls come to *shul* and they are not dressed in accordance with *halacha* (Yabea Omer O.C. 6:14).

with his daughter until she is eleven.[24] Others say when a girl reaches a more mature age (see footnote).[25] In any case one should train their children to dress in the proper manner.[26]

A Woman facing a Woman

A woman who sees parts of another woman's body which should be covered may still recite *krias shema* etc in front of her.[27]

Walking Barefoot

During the summer many women feel that they want to walk around in public with slippers without wearing socks underneath. If the custom in the land is to walk without socks, then doing so is not considered an *ervah*.[28] Today, the custom in most places is to wear socks, and therefore, a woman is forbidden to walk around without socks.[29]

Walking Around with Revealing Garments

Besides for the *issur* of walking around with certain types of skirts, a woman may not walk around with revealing garments.[30] In addition she is causing men to look at her.[31]

Red Clothing

Many women wear different color garments during the summer months. The color red is not permitted to be worn by a woman since it is a sign of *pritzos*.[32] Included in this is a red headband, or red stockings.[33] If a garment has a minute amount of red in it, then it is permitted to be worn.[34] Some quote the opinion of *Harav Yaakov*

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24. Biur Halacha ibid. Refer to Ohr L'tzyion 2:6:12 who argues.

25. Refer to Chazzon Ish O.C. 16:9, Oz Nedberu 13:61:2. The Chazzon Ish zt"l is quoted as saying between 6-7 (Halichos Bas Yisroel 3:footnote 8, Ohr L'tzyion ibid).

26. Salmas Chaim 95, see 96, Otzer Dinim L'isha U'lbas pages 358-359.

27. Shulchan Aruch Harav 75:2, Chai Adom 1:4:8 (as long as she is not facing the *ervah* itself)

28. Ben Ish Chai Bo 1:11, Chai Adom 1:4:2, Mishnah Berurah 75:2, Aruch Hashulchan 75:3, Kaf Hachaim 75:2, Eis Tzenuyim Chuchma pages 36-37.

29. Refer to Oz Nedberu 10:34, Minchas Yitzchok 6:10, Uz Vehadar Levusha page 345, opinion of Harav Ovadia Yosef Shlita quoted in Otzer Dinim L'isha U'lbas page 354.

30. Igros Moshe Y.D. 1:81.

31. See Igros Moshe Y.D. 1:81. As far as selling non-clad clothing see Yechaveh Da'as 3:67, Shevet Ha'Levi 2:62, Shraga Hameir 8:70, Halichos Bas Yisroel 4:page 75, V'ein Lumo Michshal 1:pages 118-119.

32. Rama Y.D. 178:1, Shach 3, Chochmas Adom 89:1, Kitzur Shulchan Aruch 3:2, Be'er Moshe 4:147:13, Halichos Bas Yisroel 7:3. See Be'er Moshe 4:140.

33. Be'er Moshe 4:147:13.

34. Halichos Shlomo Tefillah 20:footnote 12. Children who did not reach the age a *chinuch* may put on red garments (Shevet Ha'Levi 6:24:2).

Kamenetsky zt"l who maintains wearing red is permitted today since it is not viewed as a garment of *pritzos*.[35]

How to Recite a *Beracha*

As mentioned above in the summer one is faced with situations where women are not dressed properly and one needs to learn or say *berachos*. What is the permitted ways to go about doing this according to *halacha*?[36]

If one is in front of a woman who has her body revealed in areas which are not allowed, then one must turn his face,[37] while some say that one must turn his face and his body in a different direction.[38] One should act in accordance with the second latter opinion.[39]

Some *poskim* hold that closing one's eyes does not help if he is facing the improperly clad woman.[40] However, others maintain if there is no other option he may close his eyes and recite *krias shema*, etc.[41]

Thinking or Writing *Torah*

Only actual talking in *Torah* is forbidden in front of improperly clad women, but thinking or writing *Torah* is permitted.[42] Some *poskim* maintain that writing *Torah* is also permitted in front of a woman who is not properly dressed.[43]

Recited *Krias Shema*

B'dieved, one who looked at an improperly clad woman and did not have intention to have enjoyment does not have to repeat *krias shema*.[44]

Saying *Shalom* and other Expressions to a Woman

In the summer many people go away to bungalow colonies or summer homes, where there are often women present. As will be explained in detail below one area in which one must be careful is using words which are not allowed to be said to a woman.

