

בס"ד

***The
Laws of Yichud***

**PERMISSIBILITY AND PROHIBITION
REGARDING THE SECLUSION
OF A MAN AND WOMAN**

By Rabbi N. D. Dubov



Published by
Sichos In English
788 Eastern Parkway
Brooklyn, N.Y. 11213

5766 • 2006

The Laws of Yichud

Published and Copyrighted © by

Sichos In English

788 Eastern Parkway • Brooklyn, N.Y. 11213

Tel: 718-778-5436 • Fax: 718-735-4139

All rights reserved. No part of this publication may be reproduced in any form or by any means, including photocopying, without permission in writing from the copyright holder or the publisher.

ISBN 1-8814-0085-9

5766 • 2006

TABLE OF CONTENTS

Excerpt of a Sicha from the Rebbe	vii
Haskomos	ix
Preface	xi
Foreword	xiii
Acknowledgments	xiii
Introduction: The Proper Perspective on Yichud	xv
Source Material: Gaining the Necessary Background to Understand the Laws	xix
Chapter 1. Yichud — What, Where and With Whom	
A) The Definition of Yichud	1
B) The Reason for the Prohibition of Yichud	2
C) Where is Yichud Prohibited?.....	2
Halachos 1-4: With Whom is Yichud Forbidden?	3
5: The Elderly	6
6-7: Non-Jews	7
8: Children Below <i>Bar/Bas Mitzvah</i> Age	8
9: Brothers and Sisters.....	8
10-13: <i>Parutz, Libo Gas Boh, Asoko Im Hanoshim</i>	10
14-17: One Woman with Two or More Men	12
18-25: One Man with Two or More Women	15
26: Two Men with Two Women.....	19
27-28: Three Men with Three Women	19
29: Intermingling.....	20
30: Adopted Children	20
31-32: Orphans and Stepchildren	21
33-34: Converts	22
35-37: Where One Parent is Jewish.....	22
38: Dating or Engaged Couples	22
40: An Ex-Partner	23

Chapter 2. “Pesach Posuach” — An Open Door

Halachos 41-42: The Concept of <i>Pesach Posuach</i>	25
43: <i>Libo Gas Boh</i>	26
44: <i>Parutz, Asoko Im Hanoshim</i> , Non-Jew	27
45-48: Closed But Not Locked.....	27
49: Giving the Key to a Neighbor	29
50-51: The Inner Room of a House	30
52-53: An Apartment Building	31
54: A Bay Window	31

Chapter 3. “Baaloh B’ir” — Husband in the City

Halachos 55-61: The Concept of <i>Baaloh B’ir</i>	33
62-65: Away from Home.....	38
66-69: <i>Libo Gas Boh</i>	39
70-71: <i>Parutz, Asoko Im Hanoshim</i>	41
72-74: Non-Jews	42
75: <i>Midas Chassidus</i>	43

Chapter 4. “Ishto Meshamroso” — His wife guards him

Halachos 76-82: The Concept of <i>Ishto Meshamroso</i>	45
83-85: <i>Libo Gas Boh, Parutz, Asoko Im Hanoshim</i>	49
86-88: A Non-Jewish Woman	49
89: <i>Au Pairs</i>	50

Chapter 5. “Shomrim” — Which People Serve to Prevent Yichud

Halachos 90-93: The Concept of a <i>Shomer</i>	53
94-108: Children As <i>Shomrim</i>	55
109-114: Relatives As <i>Shomrim</i>	58
115-117: A <i>Shomer</i> Who Has a Key	61

Chapter 6. Common Yichud Situations

Halachos 118-126: Separate Rooms.....	65
127-131: Separate Apartments	68
132-136: An Apartment Building	70
137-138: Renting a Room or Apartment	71
139-141: Guests	71
142-143: Out-of-Town Boarders	72
144: Elevators	73
145-146: Visiting the Sick	73
147-148: Visiting a Cemetery	74

Chapter 7. Transportation

Halachos 149-152: Cars	75
------------------------------	----

153-156: Public Transportation.....	78
157-159: School Buses	80
160-166: Taxis	80
Chapter 8. Yichud At Work	
Halachos 167-169: The Workplace.....	83
170-190: Offices.....	84
191: Shops.....	90
192: Closing Time.....	91
193-198: Cleaning Ladies, Butlers and Maids	91
199: The House of a Non-Jew	92
200: Workers in the Home	93
201-210: Teaching.....	93
Chapter 9. Babysitting	
Halachos 211-225: Babysitting	97
Chapter 10. Medical Personnel	
Halacha 226: Women Visiting Male Doctors	103
227-234: A Visit to the Doctor's Office	104
235-240: A Visit to the Doctor's Home or Private Rooms.....	109
241: Home Visitations	112
242: A Hospital	113
243: A Scan	114
244: An Ambulance	114
245-248: <i>Pikuach Nefesh</i>	115
249-250: The Sick	116
251-255: Doctors and Their Staff	116
256-257: Therapy/Counseling	118
258-259: Caregivers.....	119
260: A Night Nurse.....	119
Chapter 11. Being Careful About Yichud	
Halachos 261-262: Education.....	121
263: The Guard at a Women's Dormitory	121
264-266: Dating and <i>Shidduchim</i>	121
267-269: Taking Employment	122
270-273: What to Do if One Detects a Yichud Situation.....	123
274: Swimming	124
275: Brother and Sister in Separate Bedrooms.....	124
276: Children's Friends and Sleepovers.....	124
277-278: <i>Tzedakah</i> Collectors	125
279: The Internet	125

280: Asking a Rav	126
281: Permanent Situations	126
Chapter 12. Inspiration	127
Glossary.....	133
Index	137

EXCERPT OF A SICHA FROM THE REBBE

ספר השיחות תשנ"א 87-86 p.

יב. דער לימוד פון האמור לעיל:

קומענדיק יעצט פון חודש תשרי, "המרובה במועדות"¹, ונכנס אין דער געוויינלעכע עבודה פון דעם יאר, איש תחת גפנו ותחת תאנתו² - דארף באַ יעדער איד זיין דער "צא מן התיבה" (די יציאה פון תיבות התורה והתפלה³ אין בכל דרכיך דעהו⁴, ע"ד די יציאה פון חודש תשרי⁵), און ארויסגיין טאָן די עבודה פון "פרו ורבו גו", ביז "וכבשוה" - מאַכן אַ דירה לו יתברך בתחתונים, און מ'האַט כח אויף דעם - די ברכה און דער ציווי - פון דעם אויבערשטן.

און דאָס איז אַן עבודה פאַר יעדער איד, מאַן און פרוי, יעדערער לפי אופן ודרך עבודתו - אַן איש (אויך) באופן פון "דרכו לכבוש", און אַן אשה - באופן פון "כבודה בת מלך פנימה".

ונוסף אויף דער עבודה פון נשי ובנות ישראל בביתם פנימה, זעט מען אַז בדורות האחרונים במיוחד - איז באַ זיי צוגעקומען אויך די עבודה מחוץ לבית⁶ - אָבער אויך אין אַן אופן פון "כבודה בת מלך פנימה" - מיט אַנדערע

(1) ראה ב"י א"ח סתצ"ב (ד"ה ומ"ש), שו"ע אדה"ז שם ס"ב, הוספה לשו"ע אדה"ז (להר"ג מדובראוונע) א"ח סקל"א ס"ח.

(2) מ"א ה, ה.

(3) בפירוש הבעש"ט בפסוק "בא אל התיבה" - כתר שם טוב בהוספות ס"ח ואילך, וש"נ (וראה צוואת הריב"ש סו"ס עה). וראה לקו"ש ח"א ע' 6 ואילך.

(4) משלי ג, ו. וראה רמב"ם הל' דיעות ספ"ג. טושו"ע א"ח סרל"א.

(5) ראה בארוכה שיחת אדר"ח מרחשון תשמ"ט. כ"ח תשרי שנה זו, ועוד.

(6) ויש לעורר על הזהירות שצ"ל בנסיעת אשה ובת מישראל בטקסי או אוטו כשהנהג הוא גבר* (שאפשר להיות בזה חשש של יחוד כו') - וכידוע השקו"ט בזה בספרים**, ובכגון דא - יש לברר חילוקי הדינים ופרטים בזה - אצל רב מורה הוראה.

(* ובפרט שבזמננו (ובפרט בעיר גדולה כמו ניו יארק וכיו"ב) אפשר לאשה למצוא (או להזמין) טקסי עמ אשה נהגת.

** ראה אוצר הפוסקים ח"ט סקל"ה אות ח. שערים מצוינים בהלכה סימן קנב הערה ג. דבר הלכה סימן טו הערה א. שו"ת חלקת יעקב ח"ב סי"ד, שו"ת ציץ אליעזר ח"ו קונטרס היחוד פט"ו ס"ז-ח, ועוד.

נשים ובנות – אין הפצת היהדות בכלל און הפצת המעינות חוצה [כולל דעם ענין פון להקהיל קהילות דנשים בכל שבת ללמוד תורה,⁷ און אָנפירן מיט "מסיבות שבת" פאַר מיידעלעך וכיו"ב], און זיי (נשי ובנות ישראל) נוצן דערביי אויס זיינערע ספעציעלע תכונות וכשרונות [אזוי ווי דער חוש הציור, וואָס אין דעם איז נוגע אַ ספעציעלן געפיל (רגש), וואָס איז אַמאָל דאָ מערער באַ נשים ובנות], ובכללות – זייער איידלקייט און הנהגה פנימה – צו מוסיף זיין אין הפצת היהדות און הפצת המעינות חוצה.

ספר השיחות תשנ"ב ע' 329

ומודגש גם בהפטרה (סיום וחותרם הפרשה) – "ודבורה אשה נביאה גו' יושבת תחת תומר גו"⁸, אילן תמרים, סיום וחותרם (והכי מובחר מ) כל שבעת המינים שנשתבחה בהם ארץ ישראל (דבש תמרים), ורומז על גילוי פנימיות התורה לעתיד לבוא (כנ"ל ס"ו).

ויש להוסיף בהשייכות ד"תומר דבורה" למעמד ומצב דלעתיד לבוא – ע"פ מארז"ל⁹ "מאי שנא תחת תומר. משום יחוד" (ש"תחת תומר" לא שייך יחוד), דיש לומר הרמז בזה, שה"יחוד" דכנסת ישראל (דבורה¹⁰) אינו אלא עם הקב"ה בלבד, ולכן צ"ל תכלית הוזהירות מענין של יחוד ("תחת תומר"), ועי"ז זוכים¹¹ להיחוד דכנסת ישראל עם הקב"ה לעתיד לבוא ("לימות המשיח יהיו נישואין"¹²).

7) ראה יל"ש ר"פ ויקהל. וראה תו"ש עה"פ (אות ה') וש"נ, והובא להלכה בשו"ע אדה"ז סר"צ ס"ג. וראה בארוכה ס' השיחות התש"נ ח"א ע' 86 ואילך.

8) פ' שופטים ד, ד-ה.

9) מגילה יד, א.

10) להעיר ממארז"ל (דב"ר פ"א, ו) "כדבורים היו בני . . . מה הדבורה הזאת כל מה שהיא מסגלת מסגלת לבעלי", כך כל מה שישאל מסגלין מצוות ומעשים טובים הם מסגלים לאביהם שבשמים.

11) להעיר מדרשת חו"ל על הפסוק "גן נעול גו' גן נעול גו'", ש"על ידי שגדרו ישראל עצמן מן הערוה נגאלו ממצרים" (שהש"ר פ"ד, יב (א)).

12) שמור"ר ספט"ו.

ב"ה

Rabbi LY Raskin
 Dayan, Lubavitch Synagogue
 107-115 Stamford Hill
 London N16 5RP
 Home tel. (020) 8802 1606
 e.mail: lyraskin@btinternet.com

לוי יצחק ראסקין
 דומ"צ קהלת ליובאוויטש
 מו"צ בבית הוראה שע"י התאחדות ח
 107-115 סטאמפארד היל
 לונדון נ.16
 טלפון: 8802 1606 (020)

ט' טבת, ה'תשס"ה

הנה ידידי עוז הרה"ג הרה"ח הרה"ת הר"ר ניסן דוד דובאוו שליט"א כבר יצאו לו מוניטין בכמה חיבורים שזכה להפיץ, הן בתחום ההלכה והן בענייני אמונה. וכעת איוותה נפשו מחשבת טהרה וערך ילקוט של הלכות יחוד שהן הלכתא דשכיחי טובא, ולעמא דבר הרי המכוסה בהן יותר על המגולה.

על פי בקשת ידידי הנ"ל, הנה עברתי על כל החיבור, ואכן נקבצו בו רוב הלכות המצויות, כל דבר מיוסד על דברי הפוסקים, עד אחרוני אחרונים, וכנסמן כל דבר בשולי היריעה. גם היטיב לכתוב בסגנון קל וקולע ובלשון אנגלית, ובכך להאיר הלכות האלה גם ללועזים בלעז שלהם.

ועל כן אמינא: יישר חילי לאורייתא, וחפץ ה' בידו יצלח להרבות הטהרה בישראל, ונזכה בקרוב להיטהר על ידי אבינו שבשמים (כמתני' יומא פה ב).

בברכה,

לוי יצחק ראסקין

נ.ב. רציתי לרמז לחכימין מדברי הגר"י אייבשץ (בספרו אהבת יונתן, פ' וירא) בכוונת האשה השונמית (מלכים-ב ד, י) שעשתה 'עליית קיר', דהיינו למנוע איסור יחוד, והובא להלכה בס' אשל אברהם (להרה"צ מבוטשאטש) או"ח סי' קלה. ואף כי תרי גווי עליי' יש, ויש שנפתח החוצה ויש הנפתח אל הבית (ראה מתני' ב"ב נט ב ובגמ' שם ס א), הרי מדברי האשל אברהם שם מתבאר דמיירי [גם] בנפתח אל הבית. ובכדי שלא לסתור מההיא ד"שקולו דרגא מקמי ביבי" (קידושין פא א) נ"ל לחלק, דהתם דרכו של בני עליי' על מקום בני הבית, ואילו בהך דהשונמית עשו דרכו החוצה דרך המסדרון, לא דרך מקום בני הבית. ובספרי המלקטים לא ראיתי שיעירו מכל זה, אף כי יש בזה לכאורה גם להקל וגם להחמיר. ואכמ"ל.

E. Yochanan Gurary
Chief Rabbi of Holon

אלי' יוחנן גורארי'
הרב הראשי לחולון

בס"ד

י"א כסלו תשס"ה

הן הי' למראה עיני עלים לתרופה מספר החשוב
"הלכות יחוד" שהכין לדפוס בשפה האנגלית, ידידי
אהובי הרב החו"ב כמו"ר ניסן דוד דובאוו שליט"א,
וראיתי בו ברכה, כי עשה עבודה גדולה וחשובה, אסף
וקיבץ כעמיר גרונה את הדינים השייכים להלכות
הנ"ל, המפוזרים בספרי הלכה ושו"ת ובשאר ספרי
אחרונים, וסידר אותם בסדר נאות, למען ירוץ
הקורא בו וימצא עד מהרה את מבוקשו.

ידוע מה שכתב הרמב"ם (הלכות איסורי ביאה
פרק כב הל' כ), וז"ל: "ראוי לו לאדם לכוף יצרו
בדבר זה [עריות] ולהרגיל עצמו בקדושה יתירה
ובמחשבה טהורה ובדעת נכונה כדי להינצל מהן.
ויזהר מן הייחוד שהוא הגורם הגדול. גדולי החכמים
היו אומרים לתלמידיהם הזהרו בי מפני בתי הזהרו
בי מפני כלתי, כדי ללמד לתלמידיהם שלא יתביישו
מדבר זה ויתרחקו מן הייחוד".

אשר לכן אמינא לפעלא טבא איישר, ואף ידי תכון
עמו, להוציא לאור עולם לחלקו ביעקב ולהפיצו
בישראל, ובודאי יהי' בזה תועלת גדול לכל ההוגים
בהלכות אלו. ואברכהו כי יזכה לילך מחיל אל חיל
להפיץ מעיינותיו חוצה להגדיל תורה ולהאדירה
מתוך הרחבה ולנחת רוח כ"ק אדמו"ר נשיא דורינו.

הכותב וחותם בברכת התורה

יוחנן גורארי'

PREFACE:

THE PURPOSE OF THIS BOOK

With gratitude to *Hashem*, I am delighted to present a summary of the laws of Yichud. For a number of years, I have *Boruch Hashem* had the privilege of teaching these *halachos* at the Bnos Menachem Yad Ramah Lubavitch Seminary at Bournemouth, UK and at the Lubavitch House Senior Girls' School in London. The present volume is based on the *shiurim* presented at the Seminary.

Let me stress from the very outset that the purpose of this volume is to teach the student the principles of Yichud and to highlight the circumstances that may pose a question of Yichud. However, in every case where there is a question of Yichud, a competent Rav should be consulted. He will be able to evaluate all the various problems and mitigating factors and deliver a *Psak Din* tailor-made for the question.

It is of paramount importance that both men and women have a clear understanding of these *halachos*. The aim of this volume is to present the student with a concise guide and, at the same time, to give the scholar footnotes for research.

It is my fervent hope that an increased awareness and knowledge of these *halachos* will add to the *kedushah* and *tznius* in *Klal Yisroel*, and in this merit we shall very soon greet *Moshiach Bimhaira Beyamaynu, Amen*.

FOREWORD:

**THE SOURCE WORKS
FOR THIS VOLUME**

As is true in every work of *halachah*, we have navigated a path through the sea of *Poskim*. In this volume we have mainly relied upon the rulings presented in the most recent *seforim* dealing with this subject. Their rulings, in turn, are based upon the rulings of the greatest Sages of this generation and of previous generations. They are:

Dvar Halachah by Rabbi Avraham Halevi Hurvitz

Nitei Gavriel by Rabbi Gavriel Zinner

Toras HaYichud by Rabbi Pinchas Eliyahu Rabinovitz

Minchas Ish by Rabbi Ayal Shraga

We have also in general cited the ruling of the *Rema* in the text, it being the Ashkenazic custom, and we have highlighted in the footnotes the ruling of the *Bet Yosef*, the Sefardic custom.

ACKNOWLEDGMENTS

First and foremost, I would like to thank all the students at the Bnos Menachem Yad Ramah Seminary at Bournemouth UK and the Lubavitch Girls' Senior School, London UK. This volume was prepared as an outcome of my teaching these students.

I send my warmest thanks to Rabbi L. Y. Raskin, Dayan of the Lubavitch community in London, UK for proofreading the book and for his meticulous editing. I would also like to thank Rabbi M. Turetski and Rabbi Y. Rapoport for their valuable comments and suggestions. I thank Rabbi A. Tiefenbrun for research access to his library.

A warm word of gratitude to Rabbi Yonah Avtzon and Yosef Yitzchok Turner of Sichos In English for nurturing this project to fruition, and to Mrs. C. Shloush for her meticulous editing.

Special thanks to my wife and children for all their support in our joint *shlichus*.

Rabbi Nissan Dovid Dubov

22nd Shvat 5766

INTRODUCTION:

**THE PROPER PERSPECTIVE
ON YICHUD**

“Women are obligated to learn those halachos which are pertinent to them, such as the laws of...and the prohibition of Yichud...”

Shulchan Aruch Harav, Laws of Talmud Torah, Ch. 1:14.

The Rambam writes in Hilchos Issurei Biah Ch. 22:18.

“There is nothing in the Torah that is as difficult for the majority of people to avoid as Arayos and forbidden relationships. The Sages said that when Klal Yisroel was commanded with the prohibition of Arayos, they cried and accepted the mitzvah with complaints and with tears, as it states: ‘crying for the families’ — meaning, over family matters. And the Sages have said, ‘The soul of man craves theft and Arayos.’ One does not find a community in any generation in which there are not those who breach the laws of Arayos and forbidden relationships. Furthermore, the Sages have said, ‘The majority are guilty of theft, the minority of Arayos, and all are guilty of Avak Lashon Hara.’ Therefore, it is fitting for a person to subdue his inclination in this matter and to train oneself to conduct oneself with utmost purity and pure mind and correct state of mind in order to save oneself from them.

“And he should be careful about Yichud, for it is the greatest cause. The great Sages used to say to their students: ‘Be careful of me because of my daughter, be careful of me because of

my daughter-in-law,' in order to teach their students that they should not be ashamed in this matter and thus distance themselves from Yichud."

In today's society, the challenge facing *Bnos Yisroel* to act in a dignified and *tznius* manner is immense since we are surrounded by a promiscuous society which constantly bombards us with non-*tznius* messages and stimuli. Commensurate with the challenge, however, are the powers which *Hashem* gives *Bnos Yisroel* to overcome the challenge. The righteous women of today's generation understand that the *kedushah* of the generation — as in all generations — is premised upon their *tznius*.

On the verse "*Kedoshim Tihyu*" — "You shall be holy" (*Vayikra* 19:2), *Rashi* comments: "Wherever there is a separation from immorality, there is holiness." The Talmud *Yoma* 39a states further: "'You shall sanctify yourselves and you will be holy' (*Vayikra* 20:7) — if a person sanctifies himself a little, he is much sanctified. If he sanctifies himself below, he is sanctified from Above. If he sanctifies himself in this world, he is sanctified in the World to Come." *Rashi* comments: "One who comes to purify himself is aided from Above."

The first step in this acquisition of *kedushah* is the distance that the *Shulchan Aruch* demands there must be between men and women. To quote from *Shulchan Aruch Even HoEzer* section 21:

"A man must distance himself exceedingly from women. He may not make suggestive movements with his hands or feet, nor wink or joke with them, nor act frivolously before them. He may not gaze at their beauty or even smell the fragrance of the perfume they are wearing."

The *sefer Apei Zutre* (quoted in *Otzar HaPoskim Even Hoezer* Vol. 9 p.21) explains the term “exceedingly” (in the Hebrew *m’od m’od*) in the following way: The *Mishnah* in *Pirkei Avos* Ch. 4 states that a person should be of exceedingly lowly spirit before all men. The term “exceedingly” is used to indicate that when it comes to the character traits of arrogance and humility, one should swing to the extreme of humility. This is an exception to the general rule enunciated by *Rambam* that a person should always follow the middle path and not swing to extremes. In the case of arrogance, however, one should not follow the middle path; rather, one should veer to the extreme of humility. So too, explains *Apei Zutre*, since the *Shulchan Aruch* employs the same term “exceedingly” in the above passage, it indicates that regarding the distance between men and women, one should veer to the extreme.

Yafeh Lev (Vol. 5:1 quoted in *Otzar HaPoskim*) adds that just as men are to distance themselves from women, so too should women distance themselves from men.

It is self-evident that in order to preclude any conduct that would involve *Arayos*, a man or woman should not place himself/herself in any situation that could be conducive to *Arayos*; hence, we have the prohibition of *Yichud*.

A *Bas Yisroel* must know the laws of *Yichud* and be careful never to place herself — not even for a moment — in such a situation. Through this measure, we will safeguard the *Kedushas Yisroel* and merit the greatest blessings of *Hashem* for ourselves, our families, and the whole of *Klal Yisroel*.

A person should not feel that these laws were given to make life cumbersome and difficult. On the contrary, if one

looks with a perceptive eye, one will notice that all the *halachos* were designed chiefly to protect the dignity and *kedushah* of *Nshei Ubnos Yisroel*. Thus, the Torah with great foresight prevents them from being placed in a very vulnerable situation. This is indeed a great gift, as no other such system of protection can be found in any other culture or religion *lehavdil*.

It is interesting to note that the term *Yichud* is used to describe the prohibition of a man and a woman being together in seclusion. The same term is used to describe the Oneness of *Hashem*. There is a positive commandment in the Torah *Leyached Shmo*, to unify His Name. In fact, before the daily prayers we say *Leshaim Yichud* — for the sake of the union of the Holy One Blessed Be He with His *Shechinah*.

The two meanings are related. *Klal Yisroel* is married to *Hashem*, and the Torah is our wedding contract. If *Klal Yisroel* is constantly aware of the unity of *Hashem* and His omnipresence, we will not transgress the prohibition to be in seclusion with any other foreign partners. By being faithful to *Hashem*, we will unite the Holy One and His *Shechinah* and ultimately draw down the revelation of His presence with the coming of *Moshiach* — may it take place speedily in our days, Amen.

GAINING THE NECESSARY BACKGROUND TO UNDERSTAND THE LAWS

As a general introduction to the laws of Yichud and for a glossary of its terms, it is of great benefit to the student to study the source material of these *halachos*, primarily a passage of the Talmud at the end of Tractate *Kiddushin*. The following quotes serve only as the source of the *halachah*; however, regarding practical *halachah*, one should refer to the succeeding chapters of this book. Furthermore, the quotes below are only selected relevant passages, and not the full text of the *Gemara*.

1. Mishnah Kiddushin 80b

A man may not be secluded with two women, but one woman may be secluded with two men. Rabbi Shimon says: Even one man may be secluded with two women when his wife is with him, and he may spend the night with them in the same room of an inn if his wife is also present, because a wife will tend to be wary of her husband's actions in this situation and will easily awaken if anything improper occurs. A man may be secluded with his mother or with his daughter.

Gemara:

A man may not be alone with two women, but one woman may be alone with two men.¹

Q. What is the Biblical source for Yichud?²

A. Rabbi Yochanan said in the name of Rabbi Yishmael, for it is stated,³ “If your brother, the son of your mother, shall instigate you (in private, saying, ‘Let us go and serve another deity.’)” Now, is it only a brother who is the son of your mother who is likely to instigate you to idolatry, whereas a brother who is the son of your father is not likely to instigate you? Why does the verse identify the instigator as being specifically a maternal brother? Rather, this tells you that a son may seclude himself with his mother, but it is forbidden for any other person to seclude himself with any *ervah*⁴ mentioned in the Torah.

But one woman may be secluded with two men:

-
1. See *Rashi*, *Meiri* and *Ritva Kiddushin* 80b for various explanations of this *halachah*.
 2. It would appear from *Sanhedrin* 21b and *Avodah Zarah* 36b (as quoted later) that this is a true Scriptural derivation, and that the prohibition of Yichud is therefore Biblical. This is the view of most *Rishonim* — see *Otzar HaPoskim* 22:1. However, *Rambam (Issurei Biah* 22:2) implies that Yichud is only a rabbinic prohibition and that this allusion is only an *asmachta*, a form of Scriptural support for the rabbinic law.
 3. *Devarim* 13:7. The verse there discusses the crime of a *maisis* — a person who influences another to serve idols.
 4. An *ervah* (plural — *arayos*) is a woman prohibited to a man by reason of close kinship or marriage. See *Vayikra* Ch. 18 for a list of these women. A conjugal relationship with some of these women (e.g. a sister or an aunt) is punishable by *kares* (excision), while a conjugal relationship with others (e.g. a mother, daughter or married woman) is punishable by death. (This is subject to being cautioned by two witnesses, and being brought to trial before a *Sanhedrin*.) Seclusion with any of these women is also forbidden with the exception of a mother, sister or daughter.

Rav Yehudah said in the name of Rav that this applies only in reference to men who are kosher (of high moral character), but regarding *prutzim* — men of low moral character — even if she were secluded with a group of ten, it is not permitted.

Rav Yehudah said in the name of Rav: They taught in the *Mishnah* that one woman may be alone with two men only in reference to being in the city, but in regard to being on the road it is not permitted, unless there are three men.

Rabbah said: If a woman's husband is in the city (*Baaloh B'ir*), we are not concerned with seclusion.

Rav Yosef said: If a door of the room in which the man and woman are secluded is open to the public thoroughfare (*Pesach Posuach Lireshus Horabim*), we are not concerned with seclusion.

Rav Bivi once visited the house of Rav Yosef. After he ate bread with his guest, Rav Yosef said to his servants, "Remove the ladder from under Bivi."⁵ But did not Rabbah say that when her husband is in the city we are not concerned with seclusion?⁶ Rav Bivi was different, because she was a close friend of his and therefore felt familiar with him (*Libo Gas Boh*).⁷

-
5. After dining in the upper story of Rav Yosef's house, Rav Yosef and his wife descended through a skylight down a ladder to the lower level of the house. Before Rav Yosef left the house, he ordered that the ladder be removed from the skylight, thus preventing Rav Bivi from going down and being alone with Rav Yosef's wife, which would constitute a violation of the prohibition of *Yichud* — *Rashi*.
 6. Apparently, Rav Yosef was remaining in town. Therefore, why did he insist that the ladder be removed?
 7. It is therefore clear that the *heter* of *Baaloh B'ir* does not apply in the case of *Libo Gas Boh*. Hence, where a familiar relationship prevails, the presence of the husband in town does not serve as a deterrent.

Whenever men and women gather at one spot there is the risk of misconduct. Therefore, at an assemblage of men and women, Abaye would arrange rows of jugs as a partition between them.⁸ Rava would arrange rows of reeds.⁹ Avin said: The sore spot of the year is *Yom Tov*.¹⁰

A man may be secluded with his mother:

Rav Yehudah said in the name of Rav Assi: A man may be secluded with his sister,¹¹ and he may dwell alone in the same house with his mother or daughter.¹²

Rava said: Although the *Mishnah* ruled that in general it is forbidden for a man to be alone with two women, a man may be alone with two sisters-in-law,¹³ with two co-wives,¹⁴

-
8. Whenever men and women assembled, for example, at a lecture or a wedding, Abaye would set up a partition of jugs between them so that if anyone attempted to pass from the men's section to the women's section or vice-versa, the jugs would rattle and alert everyone — *Rashi*.
 9. If anyone passed through the partition, the reeds would rustle, alerting everyone to the fact — *Rashi*.
 10. Since people dress in attractive clothing, indulge in eating and drinking, and have more idle time on *Yom Tov*, it is more likely for them to be tempted to commit transgressions — *Aruch*. Moreover, on *Yom Tov* men and women usually congregate to listen to lectures, which results in mingling after the lecture and could lead to a transgression of the laws of Yichud. This is the source for the practice of some to fast on *Bahab*, Monday, Thursday and Monday following *Pesach* and *Succos* — *Tosfos*. See *Alter Rebbe's Shulchan Aruch* sec. 492.
 11. That is, from time to time a man may be alone with his sister, but he may not dwell alone with her in a house on a regular basis — *Rashi*.
 12. That is, he may dwell alone with them even on a regular basis.
 13. This refers to being secluded with the wives of two brothers. These women tend to dislike each other, because each realizes that upon the death of her husband or brother-in-law, the surviving brother may perform *yibum* (levirate marriage) and she and her sister-in-law will become co-wives. Thus, they have the same animosity toward one another as co-wives. Accordingly, they will not cover up for each other if one of them sins in the other's presence, and it is therefore permitted for a man to be secluded together with them — *Rashi*.
 14. Each co-wife hates the other for usurping her husband's affections — *Rashi*.

with a woman and her mother-in-law,¹⁵ with a woman and the daughter of her husband (i.e. a woman and her stepdaughter),¹⁶ and with a woman and a girl who knows the meaning of cohabitation¹⁷ but will not yield herself to cohabitation.¹⁸

Mishnah Kiddushin 82a: A bachelor should not accustom himself to being a teacher of small children, and a woman should not accustom herself to being a teacher of small children.

Gemara:

Q. What is the reason why a bachelor may not be a teacher of young children?

A. Because of the children's mothers. And a woman should not be a teacher because of the children's fathers.¹⁹

Mishnah Kiddushin 82a: Anyone whose business is with women (*Asoko Im Hanoshim*), i.e., whose trade provides for

15. A mother-in-law harbors hatred for her daughter-in-law, because she feels this younger woman will consume her hard-earned possessions when her son inherits from her — *Rashi*.
16. A stepdaughter hates her stepmother for assuming her mother's position and benefiting from her mother's hard work — *Rashi*.
17. This refers to a child who is old enough to realize that she has witnessed an intimate relationship, and who will relate what she has seen to others — *Rashi*.
18. This refers to a girl who cannot be seduced, for she is young and does not yet have any desire for relations. Her presence therefore acts as a deterrent to prevent the man and woman from sinning — *Rashi*. This passage is the source for a child's being an effective *shomer*. Although Rava chose the example of a girl, the same applies to a boy. The exact age of qualification is discussed in chapter 5.
19. It is customary for parents to bring their small children to school. Accordingly, a bachelor teacher will be in constant contact with the mothers — *Rashi*. A woman may become secluded with their fathers. The *Poskim* note that there is a difference as to whether the children are being taught privately at the home of the teacher or in a school — see end of ch. 8.

the needs of women, may not be alone even with many women.²⁰

2. Talmud *Sanhedrin* 21a

[This piece of *Gemara* previously dealt with details of the act of Amnon and Tamar (*Shmuel* II, ch. 13ff.). Following this incident King David and his *Beth Din* made a rabbinic decree forbidding *Yichud* even with an unmarried woman.]

Rav Yehudah said in the name of Rav: At that time (of Amnon and Tamar) they instituted a rabbinic decree against seclusion with a married woman and with an unmarried woman. (The *Gemara* asks): But seclusion with a married woman is Biblically prohibited, not just forbidden by rabbinic decree! For R. Yochanan said in the name of R. Shimon ben Yohotzadak: Where is there an allusion in the Torah to the prohibition of seclusion with a woman who is an *ervah*? For it is stated: If your brother, the son of your mother shall instigate you in private saying, “Let us go and serve another deity.” Now, is it only a brother who is the son of your mother who is likely to instigate you to idolatry, whereas a brother who is the son of your father is not likely to instigate you? Rather, this tells you that a son may seclude himself with his mother, but no other person may seclude himself with any *ervah* mentioned in the Torah. [Since seclusion with an *ervah* is forbidden by Biblical law, as R. Yochanan asserts based on this verse, how can Rav Yehudah have said in the name of Rav that King David’s

20. Although the previous *Mishnah* only prohibits being alone with two women, someone whose trade brings him into contact with women is prohibited from secluding himself with even more than two women. The reason is that, due to their friendliness with him, they will tend to cover up for him and refrain from relating his misdeeds to others — *Rashi*.

court decreed this prohibition in the aftermath of the incident of Tamar?] The *Gemara* answers — Rather, say that Rav actually said the following: At that time, the rabbis instituted a rabbinic decree prohibiting seclusion with an unmarried woman, which had not been prohibited under Biblical law.²¹

3. Talmud *Avodah Zarah* 36b

[The *Gemara* discusses the prohibition of a relationship between a Jewish man and an idolatress. It states that the disciples of Shammai and Hillel came and decreed that the Yichud of a Jewish man with an idolatress is forbidden].