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35. Quoted in Divrei Chachumim page 256:46.

36. Refer to Levusha Shel Torah 14:pages 147-161 in great depth.

37. Shulchan Aruch 75:6, Birchei Yosef 6, Mishnah Berurah 75:1. Some say that closing his eyes helps even if there is another option (Panim M'eros 1:74).

38. Taz 2, Shulchan Aruch Harav 9, Chesed L'alafim 75:7, Aruch Hashulchan 75:11.

39. Mishnah Berurah 75:28-30.

40. Bach, Magen Avraham 9.

41. Shulchan Aruch Harav 75:1, Mishnah Berurah 75:1, see Biur Halacha 75 "b'mokom", Salmas Chaim 77:page 26, Oz Nedberu 7:83:page 170.

42. Shulchan Aruch Harav 75:10, Chai Adom 1:4:12, Mishnah Berurah 29, Aruch Hashulchan 11.

43. Opinion of Harav Chaim Kanievesky Shlita quoted in Nekius V'kovod B'Tefillah page 29:footnote 21, Levusha Shel Torah page 211:5. See Bais Boruch meluyim to 4:57 who is stringent.

44. Mishnah Berurah 75:4.

One is not allowed to say "*Shalom*" to a woman.[45] The reason is because *Shalom* is a name of *Hashem* which by saying it brings closeness to people, and *chazal* made a *geder*[46] which obligates one to avoid any type of conduct that represents *chibah* (love).[47] This would not apply to saying this to young girls,[48] or to ones close family relatives (sister, mother, etc).[49] Asking about a woman's welfare is likewise forbidden. Therefore one should not say "how are you." One is permitted to inquire about a woman through her husband.[50] Others say doing so is permitted through any third party.[51]

Some *poskim* say even if one is only saying "*Shalom*" out of niceness, since that is how people speak, it should still be avoided.[52] A woman may not say "*Shalom*" to a man either.[53]

The *Ben Yehoyada*[54] maintains that this *halacha* only applies to a woman one does not know, and one would be permitted to say *Shalom* to someone he knows since it is being done to show *derech eretz* not to bring closeness. Based on this, some say that where one does not recognize the woman, such as on the telephone, saying *Shalom* is permitted.[55] Nonetheless, one must be careful not to use his words too leniently. Although, some *poskim* say that telling a woman something is permitted if one does not use the word *Shalom*,[56] this is not a simple matter to permit.

One is permitted to shake his head at a woman to acknowledge her presence.[57]

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45. Refer to Meseches Kedushin 70b, Tur E.H. 21, Shulchan Aruch E.H. 21:6, Chuchmas Adom 125:5, Kitzur Shulchan Aruch 152:9, Otzer Haposkim E.H. 21:6, see Chut Shuni Shabbos 3:page 277. The Maharam Shik E.H. 53 is lenient somewhat with *Shalom*.

46. Refer to Aruch Hashulchan E.H. 21:1.

47. Rashi Kiddushin ibid "ein". Refer to Piskei Teshuva 6 whose question is answered based on the Ben Yehoyada. Some say telling a woman *Shalom* is forbidden because she will say *Shalom* back to you and the voice of a woman is an *ervah* (Chai Adom 4:6, see Aruch Hashulchan E.H. 21:8).

48. Ezer Mekodesh E.H. 21:6. This *din* does not apply to a father and daughter even after she is married (Ibid). However, it does apply from a brother in-law to his sister-in-law (Chut Shuni ibid:page 278).