The *Gemara* asks:

Regarding seclusion, the court of King David already instituted a decree, for Rav Yehudah said that at that time (of the incident of Amnon and Tamar), they decreed against the seclusion of a man with a woman. Why, then, would the disciples of Shammai and Hillel — who lived much later — have to prohibit seclusion with an idolatress?

The *Gemara* answers:

They said: There the decree of King David's court prohibited seclusion with a Jewess but seclusion with an idolatress was not prohibited. And they, the disciples of Shammai and Hillel, came and decreed even regarding seclusion with an idolatress.

The *Gemara* asks:

21. It is clear from this passage that Yichud with an *ervah* is prohibited Biblically, whereas Yichud with an unmarried woman is only forbidden rabbinically. Technically, an unmarried woman who is a *niddah* is also classified as an *ervah*, and therefore for all practical purposes, no distinction is made between married and unmarried women. See *Nishmas Avrohom, Even HoEzer* 22:3.

But seclusion with a Jewess is prohibited according to Biblical law, for R. Yochanan said in the name of R. Shimon ben Yohotzadak: Where is there an allusion in the Torah to the prohibition against seclusion of a man with a woman? For it is stated, If your brother...etc.

(The *Gemara* answers):

The Biblical prohibition against seclusion refers to seclusion with the wife of another man, or with any other woman who is an *ervah*. And King David came and decreed even regarding seclusion with an unmarried woman, which had not been prohibited previously. And the disciples from Beis Shammai and Beis Hillel came and decreed against seclusion with an idolatress.

4. Talmud *Megillah* 14a

[The Talmud dwells on the topic of the prophetess Devorah.]

“And she sat under a palm tree” (*Shofim* 4:5). Why did Devorah choose to judge Israel while sitting under a palm tree, rather than under a different species of tree?²² R. Shimon ben Avshalom said: Because Devorah was careful not to transgress the prohibition against Yichud. She therefore chose a palm tree, whose branches are very high, so that she and others with her would be clearly visible.

22. By identifying the palm tree as the site where Devorah judged, Scripture fails to pinpoint her whereabouts, since *Eretz Yisroel* is blessed with many palm trees. The *Gemara* therefore inquires why Scripture mentioned this particular species — *Maharsha*.

The Historical Development of the Prohibition of Yichud

What is clear from the above sources is that the Torah forbids Yichud with an *ervah*. Later in the times of King David, the prohibition of Yichud was extended to include Yichud with an unmarried woman. Still later, in the times of Beis Shammai and Beis Hillel, the prohibition was extended to include a non-Jewish woman. Thus the prohibition of Yichud has seen a historical development, which today for all practical purposes prohibits Yichud with any woman, whether she is married or not, Jewish or non-Jewish.

Exceptions to the Rule

What is also clear from the above source material is that there are a number of exceptions to the rule of Yichud. We have seen the terms *Baaloh B'ir*, *Ishto Meshamroso*, *Shomer* and *Pesach Posuach*, the *halachos* of which will be discussed in the further chapters.

We have also seen that some people are more susceptible than others to the prohibition of Yichud, such as those in the categories of *Parutz*, *Asoko Im Hanoshim*, and *Libo Gas Boh*. Therefore, when one studies the *halachos* of Yichud, one must be aware that there may be exceptions to the rule for these categories of people.

CHAPTER 1

YICHUD — WHAT, WHERE AND WITH WHOM

A. The Definition of Yichud

Yichud is defined as the seclusion of a man with a woman.¹ Such seclusion is prohibited even for a short while.²

-
1. *Min-haTorah*, Yichud is defined as the seclusion of one man with one woman. However, the Yichud of one man with two women is only prohibited *midrabonon*. (See *Chochmas Adam* in *Binas Adam*, *Shaar Bais Hanashim* 15; *Chavos Yair* 73; *Divrei Malkiel*, Vol. 4:102; *Dvar Halachah* 1:8 fn. 18. Nonetheless, some *Poskim* disagree and say that the Yichud of one man with two women is also prohibited *min-haTorah* — see *Maharsham* Vol. 3:152; see, however, *Pesach HaBayis* Ch. 1 fn. 3, and *Tzitz Eliezer* Vol. 6 p. 171 para. 3.) It will be noted later that under certain extenuating circumstances there are leniencies in a case of Yichud *midrabonon*.
 2. There is a discussion among the *Poskim* as to how long Yichud must last in order for it to be a prohibited Yichud situation. (This is relevant to the question of Yichud in a public elevator — see Ch. 6.) The consensus of opinion is:
 - a) In a place in which the man and woman could potentially continue to be alone undisturbed, then Yichud is prohibited even for a moment. (See *Mahari Veil* 55, *Otzar HaPoskim* 22:35:9; *Shevet Halevi* Vol. 3:182; *Chelkas Yaakov*, Vol. 2:14; *Haskomo* of Rabbi S. Z. Auerbach *zt"l* on *Sefer Dvar Halachah*.) Even according to the *Poskim* who do cite a *shiur* for Yichud as a few minutes (see *Minchas Yitzchok*, Vol. 4:94; *Igros Moshe*, *Even HoEzer*, Vol. 4:65:22), they in fact prohibit Yichud even for an instant. (See *Nitei Gavriel* 12:3.)
 - b) In a place where the Yichud will be disturbed and there is no potential for the man and woman to be alone even for a few minutes, then Yichud is permitted. However, if the Yichud may be perceived by an

B. The Reason for the Prohibition of Yichud

The seclusion of a man and a woman is the first step towards a forbidden relationship; hence, the Torah forbids Yichud. However, let it be made absolutely clear that if a man and a woman are in a Yichud situation, even though nothing improper takes place, they are still in violation of the prohibition of Yichud.³

Even if a person is “absolutely sure” of him/herself, believing that “nothing will happen,” there still exists a serious prohibition of Yichud. Furthermore, there is a rule: “There is no guarantee when it comes to *Arayos*.” When a person places himself in a Yichud situation, the *Yetzer Hara* is extremely powerful, and no person can be absolutely sure that under such conditions he or she will withstand temptation.

C. Where is Yichud Prohibited?

Yichud is not only prohibited in a closed room or house, but Yichud also applies in any secluded area such as a quiet country spot, beach, park or forest. As long as the man and woman cannot be seen by other people and they are not afraid of intrusion, then Yichud applies.⁴

onlooker as sustained Yichud, then it is prohibited due to *maris hoayin* — *Igros Moshe, Even HoEzer*, Vol. 4:65:16. See *Nishmas Avraham* 22:1.

3. See *Sefer HaChinuch (Mitzvah 188)* and *Semag (Negative Commandment 126)*, who are of the opinion that the prohibition of Yichud is included in the prohibition of “*Lo Sikrvu Legalos Ervah* — Do not draw near to an *ervah*” (*Vayikra* 18:6). See also *Rambam Issurei Biah* 22:1, “It is prohibited to be secluded with any of the *arayos*...for this leads to a forbidden relationship.” See also *Meiri, Kiddushin* (end).
4. See the source material above. Note that one of the sources for the prohibition of Yichud is from the fact that the prophetess Devorah sat underneath a palm tree. She chose that type of tree since it is tall and offers little shade, so that

With Whom is Yichud Forbidden?

1. It is forbidden for a man to be in seclusion with a woman or girl above the age of three years,⁵ and it is

she would not be secluded with anyone. From this it is clear that Yichud applies not only in an enclosed room, but even under a tree, or in any other secluded spot. See *Dvar Halachah* 9 fn. 15, *Taharas Yisroel* 22:2. See also responsa in the *Alter Rebbe's Shulchan Aruch* Vol. 4:29, as to what constitutes a *Reshus Horabim* insofar as Yichud is concerned.

We may therefore summarize that in order for there to be a Yichud situation:

- a) The man and woman must be in close proximity to one another.
- b) Nobody should be able to see or detect their presence.
- c) They must feel confident that they will remain uninterrupted.

(*Toras HaYichud* 4:1,2,3.)

Let us cite further examples of places and circumstances of Yichud:

a) A man and a woman alone in a ruin are in Yichud, even though the structure has no doors — even by day, and even if there are other people outside the ruin. Since others would not ordinarily venture inside, their seclusion there would constitute Yichud.

b) A man and a woman alone in a *miklat* (shelter) would be in Yichud if nobody usually uses the *miklat*.

c) A man and a woman alone on the rooftop of an apartment building would be in Yichud. (During *Sukkos*, many people build a Sukkan on the rooftop, and therefore it may not be a Yichud situation depending on the circumstances — see *Toras HaYichud* 5:10).

d) A man and woman working on a farm may not be alone in a solitary field or vineyard, unless they can be seen by other workers.

5. The reason given above for the prohibition of Yichud was that Yichud is the first step towards a forbidden relationship. Why, then, do the *Poskim* extend the prohibition of Yichud even to a very young girl, aged three? The reason given is that although such a young child would not seek a relationship, she may become the victim of child abuse — see *Chelkas Mechokek* 22:15. *Igros Moshe, Even HoEzer*, Vol. 4:65:12 writes that a three, four or five-year-old girl would surely reveal any improper conduct to her parents or guardian, and there is therefore an element of fear on the man's part, hence permitting such a Yichud situation. He concludes that although he neither wishes to rule strictly nor leniently in the matter, those who are lenient are not in error. In the *Sefer Oholei Yeshurun*, it is quoted in the name of R. Moshe Feinstein *zt'l* that in very difficult extenuating circumstances one may be lenient with Yichud up until the age of twelve. *Nitei Gavriel* 11:1 disagrees with this view — especially since the *Mechaber* 22:11 states clearly that over age three there is

forbidden for a woman to be in seclusion with a man or boy from age nine and above.⁶ The prohibition of Yichud applies whether or not the man or woman is physically attractive.⁷

2. Yichud is forbidden: a) even if the woman and man are not conversing; b) even if not pre-meditated, i.e. even if one just found out that one is in a Yichud situation; c) even though one may make a fool of oneself if one does something (e.g. ask that the door be left open) to prevent the Yichud.
3. The following people are permitted to be in seclusion together: a husband and wife,⁸ a mother and son, a father

the prohibition of Yichud — and is of the opinion that one must be strict with Yichud from the age of three.

In practice, one should be stringent with every girl aged three and above. In difficult circumstances one should consult a Rav about relying on the more lenient opinions.

Below the age of three for a girl and nine for a boy, Yichud is permitted. Therefore, one may employ a teenage girl to babysit a boy under age nine.

6. *Shulchan Aruch Even HoEzer* 22:11. See *Toras HaYichud* 1:16 who states that there is room to be lenient with a boy and allow Yichud up until the age of eleven. However, he adds, it very much depends on the maturity of the boy and how much he is influenced by the outside world. *Nitei Gavriel* 11:1 disagrees, stating that particularly in our generation, which is in general promiscuous, one should be stringent and only permit Yichud up until age nine but not beyond.

An interesting question arises in the case of adults who are mentally or physically retarded and according to IQ scores and other cognitive tests do not function at their age level at all; in fact, some of them have the mental age of children. Does Yichud go according to age or maturity? *Nitei Gavriel* 10:12 writes that there is a prohibition of Yichud with people who are autistic; however, in each case a professional should consult with a Rav as to how to resolve the question of Yichud.

7. *Yam Shel Shlomo Kiddushin* 4:21.
8. A man is permitted to be alone with his wife even if she is a *niddah*, as long as her *niddah* state is temporary and the couple has already consummated relations at least once. In the case of a *Chuppas Niddah*, the bride and groom

are forbidden to be alone together in the same room or apartment until the bride goes to the *mikveh* and is permissible to her husband. The custom is to arrange for a boy between six until nine years old to stay with the *choson*, and similarly, for a girl from the age of six until nine to stay with the *kallah*. (See later chapter on *shomrim* for source material on the age of child *shomrim*.) This applies during the night. During the daytime, either one of these *shomrim* is enough. If a boy and a girl are not available, one may take either two boys or two girls, and if children are not available one may take two adults. *Nitei Gavriel* 8:4,5. *Taharah Kehalachah* 9:21:32 indicates that in difficult circumstances one may rely on a child up until age 12 to be an effective *shomer*.

Alternatively, the *choson* and *kallah* should stay at one of their parents' (or married friends') homes and sleep in different rooms. If they have to sleep in the same room, the door to the room should be left wide open. (*Nitei Gavriel* 8:10.) It should be noted that *Taharah Kehalachah* 9:21 states that the best arrangement is for the *choson* and *kallah* to stay at their parents' (or another married couple's) home in different rooms. He emphasizes that there is no room for embarrassment regarding such an arrangement, and that practically speaking it is by far the best alternative. See *Minchas Ish* Ch. 24 for many further details of the *halachos* of a *choson* and *kallah*.

In all instances one should consult with a Rav.

Further points:

1. If a) there is a lack of *Shalom Bayis* between a couple, and the wife refuses to use the *mikveh*, or b) the woman may not use a *mikveh* for medical reasons, or c) the couple are separated, a Rav should be consulted as regards the question of Yichud. See *Maharsham* Vol. 2:178, *V'shov Hakohen* 30, *Minchas Ish* 4:2,9.

2. A couple living in the same house but contemplating divorce has the following status: if they have definitely agreed to divorce and their relationship has ended, then Yichud is prohibited. However, if there is still hope for the marriage, either through counseling or other means, then Yichud is permitted. In all cases a Rav should be consulted. (*Minchas Ish* 4:7.)

3. A common phenomenon today is the case of the *Baal Teshuvah* husband whose wife still wishes to remain married to him; however, she does not wish to keep the laws of *Taharas Hamishpachah*. A Rav must be consulted. See *Minchas Ish* 4:3, *Shevet Halevi* Vol. 8:271.

4. A married woman who was in Yichud with another man is still permitted to her husband. However, if a husband specifically instructed his wife not to be in seclusion with a certain man and she ignored his instruction, a Rav should be consulted. *Minchas Ish* 4:11.

and daughter,⁹ a grandfather and granddaughter,¹⁰ a grandmother and grandson, a great-grandfather and great-granddaughter, and a great-grandmother and great-grandson.¹¹

4. It must be stressed that Yichud with any other family member is forbidden.¹² Therefore, a woman may not be in Yichud with her father-in-law, brother-in-law, stepfather, uncle, nephew, cousin or son-in-law. A man may not be in Yichud with his niece, cousin, mother-in-law, daughter-in-law or sister-in-law.
5. Yichud is forbidden even if the man or woman is elderly.¹³ Regarding the sick and infirm, see footnote 35.

5. A married woman who had an affair with another man is prohibited to her husband. There are various opinions as to whether he may still be in Yichud with her. A Rav should be consulted. *Minchas Ish* 4:10.

9. *Shulchan Aruch Even HoEzer* 22:1.

10. A relevant story is told of the *Alter Rebbe*. In his old age, the *Alter Rebbe's* granddaughter Menuchah Rochel served him. Once she addressed him in Yiddish using an expression of *Kovod*. (In Yiddish, “*Du*” means “you” and is used when speaking to a person with whom one is very close or familiar. When speaking to a highly respected person, one says “*Ir*”; Menuchah Rochel used the term “*Ir*” in addressing her grandfather.) The *Alter Rebbe* said that if she uses such an expression — addressing him as if he were a stranger — then it is questionable if their Yichud is permitted! — *Kfar Chabad Magazine*.

11. *Bach, Even HoEzer* 22:1 quoted in *Pischei Teshuvah, ibid.*, 2.

12. See *Toras HaYichud* 2:24, and *Nitei Gavriel* 1:1,3.

13. *Shulchan Aruch Even HoEzer* 22:1,11; *Divrei Malkiel* Vol. 4:102; *Igros Moshe, Even HoEzer* Vol. 4:65:10; *Nitei Gavriel* 5:1-4.

If the man is clinically impotent, there is room to be lenient — see *Igros Moshe, ibid.*, *Tzitz Eliezer* Vol. 6:40:22; *Nishmas Avraham, Even HoEzer* 22; *Dvar Halachah* 2:9; particularly in the case of a Yichud *midrabonon*. However, a Rav should be consulted in all cases.

As regards a sick person — in general, the prohibition of Yichud still applies (even if the patient is confined to bed, e.g. a person with a broken leg). However, if the sick person is so ill that he is impotent, then there is room to be lenient as above. Yichud does not apply to a person who is in a coma and is not expected to regain consciousness.

Non-Jews

6. Yichud is forbidden with a non-Jew, and in some cases the prohibition is more stringent than Yichud with a Jew.¹⁴
7. A non-Jewish man is permitted to be in Yichud with a Jewish girl under the age of *Bas Mitzvah*, and a non-Jewish woman is permitted to be in Yichud with a Jewish boy under the age of *Bar Mitzvah*.¹⁵

Children Below *Bar/Bas Mitzvah* Age

8. It is permitted for a girl below the age of *Bas Mitzvah* to be in seclusion with a boy below the age of *Bar Mitzvah*.¹⁶

As regards the question of an elderly man who is visited by female housekeepers and medical staff, the front door should be closed but not locked (*Pesach Posuach* — and *Nitei Gavriel* suggests that an “Open Door” sign, should be placed on the door as an invitation for anyone to enter). Alternatively, a key may be given to neighbors, and they should be asked to come in from time to time without prior notice. However, the *heter* of a *Pesach Posuach* only applies during daytime and the early hours of the evening, but not late at night. Therefore, if round-the-clock care is needed, a Rav should be consulted.

14. *Shulchan Aruch Even HoEzer* 22:3. The stringencies include the following situations: a) A woman may be alone with a Jewish man if his wife is present. However, a woman may not be alone with a non-Jewish man even if his wife is present (around the house). The reason is twofold: firstly, the non-Jewish wife will not necessarily object to her husband having an affair; and secondly, there is in general much less of a sense of shame among non-Jews than among Jews. b) A Jewish man may not be secluded with a non-Jewish woman whose husband is in town. In other words, we do not apply the *heter* of *Baaloh B'ir* with a non-Jewish woman.
15. *Toras HaYichud* 1:19,20. The reason is that the Jewish children are below the age of *Bar/Bas Mitzvah*, and there is no prohibition of Yichud upon children. Accordingly, a non-Jewish woman may babysit for a Jewish boy under the age of *Bar Mitzvah*. See, however, the section on babysitting, where guidelines are given for the employment of non-religious or non-Jewish babysitters.
16. *Dvar Halachah* 2:8. Although an adult is prohibited to be in Yichud with a child, two children under the age of *Bar/Bas Mitzvah* are permitted to be in

Brothers and Sisters

9. A brother and sister are permitted to be in a Yichud situation for a short while but may not live in the same dwelling permanently.¹⁷ How long is considered a short while? There are various opinions among the *Poskim*:
- a) Some are stringent and only allow up to three nights.¹⁸
 - b) Others are more lenient and allow up to thirty days.¹⁹
 - c) Still others say that if the sister and brother live separately and one comes to visit the other, then it would depend on the duration of the visit as to whether Yichud would be permitted. If it is clear that the sibling is “visiting” and the duration of the visit is not longer than normal, then it is permitted. This would obviously depend on where the sibling is coming from; it is obvious that an out-of-town visitor

Yichud. See, however, *Shraga Hameir* Vol. 8:126 who is of the opinion that a girl under 12 should not be alone with a boy over age 9. In practice one may be lenient; however, it is certainly a *middas chassidus* to be stringent and educate children about *kedushah* and *tznius*.

17. See *Beis Shmuel*, *Even HoEzer* 22:1. The permissibility of Yichud of a brother and sister includes half-brothers and half-sisters — *Dvar Halachah Hosafos Chadashos* 2; *Divrei Sofrim Emek Davar* 56. However, there is a prohibition of Yichud with a step-brother or step-sister.

The question of Yichud with a sister applies only as far as living in the same dwelling with her; however, according to many *Poskim* it is permitted to work on a permanent basis alone with one’s own sister. However, Rabbi S. Neiman in his book *Nine to Five* writes that ideally, it is preferable not to work on a permanent basis with one’s own sister in a closed room; if there is no other option it is permitted *b’dieved*. See *Nine to Five* p.32.

18. *Otzar HaPoskim* 22:2 in the name of *Tzaf Dvash*.
19. *Imrei Yosher* Vol. 2:43. See also *Shraga Hameir* Vol. 4:99. It should be noted that the *Toras HaYichud* 2:19 agrees with this opinion allowing Yichud up to thirty days. However, he notes that during the thirty days it would not help for them to be separated for a night in order to start another thirty day period.

usually stays longer than a visitor who resides in the same city. However, when a sibling moves in on a permanent basis, then Yichud is forbidden even for one day. One should be stringent in questionable situations.²⁰ If the brother and sister live at home together with their parents, then a) the parents may leave a brother and sister alone for a few hours if they wish to go out. However, they should not do this on a nightly basis for many hours, and if they were to do so, then such a Yichud situation would be prohibited.²¹ b) If the parents would be going away on a trip, e.g. to *Eretz Yisroel* for a week or two, they may not leave the brother and sister alone together;²² rather, they should ask a relative or friend to stay with the children.

In practice, if a brother and sister live permanently together with their parents or grandparents — which is fully permitted²³ — then the parents may leave the brother and sister alone if they wish to go out for a short while (e.g., to attend a *simchah*).²⁴ If they will be traveling away from home, then if they will be away only for a night or two, leaving the siblings alone is permitted. If

20. *Igros Moshe, Even HoEzer* Vol. 4:64:3; *Shevet Halevi* Vol. 5:201:2.

21. *Igros Moshe, Even HoEzer* Vol. 4:65:11.

22. *Ibid.*, Vol. 4:64 (end).

23. It should be noted that it is also permitted for a brother and a sister to live permanently together with just their mother (e.g. she was divorced or widowed). See *Dvar Halachah* 2: ft. 8; *Oz Nidbru* 7:78; *Tzitz Eliezer* Vol. 6:40:14:12; *Igros Moshe, Even HoEzer* Vol. 4:65:8.

24. This would be permitted even according to the opinion of the *Igros Moshe*.

they will be away for a week or two, a Rav should be consulted.²⁵

Parutz, Libo Gas Boh, Asoko Im Hanoshim

10. In the following *halachos* the terms *Parutz, Libo Gas Boh* and *Asoko Im Hanoshim* will recur many times. We will therefore define these terms here, and later we will learn their *halachos*.
11. *Parutz* — A *Parutz* may be defined as a person who does not keep the guidelines of *tznius*. For example, a man

25. The reason is that this is prohibited by the *Igros Moshe*, although permitted by the opinion that allows their staying alone together for up to thirty days.

A few further points:

a) An out-of-town Yeshivah student may not rent an apartment together with his sister who is a Seminary student. *Igros Moshe, ibid.*

b) If either the brother or sister are *prutzim*, one should be stringent and not allow Yichud — *Nitei Gavriel* 3:12.

c) In a place where people do not know that the brother and sister are related, some *Poskim* write that they should be stringent and not be in Yichud even temporarily: e.g., a brother and sister who are away from home and who wish to share a hotel room. In practice, a Rav should be consulted. See *Imrei Yosher* Vol. 2:43; *Nitei Gavriel* 3:9.

d) If one of the siblings is old and sick, then *Igros Moshe, Even HoEzer* Vol. 4:64 allows them to live in the same dwelling. *Nitei Gavriel* 3:4 is more stringent and only allows this situation under extenuating circumstances.

e) As regards a sister sharing a dwelling place with two brothers, or a brother sharing a dwelling with two sisters — see *Tzitz Eliezer* Vol. 12:68; *Nitei Gavriel* 3:6. *Toras HaYichud* 2:20,21 permits two brothers to share a home with their sister, but he prohibits one brother from sharing a dwelling with two sisters. In practice, a Rav should be consulted.

f) A man may dwell on a permanent basis with his sister, together with his mother or his daughter. *Tzitz Eliezer* Vol. 6:40:14, *Dvar Halachah* 2:5:8.

g) As regards a *Ger* dwelling with his sister, *Igros Moshe, ibid.*, Vol. 4:64:1 permits it; however *Betzel HaChochmah* Vol. 4:14 is stringent. See *Toras HaYichud* 2:22, *Dvar Halachah* 7:19.

who feels uninhibited about embracing another woman or girl is definitely a *Parutz*.²⁶

12. *Libo Gas Boh* — A *Libo Gas Boh* may be defined as an individual with whom one has a warm and cordial relationship. Examples of a *Libo Gas Boh* are: a) a woman whom a man has known as a child and with whom he has grown up; b) a close family relative, such as a cousin with whom one has grown up; c) a close family friend; d) a co-worker, such as a partner;²⁷ e) a therapist; f) a housekeeper or maid.
13. *Asoko Im Hanoshim* — A man who is classified as *Asoko Im Hanoshim* is a man whose profession or trade is with women. Examples include a man who runs an office with

26. *Toras HaYichud* 3:2:4 writes that men who know of the prohibition of *arayos* and *tznius* and yet who still watch television, read unsuitable material and visit movie theaters, etc., are considered *prutzim*. See also *Shevet Halevi* Vol. 5:202:1. Rabbi Shmuel Neiman in his book *9 to 5 — A Guide to Modest Conduct for Today's Workplace*, writes (p. 39), “It cannot be stressed enough that the term *prutzim* also refers to people who are otherwise *shomrei Torah u'mitzvos*, but are not careful in matters relating to *kraivah l'arayos*. They may be regularly exposed to immodesty through the media, or may often be in the presence of immoral individuals through their everyday social interactions....(p.34) meaning that they are exposed to immodesty through television, movies, the Internet, in publications and the like. An individual involved in such activities is labeled a *parutz*. This is not limited to visual images; someone who is exposed to any form of indecent activity, such as chat rooms on the Internet, is considered a *parutz*. Such forms of recreation are a breach of morality.”

As to the question of whether non-observant Jews are considered *prutzim*, one could argue that a man who is unaware of the prohibitions of *arayos* and *tznius* (and who embraces relatives and friends), but who otherwise is a decent and moral person may not be considered a *parutz*. In practice a Rav should be consulted, particularly if the question is of Yichud with such a person on a permanent basis such as in a work situation. See *Nitei Gavriel* 19:3,10.

A man whose business dealings are questionable is not necessarily considered a *parutz* in relation to Yichud — see *Nitei Gavriel* 22:9.

27. See *Dvar Halachah* 7:17.

female co-workers;²⁸ and a shopkeeper who sells women's clothing, shoes, hats or jewelry. (However, if the business is not specifically connected with women, e.g. a food store, then even though the majority of customers are women, he is not classified as *Asoko Im Hanoshim*).²⁹

One Woman with Two or More Men

14. A woman may be alone with two³⁰ kosher (i.e. *tznius*³¹) men in the city and during the day. The reason is that

28. *Nitei Gavriel* 22:4; *Toras HaYichud* 3:15. A male principal of a girls' school who employs teachers may also be considered *Asoko Im Hanoshim* — *Minchas Ish* 6:13.

29. *Nitei Gavriel* 22:3. A man who used to be classified as an *Asoko Im Hanoshim* but who changed his profession and no longer works in close association with women is not considered *Asoko Im Hanoshim* — *Toras HaYichud* 3:17.

30. If one of the men is kosher and the other is a *parutz*, there is a dispute among the *Poskim*. *Maharshal* in *Yam Shel Shlomo, Kiddushin* ch. 4 point 21 is lenient. However, *Beis Meir*, *Even HoEzer* 22:5 and *Sefer Hamakneh Kiddushin* 80b are stringent. According to the stringent opinion, the rule would apply even if the two were father and son — see *Tzemach Tzedek, Even HoEzer* 39. In practice, if a woman wishes to take a job in an office where she will be alone with one observant Jew and a *parutz*, she should ask a Rav for guidance.

According to the lenient opinion, one observant Jew and a *parutz* may be alone with a woman who is a *prutzah* or with a non-Jewish woman — see *Toras HaYichud* 3:4. However, if the Jew wishes to take employment under such circumstances, a Rav should be consulted.

As regards the Yichud of a woman with one kosher Jew and a non-Jew, there is room to be lenient — based on *Shov Yaakov* Vol. 2:19 — see *Minchas Ish* 11:15. However, if a woman wishes to take employment in such a situation, she should consult a Rav.

31. The *Rema, Even HoEzer* 22:5, writes that men are kosher unless known as *prutzim*. Practically speaking, an observant Jew who keeps the *halachos* of *tznius, negiah*, etc. may be considered kosher, unless the man has a case history of *pritzus*. However, the Yichud of a woman with two non-observant men who are unaware of the prohibition of *arayos* but who are otherwise moral and decent people is questionable, and a Rav should be consulted.

the second man is an effective *shomer*, and the first man would be embarrassed to do anything improper in the presence of another man.³² However, at night³³ (which includes the very early hours of the morning³⁴), or even during the day, if she is out of town on the road³⁵ or in the countryside in a secluded place where there are few passersby,³⁶ then three men must be present in order to permit Yichud.³⁷

32. *Rashi Kiddushin* 81.

33. This refers to an hour when people usually retire to sleep — *Chassam Sofer Even HoEzer* Vol. 2:76. However, until that time, the rule of daytime applies (even though it may be dark outside), and Yichud is permitted with two men — *Nitei Gavriel* 20:2. The same would be true if two men came to visit a woman and they were returning home after the visit. In this case, since there is no question of their sleeping in that place, Yichud would be permitted with two men. Accordingly, two observant men are permitted to visit a woman in her home, even late at night, as long as they intend to return to their own home that night— see *Toras HaYichud* 3:7.

In the presence of three men, Yichud is permitted even if all three men are sleeping — see *Nitei Gavriel* 20:1; *Dvar Halachah* 9:17.

34. *Nitei Gavriel* 20:5.

35. As regards a woman going on an out-of-town journey with two men (e.g. on a business trip) — most *Poskim* are of the opinion that three men are needed in order to permit Yichud. However, some *Poskim* make a distinction between a case in which 1) the men are present to guard or accompany the woman — in which case three men are needed — and 2) a case where the men are not specifically going to accompany or guard the woman, but for their own purposes (e.g. on business) — in which case two men are sufficient. In cases of difficulty, one may be lenient in this matter. See *Nitei Gavriel* 18:2,3.

As regards the length of the trip, the need for three men is only on a long inter-city journey. However, for a short journey, two men are sufficient. See *Nitei Gavriel* 18:6 ft. 9, who says that a journey from Jerusalem to Bnai Brak or from Brooklyn to Monsey is not considered a long journey and would only require the presence of two men.

36. “Going on a trip” or “out in the fields” means going to a secluded spot where there are no passersby. However, in a place where there are plenty of people, the same rule applies as that of being in the city — *Dvar Halachah* 9:15.

37. This is the opinion of *Rema* in *Shulchan Aruch Even HoEzer* 22:5. It should be noted that the *Beis Yosef's* view is that one woman is forbidden to be with two

15. If the men are *prutzim* then she may not be alone with them, even if there are many of them.³⁸
16. A Jewish woman may not be secluded together with a group of non-Jewish men even if they are accompanied by their wives.³⁹
17. Although *halachically* the Yichud of one woman with two kosher men is permitted, it is a *middas chassidus* to be stringent.⁴⁰

or more men unless one of their wives is present. Sefardim follow this opinion.

Further points:

- a) Some *Poskim* do not allow a woman to be alone with two men if they have a warm and cordial relationship (*Libo Gas Boh*), or if the two men work together with women (*Asoko Im Hanoshim*). However, others are lenient. In practice, in case of need, one may be lenient. *Nitei Gavriel* 19:7.
 - b) A woman may be secluded together with two *prutzim* if one of them is her father, son or brother — *Dvar Halachah* 8:6.
 - c) Two kosher men are allowed to be alone with a woman even if she is a *prutzah* or a non-Jew — *Dvar Halachah* 9:9.
38. *Rema, Even HoEzer* 22:6. However, a woman may be secluded with two *prutzim* if one of their wives is present — *Toras HaYichud* 8:1.
- At night, when three men are required to permit Yichud, then if two of the three men are kosher and one is a *parutz*, there is a dispute among the *Poskim* — see *Toras HaYichud* 3:9. However, if two of the three men are *prutzim*, Yichud is forbidden — *Toras HaYichud* 4:10.
39. *Shulchan Aruch Yoreh Deah* 153:4, *Taz* and *Shach ibid*. For example: a) a woman may not remain in a store or bank at closing time when the main entrance has been shut and people are only allowed out but not in, and she will be left alone with a number of non-Jewish men and women (unless there are windows to the street through which those in the bank are clearly visible), and b) a woman may not ride a bus on a deserted country road even though there are many non-Jewish men and women on the bus. However, it is definitely permitted to travel on a bus in the city or on an inter-city journey since there are passersby.
40. Although we follow the opinion of the *Rema*, it is a *middas chassidus* to take to heart the opinion of the *Beis Yosef* and the *Rambam*, who rule that one woman may not be in Yichud even with many men unless one of their wives is

One Man With Two or More Women

18. A man is forbidden to be in seclusion with two women (even if all three are kosher).⁴¹ The second woman is not considered an effective *shomer*, for both women may be susceptible to improper conduct.⁴²
19. A man is permitted to be in seclusion with two women if one of the women's husbands is in the city — *Baaloh B'ir*.⁴³
20. In the case of one man secluded with three women, some *Poskim*⁴⁴ are lenient and permit such Yichud during the day and in the city, on the condition that the man is not *Asoko Im Hanoshim*⁴⁵ or a *parutz*.⁴⁶ Other *Poskim*⁴⁷ forbid

present. See *Shevet Halevi* Vol. 5:202:1. It has already been noted that the *Sefardim* follow the opinion of the *Beis Yosef*.