49. Aruch Hashulchan E.H. 21:8.

50. Tosfas Kiddushin ibid "ein", Rosh 4:4, Tur, Shulchan Aruch ibid.

51. Bach, Bais Shmuel 13. The Chelkes Mechokek E.H. 21:7 argues.

52. Refer to Betzel Hachuchma 5:48, Shevet Ha'Levi 5:207:7, Divrei Chachuchim page 257:48, see Minchas Yitzchok 8:126 who is lenient. Refer to Shevet Ha'Levi 5:198.

53. Betzel Hachuchma 5:50.

54. Kiddushin 70b "shom". Refer to Aruch Hashulchan E.H. 21:8.

55. Betzel Hachuchma 5:49, Chut Shuni ibid:page 278. One who does recognize the woman on the telephone would not be permitted to say the forbidden expressions (Betzel Hachuchma ibid).

56. Ezer Mekodesh E.H. 21:6.

57. Chut Shuni ibid:page 278.

Mazel Tov/ Davening etc.

It is important to mention that one is permitted to wish *mazel tov*[58] to a woman at a *simcha* since it is a *Tefillah* and is not intended for *chibah*, *chazal* did not include it in the *issur*.[59] It is also permitted to *daven* for a woman.[60] Wishing a woman a good year is permitted.[61] Wishing a woman health or a get well soon is also permitted.[62] One is permitted to consol a woman mourner.[63]

"Good *Shabbos*/Morning/Evening, Hi or Hello"

The *poskim* write that saying good *Shabbos*,[64] good morning, or good evening to a woman does not fall into the above *issur*.[65] Although others say that doing so is not permitted,[66] the custom is to permit these expressions. One should avoid saying "hi" to a woman because it is an expression which is only used by intimate friends.[67] However, saying "hello" would be permitted.[68]

Other Expressions

One is not allowed to ask a woman: How did you spend your *Shabbos*? Or what are your vacation plans?[69] Some say one who is walking in the street and meets a woman he knows may ask about her family's welfare since doing so is a nice gesture.[70]

Talking too Much to Women

In the summer months it is very common for a man to talk to other women in the bungalow colony. However, one must be careful with this, since the *Gemorah* in *Berochos*[71] says one should not talk a lot with a woman in the street. The *Mishnah* in

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58. Refer to Michtav M'Eliyahu 4:pages 98-104 on *mazel*, and page 98:footnote 1 on *mazel tov*.

59. Ezer Mekodesh E.H. 21:6. Refer to Soveh Smochos 1:14:23, Lev Ita page 88.

60. Ezer Mekodesh E.H. 21:6.

61. Chut Shuni ibid:page 278.

62. Chut Shuni ibid:page 278, Yisroel Kedoshim page 169.

63. Refer to Teshuvos V'hanhugos 2:590, see Be'er Moshe 2:107.

64. Chut Shuni ibid:page 278.

65. Harav Yisroel Belsky Shlita, see Aruch Hashulchan E.H. 21:8, Betzel Hachuchma 5:48, Be'er Moshe 4:116, Rivevos Ephraim 6:402, Yisroel Kedoshim page 167.

66. Refer to Chut Shuni ibid.

67. Harav Yisroel Belsky Shlita.

68. Harav Yisroel Belsky Shlita, see Emes L'Yaakov E.H. 21:footnote 6. Refer to Be'er Moshe 4:116 who is not so convinced to permit "hello."