41. *Shulchan Aruch Even HoEzer* 22:5. *Min-haTorah*, Yichud is only prohibited when there is the seclusion of one man with one woman. However, *Chazal* forbade the Yichud of one man even with two women. Such Yichud is called Yichud *midrabonon*.
42. See *Rashi*, *Kiddushin* 80b, *Meiri* and *Ritva ibid.*, for various explanations of the *Rishonim* on this *halachah*.
43. *Otzar HaPoskim* 22:22:2; *Tzitz Eliezer* Vol. 6 p.192; *Toras HaYichud* 8:2.
44. *Rema* (in the name of some *Poskim*) 22:8. The difference between the presence of two women or three is that two women might cover for each other; however, one would not necessarily presume that all three women would cover for each other. Hence, each would be afraid that one member of the group would reveal any improper conduct on the part of another. Furthermore, the larger the group, the more difficult it would be to persuade any one of them to succumb to temptation — *Rosh*.
45. *Rema* 22:5, *Kitzur Shulchan Aruch* 152:3. The same exception would apply if the man had a warm and cordial relationship with these women — *Libo Gas Boh* — *Chochmas Adam* 126:4. However, if one of the three were not in the category of *Libo Gas Boh*, then Yichud would be permitted — *Dvar Halachah* 10:4; *Toras HaYichud* 3:18. (See however *Minchas Ish* 6:15).

As regards a man who is classified as *Asoko Im Hanoshim*, the question arises as to whether the prohibition of Yichud applies only to three women with whom he usually works, or whether it extends to any three women — for example, if he were visiting a different town and he were secluded with three

it under all such circumstances. In practice, one should be stringent⁴⁸ and only rely upon the leniency in time of need.⁴⁹

21. Therefore, if a man comes to a private home to give a *shiur* to a group of three or more women, then *lechatchilah* the door should be left open or unlocked (during the day or early hours of the night when the *heter* of *Pesach*

women from that locale. *Toras HaYichud* 3:16 is stringent and forbids the Yichud of a man who is *Asoko Im Hanoshim* with any three women. See, however, *Minchas Ish* 6:11.

46. *Toras HaYichud* 3:13. *Nitei Gavriel* 22:7 quotes a more lenient opinion and says that one may be lenient in a time of need as long as the man does not have the reputation of being a *parutz*.
47. This is the opinion of the *Beis Yosef* in *Shulchan Aruch* 22:8. It should be noted that Sefardim should follow the ruling of the *Beis Yosef* and not allow the Yichud of one man with two or more women unless his wife is also present, or unless three men are present with three women (see *Birkei Yosef* 22:3), or if one of the women's husbands is in the city (*Baaloh B'ir*).
48. *Maharsham* Vol. 3:152; *Taharas Yisroel* 22:15; *Shevet Halevi* Vol. 3:183; *Igros Moshe, Even HoEzer* Vol. 4:65:14.
49. *Nitei Gavriel* 21:2. The *sefer Oholei Yeshurun* written by a *talmid* of R. Moshe Feinstein *zt"l*, quotes in the name of R. Moshe that in a case of great need, one may be lenient and permit the Yichud of one man with three women. (See also *Shevet Halevi, ibid.*)

Further points:

a) If one of the three women is not Jewish, some *Poskim* allow Yichud and others are stringent — *Nitei Gavriel* 21:5.

b) The *heter* of one man with three women only applies if the women are all kosher; however, if they are *prutzos*, then it is forbidden. If one of the three is kosher, the Yichud is permitted even if the other two are *prutzos* — *Nitei Gavriel* 22:11, *Toras HaYichud* 3:19. (See, however, *Dvar Halachah* 10:2 who is lenient even if they are *prutzos*).

c) As regards Yichud with three non-Jewish women, *Toras HaYichud* 3:19 is stringent. See, however, *Nitei Gavriel* 6:6 quoting *Dvar Halachah* 10:2 who is lenient. In practice, a Rav should be consulted. If the man is a *parutz*, all agree that Yichud is forbidden.

d) *Dvar Halachah* 10:5 discusses the permissibility of Yichud of one man with two or three young girls. In practice, a Rav should be consulted.

- Posuach* is effective). If one of the participants' husbands is in town (*Baaloh B'ir*), then Yichud is permitted.
22. The *heter* of one man secluded with three women applies only if they are in the city during the day. However, if they are out in the fields or on an inter-city journey,⁵⁰ the presence of four women is necessary to permit Yichud.⁵¹
 23. At night, some *Poskim*⁵² permit the Yichud of one man with four women and other *Poskim*⁵³ are stringent. In practice, when necessary one may be lenient.⁵⁴
 24. A man may be in seclusion during the day with a woman in the presence of his mother, daughter, sister or grandmother, or in the presence of the woman's father, son, brother or grandfather. At night, two *shomrim* are required.⁵⁵
 25. Yichud is permitted with: a) a woman and her mother-in-law, b) a woman and her step-daughter, or c) a woman and her sister-in-law.⁵⁶ Yichud with two sisters is forbidden.⁵⁷

50. This refers to a place which is secluded, where there are no passersby. However, if there are passersby, then the case would follow the same rule as when they are in the city. *Dvar Halachah* 9:15.

51. *Otzar HaPoskim* 22:26:3; *Nitei Gavriel* 21:7.

52. *Tosfos Chaim, Even HoEzer* 22; see *Dvar Halachah* 10:6; *Nitei Gavriel* 21:7.

53. *Bach, Even HoEzer* 22.

54. There is room to be lenient even in case of a difficult predicament where a man is secluded with three women at night — see *Igros Moshe, Even HoEzer* Vol. 4:65:20; *Nitei Gavriel* 21:7; *Toras HaYichud* 3:12.

55. *Beis Shlomo Orach Chaim* Vol. 1:48; *Dvar Halachah* 8:4; *Igros Moshe*, Vol. 2:15; Vol. 4, *Even HoEzer* 65:8.

56. *Shulchan Aruch Even HoEzer* 22:10. As stated above, the reason for the prohibition of Yichud with two women is that since women tend to have a more pliable nature than men, one woman might cover up for the improper conduct of another. However, there exists a natural animosity between the two women in each of these three categories, and it precludes one of the

Two Men with Two Women

26. It is permitted for two kosher men to be in Yichud with two women.⁵⁸

women's covering for the other. This is true even if ostensibly they have a good relationship.

Further points:

a) It should be noted that the *heter* of Yichud with a woman and her step-daughter is only in place if the real mother has died. If, however, her mother is alive, Yichud is forbidden, for *Chazal* deem that there is no animosity between the two women. *Nitei Gavriel* 24:3.

b) Furthermore, the *heter* only applies with a woman and her husband's daughter from a previous wife. However, Yichud would be prohibited with a woman and her husband's step-daughter. *Otzar HaPoskim* 22:39:4; *Dvar Halachah* 5:15.

c) The *heter* of Yichud with a woman and her mother-in-law is only in place if the mother-in-law is the actual mother of her husband. It does not apply to a woman and her husband's step-mother. *Nitei Gavriel* 26:1.

d) Yichud is forbidden with a woman and her mother-in-law if the woman's husband is dead. After his death, the animosity is deemed to no longer exist. The same prohibition would apply with a divorcee and her ex-mother-in-law. *Dvar Halachah* 5:22.

e) The *heter* of Yichud with these categories of women among whom there is a natural animosity is applicable even if the man's occupation is with women (*Asoko Im Hanoshim*) or even if he has a cordial relationship with them (*Libo Gas Boh*). *Dvar Halachah* 5:23.

f) As to whether Yichud is permitted at night or on a journey with these women, see *Nitei Gavriel* 24:16, who is lenient in time of need.

57. *Igros Moshe, Even HoEzer* Vol. 4:64:3.

58. This follows the opinion of the *Rema* who permits the Yichud of one woman with two men. According to the *Rema*, a question arises as to whether a combination of two men and two women is permitted even at night. As previously mentioned, the opinion of the *Rema* is that one woman with two men is permitted during the day; however, at night the presence of three men is required. It would therefore seem that in this case, too, the presence of three men would be required. However, since there are opinions that state that two men and two women are permitted even according to the *Beis Yosef*, such a combination would also be permitted at night. In practice, a Rav should be consulted.

There are *Poskim* who say that a combination of two men and two women would be permitted even according to the *Beis Yosef* — see *Bach, Even HoEzer* 22; *Chelkas Mechokek* 22:6; *Taz* 22:3, *Chikrei Lev* 19; *Otzar HaPoskim* 22:27:2.

Three Men with Three Women

27. Three men are permitted to be in Yichud with three women both during the day and at night, whether in the city or out in the fields, according to all opinions.⁵⁹
28. Some *Poskim* limit the *heter* of three men and three women to a case where all present are kosher; however, if they are *prutzim*, it would be a forbidden case of Yichud.⁶⁰ In practice, one should be stringent and only rely on a leniency in time of need.⁶¹

Intermingling

29. Even where there is no prohibition of Yichud, care should be taken that there be no mingling of men and women even for *mitzvah* purposes — and how much more so for non-*mitzvah* purposes such as a trip or the like.⁶²

Other *Poskim* allow a combination of three women and two men according to the *Beis Yosef* — see *Beis Shmuel* 22:9; *Chochmas Adam* 126:3. Still others, however, disagree and say that the *Beis Yosef* only allows a combination of three men and three women — see *Aruch HaShulchan* 22:9, *Pischei Teshuvah* 22:5; *Igros Moshe Even HoEzer* Vol. 4:65:15. Sefardim who follow the opinion of the *Beis Yosef* should therefore *lechatchilah* only allow a combination of three men and three women; however, in difficult circumstances they may rely on a combination of three women and two men, or even two men and two women — see *Minchas Ish* 7:1. *Minchas Ish* 7:2 limits this leniency to during the day and inside the city; however, at night or outside the city, three men and three women are required in order to permit Yichud.

59. As noted in previous footnote.

60. *Pischei Teshuvah* 22:5; *Taharas Yisroel* 22:17.

61. *Nitei Gavriel* 23:3 writes that if the Yichud occurs in a place where no frivolous behavior is apparent, then one may be lenient. *Toras HaYichud* 3:21 agrees that one may be lenient in time of need.

If the men are classified as *Asoko Im Hanoshim* or *Libo Gas Boh*, one should be stringent *lechatchilah* — *Nitei Gavriel* 23:3.

62. *Nitei Gavriel* 23:5. See also *Alter Rebbe's Shulchan Aruch Orach Chaim* end of Sec. 529.

Adopted Children

30. A woman may not be alone with an adopted son aged nine and above. A man may not be alone with an adopted daughter aged three and above.⁶³ To avoid Yichud, the door should be left unlocked.⁶⁴ Anyone considering adoption should first speak to a Rav about all the *Halachic* ramifications of adoption.⁶⁵

Orphans and Stepchildren

31. The same rule applies to an orphan, stepchild or foster child.⁶⁶

32. A man may not be alone with his stepmother, nor a woman with her stepfather, even if they grew up with

63. *Igros Moshe, Even HoEzer* Vol. 4:64:2; *Minchas Yitzchok* Vol. 9:140; *Shevet Halevi* Vol. 5:205:8. The prohibition of Yichud with adopted children applies even if the children do not know they are adopted — *Chelkas Yaakov* Vol. 2:17, *Igros Moshe* *ibid.*, *Nitei Gavriel* 4:2. See, however, *Tzitz Eliezer* Vol. 6:40:21. Many *Gedolei Yisroel* are of the opinion that one should actually tell adopted children that they are adopted so that they will be aware of the problems of Yichud, embracing and kissing. See *Igros Moshe, ibid.*; *Minchas Yitzchok, ibid.*; and Vol. 4:49, *Shaarei Halachah U'Minhag* Vol. 5 p. 262.

It should also be pointed out that if parents adopt two children, a boy and a girl, then the adopted children themselves are forbidden to be in Yichud with each other after they reach the age of Bas or Bar Mitzvah.

64. Although the *heter* of a *Pesach Posuach* is questionable in the case of *Libo Gas Boh* — and certainly an adopted child or an orphan comes in this category — in this case one may permit a *Pesach Posuach*. According to the *Poskim* who are lenient and use a *Pesach Posuach* with a *Libo Gas Boh*, the door must be literally left open. However in this case, since it is a very difficult circumstance, one may consider an unlocked door to be a *Pesach Posuach* — *Nitei Gavriel* 4:5.

65. *Shaarei Halachah U'Minhag, Even HoEzer* 11. See *Minchas Ish* Ch. 21 for many further details on how to avoid Yichud with adopted children. A divorcee or widow bringing up adopted children should consult a Rav as to what to do concerning the question of Yichud.

66. *Igros Moshe* Vol. 4:64; *Dvar Halachah* 7:20.

them.⁶⁷ To avoid Yichud, the door should be left unlocked.⁶⁸

Note: In the above cases, the *heter* of an “open door” only applies during the day or in the early hours of the evening when there are passersby; however, late at night, either both parents must be at home or another *shomer* or *shomrim* present.⁶⁹

Converts

33. It is permitted for a convert (a *Ger* or *Geyores*) to be in Yichud with his or her parents, children or grandchildren whether they have converted or not.⁷⁰
34. It is permitted for a convert to be in Yichud with his sister whether she has converted or not. However, they are subject to the same rules as the Yichud of a Jewish brother and sister — see previous section.⁷¹

Where One Parent is Jewish

35. A Jewish man who has had a daughter by a non-Jewish woman is permitted to be in Yichud with his daughter whether she has converted or not.⁷²
36. A Jewish woman is permitted to be in Yichud with her non-Jewish father.

67. *Igros Moshe*, *ibid.*

68. See note 85 about the leniency in this case of a closed but unlocked door.

69. Alternatively, a key should be given to two neighbors, and they should be asked to come in from time to time — *Minchas Ish* 21:13. See the section on babysitting.

70. *Toras HaYichud* 2:2; *Dvar Halachah Hosafos Chadoshos* 7:19; *Shevet Halevi* Vol. 9:260; *Nitei Gavriel* Responsa 14.

71. *Toras HaYichud* 2:22; *Igros Moshe Even*, *HoEzer* Vol. 4:64.

72. *Minchas Ish* 3:3. See, however, *Betzel Hachochmah* Vol. 4:12:2.

37. A woman who wishes to stay in the house of a couple who are intermarried *r"l* should consult a Rav.⁷³

Dating or Engaged Couples

38. It must be stressed that a man and a woman who are out on a *Shidduch* must not allow themselves to be in a Yichud situation. Therefore, they must meet either in a home where *shomrim* are present or in a public area. Even when at home, they should leave the door to the room they are in unlocked, and it is a *middas chassidus* to leave the door slightly ajar. It is absolutely forbidden for them to drive to a secluded country spot or isolated park or forest, etc. They should not drive alone late at night, and certainly not out of the town.⁷⁴
39. This *halachah* applies even more strongly after the couple are engaged to be married.⁷⁵ They must be extremely careful to avoid Yichud and *negiah* (affectionate physical contact). The fact they are engaged gives no permission whatsoever to be lax or lenient in the *halachah*.⁷⁶

73. See *Nitei Gavriel* 6:5 who permits a Jewish woman to visit her mother who is married to a non-Jew. In practice, a Rav should be consulted.

74. If a *choson* and *kallah* wish to go to a cemetery in order to visit *kever avos* and “invite” their deceased relatives to the wedding and pray by their gravesides, they are only permitted to do so if there are others in the cemetery. However, when the cemetery is deserted, this is considered Yichud and prohibited. See *Nitei Gavriel* 13:9.

75. *Taharas Yisroel* 22:4.

76. See *Nitei Gavriel* 8:1. The Lubavitcher Rebbe once said, “Being in close proximity at a time when a couple should be distant leads to being distant at the time when the couple should be close.”

Ex-Partner

40. A divorced couple must keep all the laws of Yichud. If a divorced man comes to visit his children in the home of his ex-wife, or vice-versa, they must keep all the laws of Yichud.⁷⁷

77. It should be noted that even if the ex-wife is now remarried, the *heter* of *Baaloh B'ir* does not serve to permit Yichud in this instance, and there is also the question of whether an open door serves the purpose. The best way out is the presence of a *shomer* (and at night two *shomrim*) — see *Nitei Gavriel* 7:9,10.

CHAPTER 2

AN OPEN DOOR — “PESACH POSUACH”

The Concept of “*Pesach Posuach*”

41. During daylight hours, and during the early hours of the night when there are still passersby in the street,⁷⁸ a door which is open to the public domain⁷⁹ causes a Yichud situation to be permitted.⁸⁰ This is called a “*Pesach*

78. *Baer Heitev, Even HoEzer 22:9.*

79. The door may be open to any public area, e.g. a hallway or corridor through which people pass. It should be noted that an open door to a porch or a fire escape does not serve to permit Yichud, for such doors are used only for (emergency) exit and not for entry. *Nitei Gavriel 32:3,13; Minchas Ish 13:19.*

Nitei Gavriel 32:6 writes that a *Pesach Posuach* to a place where there are three people is considered a public domain and causes Yichud to be permitted. This would also apply if in the same courtyard there lived a person who would be an effective *shomer*. Examples would be the man’s mother or daughter; or the woman’s father, son or brother; or another woman whose husband is in town, all of whom would serve to prevent a Yichud situation.

As regards a back door: It would appear that if there is access to the rear of the house through a driveway or side gate which is kept open, and people enter through the back door, then it may be considered a *Pesach Posuach*. However, if nobody usually enters through the back door, then it is not a *Pesach Posuach* — see *Nitei Gavriel 32:14*. A back door which opens into a private garden area which is fenced off and to which there is no free access would certainly not constitute a *Pesach Posuach*. See *Chochmas Adam 126:7*.

80. *Shulchan Aruch Even HoEzer 22:9.*

A woman may not be in seclusion with a man with whom her husband has warned her not to be secluded, even if the door is open — see *Chelkas Mechokek* and *Beis Shmuel 22:13; Nitei Gavriel 32:21*.

Posuach Lireshus Horabim.” The reason for this *heter* is that if the door is open, there is the possibility that the Yichud may be disturbed by an uninvited guest who may suddenly enter. This possibility acts as a deterrent to any improper conduct.

42. Late at night, or even during the day but in a place where there are no passersby, an open door does not serve to permit Yichud.⁸¹

Libo Gas Boh

43. It is disputed among the *Poskim*⁸² as to whether the *heter* of a *Pesach Posuach* applies in the case of a *Libo Gas Boh*, i.e. with an individual with whom there is a warm and cordial relationship.⁸³ In practice, one may be lenient when necessary;⁸⁴ however, the door should literally be left open.⁸⁵

81. *Baer Heitev* 22:9; *Pischei Teshuvah*, *ibid.* See *Toras HaYichud* 5:14, who rules that today, when in general there are people in the streets until late at night, then a *Pesach Posuach* would serve to permit Yichud, even until late at night, if the door was literally left open. The same would apply to Yichud in a room with a large bay window, when the room is fully illuminated and the curtains are open, so that the people inside the room are in full view of passersby in the street. However, a closed but unlocked door would only serve to permit Yichud during the day or early hours of the night.

There is an opinion — see *Dvar Halachah* 3:15, *Minchas Ish* 13:24 — that if the room is fully illuminated and the door is literally open, then there is no problem of Yichud even late at night. This is certainly a useful *heter* to rely upon in difficult circumstances.

82. See *Dvar Halachah* 3:19

83. In such a case, the fact that the door is open may not deter the two people from improper conduct, for they are very familiar with each other. See *Kitzur Shulchan Aruch* 152:5.

84. *Nitei Gavriel* 32:7.

85. We shall soon discuss the view of some *Poskim* that a closed but unlocked door constitutes a *Pesach Posuach*. One may generally rely on that opinion. However, in this case where the *Poskim* dispute as to whether a *Pesach*

Parutz, Asoko Im Hanoshim, Non-Jew

44. A *Pesach Posuach* causes Yichud to be permitted even with a *Parutz, Asoko Im Hanoshim*⁸⁶ or a non-Jew.⁸⁷

Closed But Not Locked

45. A door which is closed but not locked allows Yichud to be permitted according to some *Poskim*,⁸⁸ under the conditions mentioned in the previous points, as long as there exists the possibility that someone will enter uninvited. This will obviously depend on the circumstances. If a person lives in a place where neighbors or friends enter freely uninvited, then a closed, unlocked door is a *Pesach Posuach*. However, if it is rare that a person would enter if the door is closed, or if those inside are sure that no one would enter without knocking first, then a closed, unlocked door does not serve as a *Pesach Posuach*.⁸⁹
46. Although one may rely on the opinion that a closed but unlocked door is considered a *Pesach Posuach*,⁹⁰ in the

Posuach works at all to prevent Yichud with a *Libo Gas Boh*, one should definitely be stringent and leave the door literally open. See *Shevet Halevi* Vol. 5:203:7.

86. As previously mentioned (Ch. 1:13), *Asoko Im Hanoshim* is defined as one whose profession or trade is with women. This includes a man who runs an office with female co-workers; a shopkeeper who sells women's clothing, shoes, jewelry, etc.; a gynecologist; a salesman who sells women's cosmetics; etc. See *Nitei Gavriel* 22:3,4.
87. *Dvar Halachah* 3:17,18.
88. See *Dvar Halachah* 3:2; *Otzar HaPoskim* 22:35:2; *Minchas Ish* 13:2 for all the various opinions.
89. *Nitei Gavriel* 33:1,5.
90. See *Maharsham* Vol. 2:66 (and in *Hosafos*), *Dovev Meisharim* 5. *Nitei Gavriel* 33:3 is of the opinion that in a case of Yichud *midrabonon* (i.e. one man with two women) or even in a difficult predicament in a case of Yichud *min-*

first instance (*lechatchilah*) one should leave the door literally open.⁹¹ As previously mentioned, this is certainly the case with an individual who is classified as *Libo Gas Boh*.

47. If there is another factor mitigating the Yichud, such as *Baaloh B'ir*, or in the case of Yichud *midrabonon* i.e. the Yichud of more than two people, then one may *lechatchilah* rely on a closed but unlocked door.⁹²
48. Some *Poskim* say that even if the door is locked but other people⁹³ have the key (or the lock is a combination lock and others know the numbers), and they may enter suddenly without warning or without the prior knowledge of those inside, then the locked door is *halachically* considered to be like an open door, which permits Yichud.⁹⁴

haTorah (one man with one woman), one may rely on the *Poskim* who are lenient and allow a closed but unlocked door. However, in the case of close relatives between whom there is a close relationship, the *heter* of a *Pesach Posuach* must be literal, and a closed but unlocked door would not suffice — see *Nitei Gavriel* 1:10.

91. *Shevet Halevi* Vol. 5:213.

92. *Mishneh Halachos* 9:313; *Tzitz Eliezer* Vol. 6:40:23:9.

93. *Minchas Ish* 13:5 writes that if only one person has the key, he must be expected to arrive at any moment in order to create the *Pesach Posuach*. However, if two people have the key, then even if they are not expected to come in — rather, they simply have the ability to come in at any time — then Yichud is permitted. However, if there are certain hours during which it is known that the keyholders will not arrive, then Yichud during those hours is not permitted. See also *Toras HaYichud* 5:18, who explains that a few people should be given the key so that those in the Yichud situation would be afraid of being disturbed.

94. *Responsa Dovev Meisharim* Vol. 1:5; *Tzitz Eliezer* Vol. 6:40:23:9. *Dvar Halachah* 3:3; *Shevet Halevi* Vol. 9:261; *Minchas Yitzchok Likkutei Teshuvos* 148. However, if those inside can see who is approaching the door through a camera, then the fact that others have the key does not serve to permit

Giving the Key to a Neighbor

49. Giving a key to a neighbor does not create a *Pesach Posuach* unless the neighbor is asked specifically to come in at any time in order to prevent Yichud. Most people who give keys to a neighbor do so in order that if they ever get locked out of their own home, there is a spare key at the neighbor’s house. This does not create a *Pesach Posuach* situation. The only way to create a *Pesach Posuach* is to specifically ask the neighbor to come in unexpectedly from time to time in order to prevent Yichud.⁹⁵

Yichud — see *Shevet Halevi* Vol. 6, *Yoreh Deah* 191:3; *Mishneh Halachos* Vol. 4:187; *Minchas Ish* 13:10.

95. *Nitei Gavriel* 42:6.

Further points:

a) *Minchas Ish* 13:7 also points out that if the door has a chain or bolt that is closed from the inside, then the fact that the neighbor has the key would not serve to permit the Yichud since the neighbor still has no free access to the home.

b) Giving a key to a neighbor would help to prevent Yichud during the day. At night, however, the key must be given to two neighbors in order to create the two *shomrim* required at night — see section on *shomrim* — *Minchas Ish* 13:8.

c) Giving a key to neighbors would be the solution to the problem of a babysitter who is in Yichud with the children she is babysitting. She should ask the neighbors to come in from time to time, hence creating a *Pesach Posuach* — *Minchas Ish, ibid.*

d) Giving a key to a neighbor as a temporary measure to prevent Yichud is permitted. However, it would not be permitted in a permanent situation such as in the workplace — *Minchas Ish* 13:12.

e) Some people have safe deposit boxes in banks where they keep their valuables. To enter this vault, they are taken in by a bank employee who has a special key or electronic pass. If a number of employees have access to the vault and they may enter at any time, then this would create a *Pesach Posuach* and serve to permit entry with someone with whom there is a problem of Yichud. Alternatively, if there is a closed circuit camera in operation and all movements in the vault are monitored then entry is permitted. *Minchas Ish* 13:11.

The Inner Room of a House

50. If a man and woman are in seclusion in an inner locked room of a house, then they are in Yichud even if the front door is open. Furthermore, if they are alone in an inner room which is unlocked but into which people generally don't enter, e.g. a cellar, then it is Yichud, even if the front door is open.⁹⁶ However, if the man and woman are in an inner unlocked room of the house and an intruder could possibly enter through the front door and then enter the inner room, then the situation is not considered Yichud.⁹⁷
51. A man and woman may be alone in an unlocked room of a house if there are other people in the house whose halachic status would serve to permit the Yichud and if it is usual for the people in the house to enter that room without warning.⁹⁸

An Apartment Building

52. The *heter* of a *Pesach Posuach* also applies in an apartment building whose main entrance is kept locked

96. *Dvar Halachah* 3:8.

97. *Ibid.*, 3:7. The matter would depend on the position of the inner room and the identity of the intruder. For example, if the man and woman were in a living room on the ground floor of a house, one might expect a neighbor to come in uninvited through the front door and then enter the living room even though the door might be closed. In such a case, Yichud would be permitted even if the living room door were closed. However, one would not expect the same neighbor to go upstairs and open a closed — albeit unlocked — door to a bedroom. In such a case, Yichud would be prohibited — see *Toras HaYichud* 5:10, *Shevet Halevi* Vol. 5:203:7; *Minchas Ish* 13:21. (See however *Maharsham* Vol. 2 *Maftaichos* to *Even HoEzer* 76.)

98. *Dvar Halachah* 3:7. *Minchas Ish* 13:16 writes that if the family members are sleeping, then the door to the room in which the couple is secluded must literally be left open.

(or where there is a doorman who only allows residents or expected visitors to enter), since neighbors may also enter unexpectedly.⁹⁹

53. There is no prohibition of Yichud on the stairways of an apartment building, for these stairways are considered public thoroughfares. This is true even if the main entrance to the building is locked.¹⁰⁰

A Bay Window

54. We have established that the reason why an open door serves to permit Yichud is the fear of those in seclusion that they may be seen. Therefore, Yichud is permitted in a situation where the two are clearly visible through a bay window that can be looked into from the street, or where they are visible from a side window¹⁰¹ through which a neighbor may look.¹⁰² The windows must be unshuttered with no curtains.¹⁰³

99. *Nitei Gavriel* 32:20.

100. *Ibid.*, 34:2.

101. *Shaar HaYichud* (Noeh) p. 255 writes that most homes are built in such a way that one can see from a neighbor's window into the next house, and yet this does not have the psychological effect of deterring anyone in a Yichud situation. He therefore concludes that a neighbor's window does not constitute a *Pesach Posuach*. See, however *Toras HaYichud* 5:15, who disagrees. It appears to this author that if the houses are very close to each other and, as is often the case in rear extensions, there are large windows through which one can clearly see what is happening next door, then as long as the window is unshuttered, then it would constitute a *Pesach Posuach*. However, if the houses are some distance from each other and the view from the window is very limited, then it would not constitute a *Pesach Posuach*.

102. *Nodah Biyehudah Kamma, Even HoEzer* 71. See *Responsa Maharsham* Vol. 2:76.

Further points:

- a) In order to serve as a *Pesach Posuach*, the window must be at street level or slightly higher, as long as people can easily see through it even

if they have to stretch a little. However, if in order to see through the window they would have to stand on a chair, then such a window does not serve to permit Yichud. See *Maharsham, ibid.*; *Minchas Ish* 13:27.

b) It should be noted that Yichud would only be permitted when the man and woman are in full view from the outside. However, if they were to move to a part of the room from which they could not be seen from the outside, they would be in Yichud. See *Dvar Halachah* 3:13. See however *Igros Moshe, Even HoEzer* Vol. 4:65:2.

c) A bay window would also be effective at night as long as the room is fully illuminated and there are passersby in the street. See *Minchas Ish* 13:32. This *heter* may be employed by a babysitter who is in a Yichud situation. If the house has a bay window, she should sit in that room with the light on and the curtains open. However, this *heter* could be problematic if she would have to leave the room to take care of one of the children, in which case she would not be visible through the window. The better solution would therefore be to give keys to neighbors.

103. See *Dvar Halachah* 3:10. Regarding sheer curtains, it seems logical to differentiate between day and night. During the day when the people in the room are not clearly visible from the outside, then Yichud would not be permitted; however, at night when one can see through from the outside (as long as the light is on in the room), it would be permitted.

CHAPTER 3

***BAALOH B'IR* — HUSBAND IN THE CITY**

The Concept of *Baaloh B'ir*

55. It is permitted to be in seclusion with a woman whose husband is in the city.¹⁰⁴ This *heter* is called *Baaloh B'ir*. As for the parameters of a city, see footnote.¹⁰⁵

104. *Shulchan Aruch Even HoEzer* 22:8; *Kitzur Shulchan Aruch* 152:4. An interesting question arises as to whether the status of *Baaloh B'ir* helps to prevent Yichud in the case of seclusion with a woman who married her husband in a civil court but did not have *Chuppah* and *Kiddushin*. *Nitei Gavriel* 36:13 cites an opinion that *Baaloh B'ir* would apply in such a case, the reason being that since they are married — albeit civilly — the husband would not condone improper conduct on the part of his wife. (See also *Toras HaYichud* 7:14). However, if a couple is merely living together, then the concept of *Baaloh B'ir* would not apply — see *Tzitz Eliezer* Vol. 6:40:17:9. If a couple is separated but not yet divorced, then if there is no communication between them, *Baaloh B'ir* is ineffective. However, if there is a chance that they may reconcile (e.g. they are getting counseling), then *Baaloh B'ir* does help, as long as she is at home and the door is unlocked — *Toras HaYichud* 7:15.

105. There are several questions among the *Poskim* as to the parameters of *Baaloh B'ir*: Does it apply to every part of a large city? What would the *halachah* be in the case of two small towns which in distance are actually much closer than two neighborhoods at opposite ends of a large city, although in name they are counted as two separate towns with two separate boundaries?

Some *Poskim* — see *Toras HaYichud* 7:7 — say that it all depends on the name of the city. As long as the husband is in the same city, although many miles away, he is considered *Baaloh B'ir*, whereas if he were in a different city, even though in actual distance he could be closer, he is not considered *Baaloh B'ir*. For example, within London, Stamford Hill and Golders Green

56. The *heter* of *Baaloh B'ir* also applies at night.¹⁰⁶
57. There is a difference of opinion among the *Poskim* as to the reason for this *heter*.¹⁰⁷ Some *Poskim* say that if a woman's husband is in the town, she will be worried that he may arrive unexpectedly and therefore will be afraid to engage in any improper conduct. Other *Poskim* say that the *heter* is due to the natural anxiety of a wife, a

are two separate areas, yet they are both in London. Anyone asked about the location of these two places would say that both are in London, only one is in North London and the other in North West London. Hence, *Baaloh B'ir* would apply. The same would be true of Crown Heights, Boro Park and Flatbush, all of which are suburbs of Brooklyn. According to this view, the deciding factor would be whether or not people consider these neighborhoods to be part of the same city.

Two small towns which are close to each other but which have different names are considered as two separate cities, and *Baaloh B'ir* would not apply. Therefore, Jerusalem and its satellites of Givat Zeev, Mevaseret, Maaleh Adumim, Tel Zion, and Betar Ilit would be considered separate towns and would not be included in the *heter* of *Baaloh B'ir*.

However, if the two towns are within 70-and-two-thirds *amos* of each other (approx. 34-41 meters), they are considered as one city — see *Nitei Gavriel* 38:2. Accordingly, Bnai Brak and Tel Aviv would today be considered as one city. See *Nishmas Avraham, Even HoEzer* 22 in the name of Rabbi S. Z. Auerbach *z"l* that today Tel Aviv, Ramat Gan, and Petach Tikvah are all considered one city and *Baaloh B'ir* applies. (See however *Minchas Ish* 8:7).

Other *Poskim* write that today, with modern communications and transportation, the main issues regarding *Baaloh B'ir* are 1) whether there is the likelihood of the husband returning home unexpectedly, and 2) the amount of time it would take for the husband to return home from where he is — see *Nitei Gavriel* 38:3 and footnotes, *ibid*.

In practice, the case in question usually has a number of factors that may either mitigate or complicate the question, and therefore a Rav should be asked.

106. *Nitei Gavriel* 35:1.

107. For a summary of the various opinions and their sources, see *Minchas Ish* 8:1-6; *Nitei Gavriel* 35:4.

psychological fear that prevents her from engaging in improper conduct.