69. Kuntres 9-5:page 7, Yisroel Kedoshim page 166.

70. Divrei Chachumim page 257:48 quoting the opinion of Harav Sheinberg Shlita.

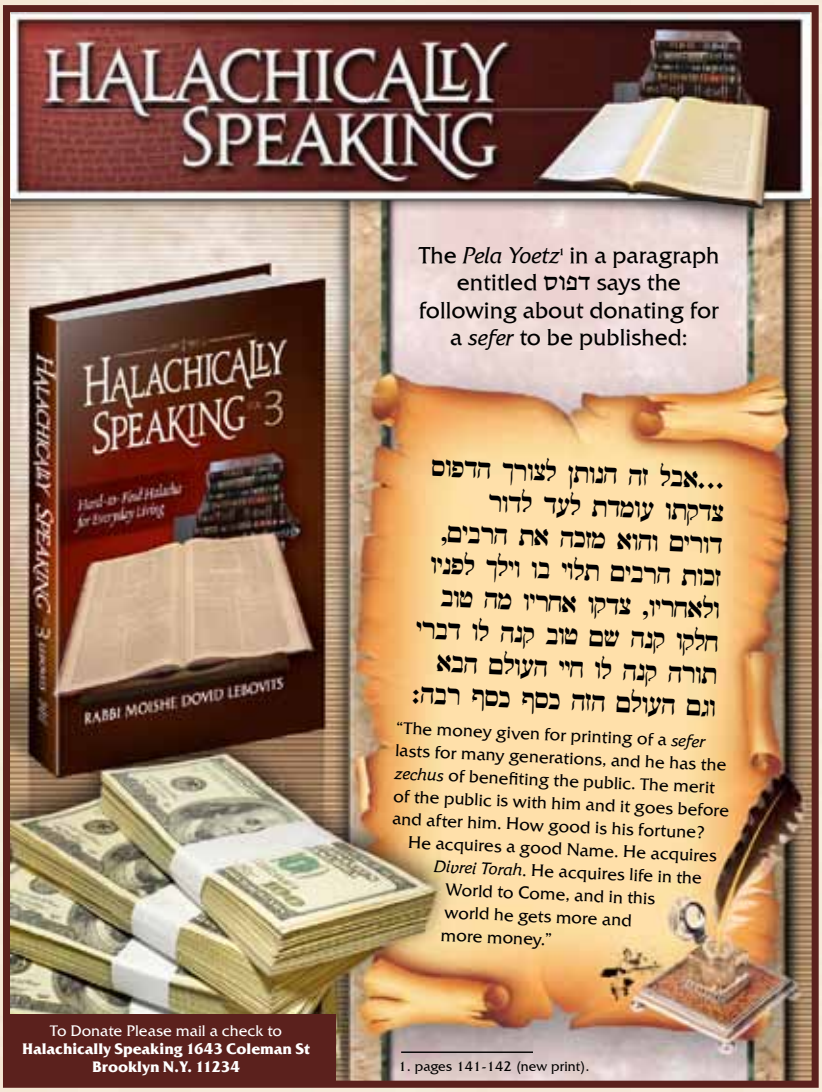
71. 43b, Rambam Hilchos De'os 5:7, see Yam Shel Shlomo Kiddushin 4:25, Oz Nedberu 3:65. Refer to Chut Shuni Shabbos 3:page 285.

Avos[72] says one who does so causes himself harm.

One is permitted to talk to a woman in a store, for example, one who needs help with an item.[73] However, only talk for this purpose is permitted and useless conversation should be avoided.[74]

Acting in a *Tznius* Manner with one's Wife

It is forbidden to show *chibah* (love) in public.[75] Accordingly, holding hands in public is strictly forbidden.



72. 1:5.
73. Oz Nedberu 12:56.
74. Mishputei Uziel C.M. 4:4.
75. Rama E.H. 21:5.

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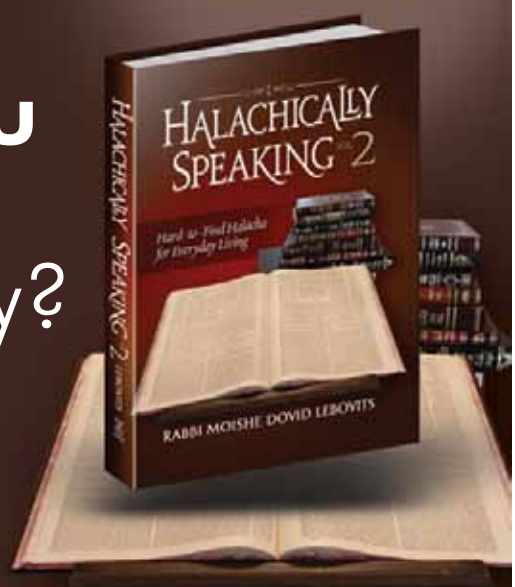

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