58. There is a major difference in *halachah* between these two opinions. According to the first reason — a fear of discovery — the *heter* would only apply if there is a real possibility that the husband might intrude unexpectedly and hence she would have a fear of being discovered. However, according to the second opinion, even if there is no possibility of her husband's unexpected return, the very fact that he is in the city would serve to permit the Yichud for she would have a nervous subconscious fear that would preclude her engaging in any improper conduct.¹⁰⁸
59. In practice, one should be stringent and only permit a Yichud situation if there is a realistic possibility of her husband's unexpected return. However, in a case of need, one may rely on the second and more lenient view a) if the door is unlocked, or if other family members have the key, and there is the possibility that someone may enter, or b) in a case of Yichud *midrabonon* i.e., Yichud of more than two persons.¹⁰⁹

108. *Igros Moshe, Even HoEzer* Vol. 4:65:7 presents a number of cases where *Baaloh B'ir* would not help mitigate Yichud: 1) In a large city such as New York, her husband is in town, but he has gone to the other side of the city which is an hour's commute each way, in addition to which he needs to be there for an hour. 2) A man works from 9 a.m. until 5 p.m. in an office and it takes him approximately two hours to get to work. See, however, *Nishmas Avraham, Even HoEzer* 22:8 in the name of Rabbi S. Z. Auerbach *zt'l* who says that *Baaloh B'ir* helps mitigate Yichud even if the husband is at the opposite end of a large city such as London or New York. See *Minchas Ish* 8:6.

109. In case a), one has a combination of a *Pesach Posuach* — albeit a lenient opinion concerning *Pesach Posuach* — and the lenient second opinion for *Baaloh B'ir* (that she has a subconscious fear of discovery), to permit Yichud.

In case b), if the Yichud consists of more than two persons, it is only prohibited *midrabonon*, and since there is a dispute among the *Poskim*, we may follow the lenient view in the case of a *midrabonon*. See *Minchas Yitzchok* Vol. 9:142; *Nitei Gavriel* 37:4; *Minchas Ish* 8:6.

Further points:

1. *Tzitz Eliezer* Vol. 6:40:6 (p. 182) makes a distinction between a) someone who is employed and has to keep strict office hours, in which case *Baaloh B'ir* is ineffective, and b) one whose hours are more flexible and who may take off work without financial loss, in which case *Baaloh B'ir* is effective. Based on this distinction, *Nitei Gavriel* 35:5 draws the following guidelines for men in Kollel: if the Kollel is in the same town and the administration is reasonably flexible about hours, then *Baaloh B'ir* is effective; however, if the Kollel is far from home or the administration is very strict about timekeeping, then one should be stringent and not rely on the *heter* of *Baaloh B'ir*. See, however, *Minchas Ish* 8:8,9 who is lenient even if the husband is at work or in Kollel and by leaving the workplace he would incur financial loss.

2. If the husband is a surgeon and he is operating, it is questionable whether the *heter* of *Baaloh B'ir* would be effective since he could not interrupt the operation to come home suddenly. Therefore according to the first opinion, even if the hospital were near home, if he was not in a position to return home, the *heter* would not help. *Minchas Ish* 8:10 writes that it does happen at times that operations are cancelled or that the procedure takes less time than expected, or another surgeon is available to take his place, and therefore one may rely on *Baaloh B'ir*. However, in such a case the wife should leave the door unlocked.

3. A woman whose husband is in prison in the same town may not rely on the *heter* of *Baaloh B'ir* — *Igros Moshe, Even HoEzer* 65:7.

4. If the husband is sick and is in the hospital, or is old and infirm and in an old age home — in which case the husband has a very limited range of movements — then Yichud would only be permitted in the immediate vicinity of the husband. However, the *heter* would not extend to a different building. (Some say that the same would be true even if the husband is unconscious; however, in such circumstances one may only rely on the *heter* of *Baaloh B'ir* if it would be a case of Yichud *midrabonon*.) — See *Nitei Gavriel* 36:8. The same would be true if her husband were suffering, G-d forbid, from Alzheimer's or another disabling mental illness — *Nitei Gavriel* 36:12.

5. Consequently, a woman whose husband is in the hospital and is confined to his bed may not rely on the *heter* of *Baaloh B'ir* to permit Yichud in her home. Even if her husband is actually home but is confined to bed, she may only be in seclusion with another man if she is

60. Let us take, for example, the case of a woman who is at home, and her self-employed husband comes and goes from work as he wishes. Since there is the realistic possibility of his arriving home unexpectedly, *Baaloh B'ir* serves to permit Yichud. However if the husband works in an office some distance from home, and his wife knows that he is in the office (e.g. she has just called him at the office), and it would definitely take some time before he could come home, then the *heter* does not apply according to the first opinion.¹¹⁰ According to the second and more lenient opinion, Yichud would be permitted.¹¹¹ In practice, one should be stringent. However, in time of need one may permit Yichud if a) the door remains unlocked, or other family members have a key and could come home unexpectedly; or b) in a case of Yichud *midrabonon*, i.e., Yichud of more than two persons.
61. A woman is to be believed when she states that her husband is in the city, thus permitting Yichud.¹¹² If a man does not know that a woman's husband is in town, she is obligated to inform him so that he will know that he is not in a Yichud situation.¹¹³

in close proximity to her husband, in which case he may “sense” what is happening. However, if her husband is confined to bed, she may not be in Yichud with another man in a remote part of the house where the husband has no awareness of their activities. *Nitei Gavriel* 36:11.

6. The *heter* of *Baaloh B'ir* mitigates Yichud even if her husband is blind — *Nitei Gavriel* 36:9.

110. See *Igros Moshe, Even HoEzer* Vol. 4:65:7.

111. See *Minchas Ish* 8:8.

112. *Nitei Gavriel* 35:10.

113. *Minchas Shlomo* 35. See also *Haskomo* to *Dvar Halachah*. Conversely, if a woman thinks that her husband is in the city, and another man knows that her husband has left the city, he may not be in Yichud with her — *Toras HaYichud* 7:17. The same would be true if a man knows that the woman's

Away from Home

62. There are *Poskim*¹¹⁴ who limit the *heter* of *Baaloh B'ir* to a case where either a) the woman is at home or b) even if she is away from home, the husband knows of her whereabouts, in which case she would be fearful that her husband might arrive unexpectedly. According to these *Poskim*, if she is away from home and the husband does not know where she is, then the *heter* of *Baaloh B'ir* would not apply because he does not know of her whereabouts and she would have no fear of discovery. However, other *Poskim*¹¹⁵ are of the opinion that even if the woman is away from home, as long as her husband is in the city, there is no problem of Yichud.¹¹⁶ The reason is as stated above, that as long as her husband is in town, it is a woman's nature to have a subconscious fear that would preclude any improper conduct. In practice, one should be stringent. However, in a difficult predicament, one may rely on the lenient opinion a) if the door is unlocked, or if other people have the key and there is the possibility that someone may enter, or b) in a case of

husband has now returned to the city, but she thinks that he is still away from the city. In that case, Yichud would be forbidden until she is informed that her husband has returned to the city — *ibid*.

114. See *Chofetz Chaim Nidchei Yisroel* 24:6, *Minchas Shlomo* 3:91, *Shevet Halevi* Vol. 5:203:2, *Toras HaYichud* 7:2.

115. See *Dvar Halachah* 7:2; *Nitei Gavriel* 37:1.

116. Even according to this lenient opinion, some *Poskim* write that the *heter* would not help for a woman who is traveling in a car, for in such a case, the subconscious fear is not present since she is so mobile — see *Toras HaYichud* 7:12. (However, if the husband knows with whom she is traveling, then it is permitted, particularly if she has a mobile phone and may be contacted at all times — see *Nitei Gavriel* 35:6.) Even so, other *Poskim* — see *Nishmas Avraham, Even HoEzer* 22:8, in the name of Rabbi S. Z. Auerbach *zt'l* — are lenient.

Yichud *midrabonon*, i.e., Yichud of more than two persons.

63. In a case of Yichud when the woman is away from home, if it becomes necessary to rely on the lenient opinion, then she should let her husband know where she is. The very fact that her husband knows of her whereabouts (even if it is very unlikely that he might turn up unexpectedly) heightens a woman's subconscious fear and thus strengthens the *heter* of *Baaloh B'ir*.¹¹⁷
64. If a husband allows his wife to visit another man in that man's home, then she may rely on the *heter* of *Baaloh B'ir* as long as the door is unlocked.¹¹⁸
65. Let us address the issue of a woman working in an office together with another man in the case of *Baaloh B'ir*. Theoretically speaking, one may rely on the *heter* of *Baaloh B'ir* as long as her husband knows she is in the office and the door is unlocked. However, this is only if she has little contact with the other man in the office. If they are co-workers who have a good working relationship, then she is considered a *Libo Gas Boh* and, as stated below, such a Yichud situation would be prohibited.¹¹⁹

Libo Gas Boh

66. The *heter* of *Baaloh B'ir* does not apply in the case of a *Libo Gas Boh*, i.e. a relative or a very close friend or

117. See *Igros Moshe, Even HoEzer* Vol. 4:65:21, *Dvar Halachah* 7:3 and *Nitei Gavriel* 37:5,6.

118. *Dvar Halachah* 7:3; *Nitei Gavriel* 38:5.

119. See *Dvar Halachah* 7:3.

childhood friend.¹²⁰ Therefore, if a woman is visited by her father-in-law, son-in-law, brother-in-law or other close family relatives, she may not rely on *Baaloh B'ir*.¹²¹ However, this *halachah* would only apply if there is a close relationship between the relatives. If their level of emotional closeness is no different than that between any man and woman, then *Baaloh B'ir* would apply.¹²²

67. As we have already explained, *Baaloh B'ir* does not help in a case of *Libo Gas Boh*. However, if the husband is around the house or out in the yard but in close proximity to his wife, then Yichud would be permitted even with a *Libo Gas Boh*.¹²³

120. *Shulchan Aruch Even HoEzer* 22:8; *Taharas Yisroel* 22:20. *Libo Gas Boh* may be defined as close friends who help each other out and do each other favors because of their close relationship — see *Aruch HaShulchan* 22:6; *Dvar Halachah* 7:15.

A father who brings his child to a kindergarten and develops a close relationship with the female teacher should not be in Yichud with her even in the case of *Baaloh B'ir*. The reverse is also true. If a woman brings her son to a *Melamed* and she develops a good relationship with him, then she may not be in Yichud with him even in the case of *Baaloh B'ir*. In such circumstances, if the mother and the *Melamed* wish to have a meeting to discuss the progress of the child, the door should be left open — see *Minchas Ish* 8:26.

121. See Chapter on *Pesach Posuach* where we have written that only in difficult circumstances does a *Pesach Posuach* help for a *Libo Gas Boh*, and in such a case the door should literally be left open.

122. *Minchas Ish* 8:22. *Halichos Bas Yisroel* 8:6 writes the following based on the ruling of Rabbi S. Z. Auerbach *zt'l*: “When a father visits his married son and stays in his home, there is no prohibition of Yichud between him and his daughter-in-law as long as the son is in the same city. He must not, however, act in too familiar a fashion with his daughter-in-law. If the son is not in the city, he may remain in the house with his daughter-in-law during the day as long as the front door is left open or if the neighbors are given permission to enter unannounced.”

123. *Minchas Ish* 8:27.

68. A married woman may not work alone together with another man in the same office even in the case of *Baaloh B'ir* since a co-worker is considered a *Libo Gas Boh*¹²⁴ and, as previously stated, the *heter* does not apply in a case of *Libo Gas Boh*.¹²⁵ In such a situation a Rav should be consulted as to the possibility of creating a *Pesach Posuach*, in which case Yichud may be permitted.
69. Stepchildren or foster children are in the category of *Libo Gas Boh*,¹²⁶ and therefore one may not rely on the *heter* of *Baaloh B'ir* to allow Yichud; rather, the door should be left unlocked.¹²⁷

Parutz, Asoko Im Hanoshim

70. Most *Poskim* are of the opinion that *Baaloh B'ir* helps even if the Yichud situation is with a man who is a *parutz*.¹²⁸ However, it is correct to avoid such Yichud wherever possible.
71. It is disputed among *Poskim* whether *Baaloh B'ir* works to permit Yichud with someone who is *Asoko Im Hanoshim*.¹²⁹ A Rav should be consulted.

124. *Dvar Halachah* 7:17

125. If the man in the office is not a close co-worker and her husband could turn up unexpectedly at the office, then Yichud would be permitted. See *Dvar Halachah* 7:3.

126. *Dvar Halachah* 7:20. See, however, *Minchas Ish* 8:24, 21:8.

127. This Yichud is permitted during the day and early hours of the evening when there are passersby. However, late at night a *Pesach Posuach* is ineffective and other *shomrim* must be present to allow Yichud.

128. *Nitei Gavriel* 36:6. As regards Yichud with a woman who is a *prutzah* but there is a case of *Baaloh B'ir*, see *Dvar Halachah* 7:7, who is lenient. However, see *Igros Moshe Even HoEzer* Vol. 4:65:6. In practice, a Rav should be consulted.

129. *Nitei Gavriel* 36:5. If he is a business associate with whom she has developed a warm relationship, then he is in the category of a *Libo Gas Boh*, in which case *Baaloh B'ir* would not serve to permit Yichud.

Non-Jews

72. A Jewish man may be alone with a non-Jewish woman only if her husband is in close proximity, However, the fact that her husband is in the city does not serve to permit Yichud.¹³⁰
73. In a country that metes out severe penalties for rape, a Jewish woman may rely on the *heter* of *Baaloh B'ir* to be alone with a non-Jew. However, in a country where the non-Jew is not very afraid of such a penalty, one may not rely on *Baaloh B'ir* to permit Yichud¹³¹ (see footnote). Some *Poskim* write that even in a place where there are severe penalties, one should not be lenient unless the woman's husband is in a place from which he would hear her voice if she would shout.¹³²
74. In practice, a married woman may allow a workman, plumber, electrician etc. from a reputable company (she should check his ID) inside the home in the case of *Baaloh B'ir*.¹³³ In such circumstances it is correct that she leave the door unlocked, thus creating a *Pesach Posuach* as well.¹³⁴

130. See *Dvar Halachah* 7:23; *Nitei Gavriel* 6:1, 37:7.

131. *Dvar Halachah* 7:14, *Nitei Gavriel* 36:7. He concludes that nowadays in most places the non-Jewish population is not so afraid of the penalties, and therefore one should be stringent. Unfortunately, the high prevalence of this type of crime as attested to in the media is enough evidence to suggest that one should be stringent.

132. *Dvar Halachah* 7:14.

133. In addition to the fear of a penalty, there is also the mitigating factor that the worker might lose his job or be barred from his profession if he were to engage in any improper conduct. See *Igros Moshe, Yoreh Deah* Vol. 2:82.

134. *Minchas Ish* 8:14,20.

Middas Chassidus

75. It should be noted that although *Baaloh B'ir* is a legitimate *heter*, it is a *middas chassidus* not to rely on it wherever possible.¹³⁵

N.B. Regarding the above *halachos*, leaving the door unlocked would only serve a purpose if there is a possibility that someone might enter the room unannounced. However, if nobody would come in without prior permission, then the unlocked door would not serve to prevent Yichud — see chapter on *Pesach Posuach*.

135. *Dvar Halachah* 7:24; *Nitei Gavriel* 35:13. The reason is that some *Rishonim* write that *Baaloh B'ir* is not permitted *lechatchilah*; it only mitigates a punishment of *Malkos*. Although the vast majority of *Poskim* say that *Baaloh B'ir* is permitted even *lechatchilah*, it is a *middas chassidus* to be stringent by taking into account the strict opinion. Furthermore, Rabbeinu Yerucham writes that one who is a *tznius* person should avoid Yichud even in a case of *Baaloh B'ir*, for one should always distance oneself from any unsavory situation.

Nevertheless, even the strict opinions would permit such a Yichud situation if the door were closed but not locked. The combination of the two — *Baaloh B'ir* and a *Pesach Posuach* — would work to permit Yichud according to all opinions — see *Shevet Halevi* Vol. 5:203:4.

CHAPTER 4

“ISHTO MESHAMROSO” — HIS WIFE GUARDS HIM

The Concept of *Ishto Meshamroso*

76. A woman may be in seclusion with any Jewish man whose wife is present with him, for his wife guards him — “*Ishto Meshamroso*” — from any improper conduct.¹³⁶

136. *Shulchan Aruch Even HoEzer* 22:3. Note: The *heter* of *Ishto Meshamroso* applies even with a *Libo Gas Boh* and *Asoko Im Hanoshim*, and it applies both by day and night. Accordingly, a man may live permanently in the same house as his mother-in-law as long as *Ishto Meshamroso* — *Nitei Gavriel* 39:2,3. However, the *Poskim* are not in favor of two couples living permanently together in one apartment, nor of a single woman living permanently with a couple, as this could present a serious problem of *tznius* — see *Shevet Halevi* Vol. 5:21; *Dvar Halachah* 6:9; *Nitei Gavriel* 39:8; *Minchas Ish* 9:5. In a case of necessity a Rav should be consulted.

Further points:

1. The *heter* also applies on a journey; i.e., a man may travel with another woman as long as he is accompanied by his wife — *Nitei Gavriel* 39:6.

2. The *heter* also applies if the wife is blind, for even she can sense what is going on in the house — see *Dvar Halachah* 6:8 who quotes various opinions. The same would be true if a wife is ill or old; as long as she is aware of what is happening around her, her *shemirah* is effective. If, however, she has suffered a stroke, G-d forbid and is totally unaware of what is happening around her, then her *shemirah* is ineffective — see *Nitei Gavriel Teshuvos* 10-13. (There he also discusses the interesting question of a woman who was paralyzed from her neck down and who had a nurse in attendance 24 hours, addressing the question of *Yichud* at night between the nurse and the woman's husband.)

This *halachah* applies when the wife is in the same house as her husband, or she is in close proximity and comes in and out of the house.¹³⁷ The same would apply¹³⁸ if she has left for a very short while. For example, if she has gone to a neighbor's house or to a store around the corner (and she has the key, or the door is shut but

3. The *heter* does not apply to a man who is non-observant and is known to be promiscuous — even the presence of his wife would not deter him from improper conduct. *Nitei Gavriel* 40:11.

4. The *heter* of *Ishto Meshmroso* also applies to a couple who married in a civil court even though they did not have *Chuppah* and *Kiddushin* — *Toras HaYichud* 6:5. However, the *heter* would not apply to a couple who were simply living together without any form of marriage. — see *Tzitz Eliezer* Vol. 6:40:17:9.

5. There is an opinion that the *heter* of *Ishto Meshamroso* does not apply to a former divorced wife, albeit that his second wife is present — see *Minchas Ish* 9:15.

137. *Nitei Gavriel* 39:1. In this respect, the *heter* of *Ishto Meshamroso* differs from the *heter* of *Baaloh B'ir*. *Chazal* deemed that a woman has a deeper psychological fear of discovery than a man and therefore as long as her husband is in the city and may return unexpectedly, she is afraid to engage in any improper conduct. However, in the reverse situation — if a woman is out of the house and is not expected to return — since a man does not have the same innate fear of discovery, he may not be alone with another woman. Certainly if he were not at home, but in an unknown location, the fact that his wife is in the city would not deter him in any way. This is a case where *Chazal* fathomed the depths of human psychology and drew *halachic* guidelines accordingly.

(Note: there are *Poskim* who apply the *heter* of *Ishto Meshamroso* even if the wife is in the city as long as she could possibly enter unannounced at any given moment, similar to the *heter* of *Baaloh B'ir*. *Dvar Halachah* 6:3 is lenient in the case of *Yichud midrabonon*, i.e. one man with two women, relying on the opinion that permits *Yichud* as long as the wife is in the same city and could come home at any moment. In such a case it would certainly be correct to leave the door unlocked. However, most *Poskim* concur with the view that she must literally be with him, or at least in the vicinity — see *Minchas Ish* 9:2 for a summary of all various opinions.)

138. *Dvar Halachah* 6:2,4; *Nitei Gavriel* 41:6; *Minchas Ish* 9:2. This lenient opinion is also recorded in the *sefer Oholei Yeshurun* in the name of R. Moshe Feinstein *zt'l*.

unlocked) and could return home any moment, her husband could rely on the *heter* of *Ishto Meshamroso*.¹³⁹ However, if she has gone out to work and she is not expected home, then the *heter* of *Ishto Meshamroso* does not apply.¹⁴⁰

77. Consequently, if a man is at home alone and his wife is at work, and a female housekeeper arrives to clean, then he should leave the door literally open, thereby creating a *Pesach Posuach*. If his wife is in the vicinity and she is expected home shortly, then if she has the key, the door may be closed. If she doesn't have the key, the door may be closed but left unlocked.¹⁴¹
78. Even if a husband informed his wife of his whereabouts, and he told her that he was going to visit a woman in her apartment, and theoretically his wife could arrive at any

139. There are *Poskim* who are stringent and only apply the *heter* of *Ishto Meshamroso* when the wife is literally at home; however, if she is out of the house, even if she is expected to return home imminently, the *heter* would not apply. This is the opinion of the *Ezer Mekodesh* and *Maharsham* Vol. 4:144. In practice, one may be lenient in a case of *Yichud midrabonon* or if the door is closed but not locked — *Nitei Gavriel* 41:1. Therefore in a case where she has gone out to a local store to do some shopping and she is expected home shortly, one may rely on the *heter* of *Ishto Meshamroso* as long as the door is shut but not locked, or if she has the key and could enter at any moment. (Some *Poskim* state that the *heter* is thereby transformed into a *Pesach Posuach*.)

Note also that the *heter* of the wife's being in the vicinity applies only when the husband is at home or at his permanent place of work; however at any other location, she must literally be with him to permit the *Yichud* — *Nitei Gavriel* 41:3. Furthermore, this leniency would only apply during the day. At night when people are usually asleep, his wife must literally be with him in the same house in order for the *Yichud* to be permitted — *Nitei Gavriel* 41:5.

140. *Imrei Yosher* Vol. 2:9; *Nitei Gavriel* 41:2.

141. *Minchas Ish* 9:3.

time, *Ishto Meshamroso* would not apply and such a Yichud situation would not be permitted.¹⁴²

79. A man whose wife is at home may be alone in a room with another woman even if the door is locked, as long as his wife has a key and could enter at any time.¹⁴³ If the wife has given specific permission for her husband to be alone in a room with another woman, e.g. he is a counselor and he is counseling a woman in his office at home, then the door to the room may be shut but not locked.¹⁴⁴
80. It is permitted for a single woman guest to stay at the home of a married couple due to *Ishto Meshamroso*. However, if the wife goes out to work, then another precaution must be taken, e.g. a *Pesach Posuach* or *shomrim*. It is most appropriate that the guest should have her own room, although it is not necessary for her to lock the room at night. As a general rule, both the guest and the man of the house must take great precautions to maintain *tznius* at all times. For example, if the guest walks around the house at night, she must make sure to be properly dressed, as the man of the house may happen to see her.
81. A woman may accompany a married couple on a trip.¹⁴⁵

142. *Dvar Halachah* 6:4.

143. *Ibid.*

144. *Nitei Gavriel* 39:5. This applies only if the wife would feel comfortable about entering at any time unannounced. However, if the wife would never enter her husband's private office so as not to disturb the confidential nature of the counseling, the *heter* would not apply. The best solution would be for the husband to make it clear to his wife that she may come in at any time, and that she not be afraid or embarrassed to do so.

145. *Nitei Gavriel* 39:6.

82. A man may be alone at home with a woman at night if his wife is in the house, even if his wife is sleeping.¹⁴⁶

Libo Gas Boh, Parutz, Asoko Im Hanoshim

83. A man is permitted to be in Yichud with a woman with whom he has a relationship of *Libo Gas Boh* if *Ishto Meshamroso*.¹⁴⁷

84. A man who is a *parutz* is permitted to be in Yichud with another woman in the case of *Ishto Meshamroso*.¹⁴⁸

85. A man who is *Asoko Im Hanoshim* is permitted to be in Yichud with another woman in the case of *Ishto Meshamroso*.¹⁴⁹

A Non-Jewish Woman

86. A Jewish woman may not be alone with a non-Jewish man even in the presence of his wife.¹⁵⁰ Therefore, a Jewish woman may not work in the home of a non-

146. *Nitei Gavriel* 41:4. This would be the case even if the woman entered the home after his wife went to sleep — *Toras HaYichud* 6:8. See, however, *Shevet Halevi* Vol. 5:201:4 that if the wife took a sleeping pill and it is highly unlikely she will wake up during the night, then *Ishto Meshamroso* would not apply.

147. *Nitei Gavriel* 39:3; *Minchas Ish* 9:11. This would include his mother-in-law. Consequently a man may live in his widowed mother-in-law’s house in the case of *Ishto Meshamroso*. See *Dvar Halachah* 6:12.

148. *Dvar Halachah* 6:7. He adds that it appears that this would be the case even if the wife was also a *prutzah*.

149. *Igros Moshe, Even HoEzer* Vol. 4:65:14; *Nitei Gavriel* 39:2; *Minchas Ish* 9:10. See, however, *Dvar Halachah* 6:6, who quotes a stringent opinion.

150. *Shulchan Aruch Even HoEzer* 22:3.

A Jewish woman may visit her mother who is married to a non-Jew. However, if the mother is a *prutzah*, it is forbidden. *Nitei Gavriel* 6:5.

Jewish couple unless accompanied by an effective *shomer*.¹⁵¹

87. A Jewish woman should not go on a journey with a non-Jewish couple, unless there are other *shomrim* present.¹⁵²
88. A Jewish woman may not be alone with a group of non-Jewish men even if they are accompanied by their wives.¹⁵³ Even in the presence of many, there is the fear of improper conduct.

Au Pairs

89. A woman who lives permanently with a married couple presents a number of *halachic* problems:
- a) *Ishto Meshamroso* would only be effective when the wife is present or out for a very short while. However, if she is out for a long time, e.g. at work, or shopping in town, or at a *simchah* etc., the *heter* does not apply and Yichud would be prohibited.
 - b) The permanent presence of another woman may present a stumbling block to the man. Therefore, in practice, if a family wishes to employ an *au pair* to live permanently in the house to help with the children, they should arrange that the *au pair* live in

151. The same rule applies even for a number of women, who are forbidden to be alone with a non-Jewish man even if he is accompanied by his wife — see *Taharas Yisroel* 22:12.

152. *Nitei Gavriel* 44:15.

153. *Kitzur Shulchan Aruch* 152:2. See *Shulchan Aruch Yoreh Deah* 153:4; *Shach ibid.*, 2; *Minchas Ish* 9:17. However, if there is no fear of rape (e.g. she is in a place where other people would hear if she shouted), and there is no fear that she might be persuaded to engage in immoral conduct (e.g. her husband is in the city, or she is with a *shomer*), then Yichud may be permitted. *Nitei Gavriel* 6:3,4.

an apartment by herself (e.g. in the basement which has a separate entrance), or at least on a different floor (e.g. in the attic), so that the man of the house should have as little contact as possible with the *au pair*.¹⁵⁴ In addition, they should make sure that whenever the wife exits for a long period, another *heter* for Yichud is in place.¹⁵⁵

154. *Nitei Gavriel* 39:7. Two couples should not share the same apartment even if they are in separate rooms. Although there is no question of Yichud, there is a serious *tznius* problem. In cases of necessity a Rav should be consulted. *Shevet Halevi* Vol. 5:21; *Dvar Halachah* 6:9; *Nitei Gavriel* 39:8.

155. An *au pair* would definitely qualify as a *Libo Gas Boh*, and therefore a *Pesach Posuach* is a questionable *heter*. In this case, either the husband should not remain at home at all or other *shomrim* should be present. See section on *shomrim*.

CHAPTER 5

***SHOMRIM* — WHICH PEOPLE PREVENT YICHUD**

The Concept of a *Shomer*

90. In general, a woman is allowed to be in a room with a man if there is another person in the room whose presence would prevent any prohibited conduct. This person is called a *shomer*. Such Yichud is permitted because the man or woman would be ashamed to do anything untoward in the presence of the *shomer* and would also be afraid that the *shomer* would reveal any improper conduct.¹⁵⁶
91. The *shomer* does not literally have to be with the man and the woman in the room the whole time. As long as the *shomer* can enter freely as he/she wishes, he/she serves to permit Yichud.¹⁵⁷

156. *Shulchan Aruch Even HoEzer* 22:3. See *Beis Shlomo, Orach Chaim* 48.

157. *Nitei Gavriel* 10:15, 27:15. Furthermore, even if the *shomer* goes in and out of the house, he/she serves to permit Yichud, even at night, as long as he/she has free access. An example would be a boarder staying at the house — *Toras HaYichud* 8:28. The *shomer* must be aware of what is happening around him/her. Therefore a drunk, a sick person or one who suffers (G-d forbid) from Alzheimer's does not qualify as a *shomer* — *Minchas Ish* 11:20.

92. The presence of a single *shomer* is effective during the day. However at night,¹⁵⁸ a single *shomer* is not adequate since the *shomer* may fall asleep. Therefore, the presence of two *shomrim* is required at night. Two *shomrim* are adequate even if both are sleeping, for the man and woman would fear that one *shomer* might awaken and discover any improper conduct. The exceptions to this rule are a) a husband and a wife (since their respective *shemirah* is effective at night without the need of an additional *shomer*), and b) a son and a mother.¹⁵⁹
93. The presence of a *shomer* serves to permit Yichud even if the man has the status of a) *Libo Gas Boh*,¹⁶⁰ b) *Asoko Im Hanashim*, c) a *Parutz*, or d) a non-Jew.¹⁶¹

In every case, in order to qualify as a *shomer*, the individual must be immune to any *arayos* transgression. We will now discuss the permissibility of children and certain relatives as *shomrim*. They qualify because their presence in the Yichud situation prevents any improper conduct and they themselves are not susceptible to any improper conduct.

158. Night in this context is defined as bedtime, i.e., the time the *shomer* would normally retire to bed. *Dvar Halachah* 9:17 from *Chassam Sofer, Even HoEzer* Vol. 2:96.

159. *Dvar Halachah* 9:17. It should be noted that *Dvar Halachah* 8:7 permits Yichud with a woman and her son even at night, even if the son is asleep. He argues that a son is extremely vigilant of his mother and his *shmirah* helps even at night. See also *Minchas Ish* 11:18; *Toras HaYichud* 8:18.

As to whether a father and a son may be in Yichud at night with another woman, see *Nitei Gavriel Teshuvos* 5,6 who seems to be stringent in requiring another *shomer*. In difficult circumstances a Rav should be consulted.

160. *Dvar Halachah* 8:5,6.

161. *Ibid.*

Children As *Shomrim*

94. The presence of a Jewish¹⁶² boy or girl from the age of six until nine¹⁶³ serves to permit Yichud, for he or she is considered an effective *shomer*.¹⁶⁴ Between the ages of six until nine the child is old enough to recognize any improper conduct, yet young enough to be immune to participation; hence, he/she qualifies as a *shomer*. It makes no difference if the children are the woman's or the man's, or the children of neither.¹⁶⁵ The children *shomrim* do not necessarily have to be in the room to serve to permit the Yichud situation. As long as they

162. Non-Jewish children are not efficient *shomrim* — *Nitei Gavriel* 28:4. (See, however, *Toras HaYichud* 8:6 who is lenient.)

Children who are themselves *prutzim* are considered effective *shomrim*, for they will reveal any improper conduct — *Nitei Gavriel* 28:5.

163. *Piskei Dinim Tzemach Tzedek, Yoreh Deah* 192:17 indicates that the *shomrim* for a *choson* and *kallah* in the case of a *chuppas niddah* must be below the age of nine. In Responsa of the *Tzemach Tzedek, Hashmotos to Shaar Hamiluim* (end of *Choshen Mishpat*) section 10, there is an indication that a *shomer* aged five is a valid *shomer*. See *Taharah Kehalachah* 9:21:32. *Dvar Halachah* 4:2,3 and *Nitei Gavriel* 29:1-7 quote all the various opinions. However, it seems that from the age of six until nine is the category agreed upon by most *Poskim*, and therefore we have quoted these ages in this volume. (See *Shevet Halevi* Vol. 5:202.) It should be noted that there is a wide variety of opinions on this matter. Some *Poskim* allow a girl from age three to be a *shomer*, citing the maximum age as up until twelve. Concerning a boy, some *Poskim* say he can be a *shomer* from age five until the maximum age of twelve. Much depends on the physical development, maturity, understanding and perception of the child. Between the ages of six and nine the child is old enough to recognize any improper conduct and young enough to be immune to participation. However, each child is different and, in practice, one should ask a Rav what to do if the age of the *shomrim* is below six or over nine. In difficult circumstances, many Rabbis will be lenient until age twelve; nevertheless, a question should be asked. See *Nitei Gavriel* 29:7; *Minchas Ish* 10:1,2.

164. *Shulchan Aruch Even HoEzer* 22:10; *Pischei Teshuvah* 22:12.

165. *Tzitz Eliezer* Vol. 6:40:16:5; *Nitei Gavriel* 27:3; *Minchas Ish* 10:3.

have free access to the man and the woman and they could come in at any time, they serve to permit Yichud.¹⁶⁶ (Note: Children are limited in their reliability with regard to staying in one place. Therefore, when relying on a child as a *shomer*, one must make sure that the child is on the premises and has not gone out to a friend's house, etc.)

95. The presence of a single child serves to permit Yichud during the day; however, at night two children are necessary. In this case, night would be defined as the hour at which the child would usually go to sleep.¹⁶⁷ The presence of two children at night serves to permit Yichud even if both the children are sleeping.¹⁶⁸
96. Even if the two children are sleeping in a different room, Yichud is permitted as long as the door is open and there is the possibility that the children may intrude at any time.¹⁶⁹
97. A child is an effective *shomer* even if the man is in the category of a *parutz*, *Asoko Im Hanoshim* or *Libo Gas Boh*.¹⁷⁰
98. A child is an effective *shomer* for allowing the Yichud of a Jewish woman with a non-Jewish man.¹⁷¹ Hence, a

166. *Minchas Ish* 10:9.

167. *Ibid.*, 10:12.

168. See *Toras HaYichud* 8:11, who quotes an opinion that this would only apply if the children were seven or eight years old. At that age, if they were to awaken at night they would be cognizant of what was happening around them, whereas children of five or six who awakened in the middle of the night would not necessarily be aware of what was happening around them.

169. *Nitei Gavriel* 27:6.

170. *Otzar HaPoskim* 22:41:2; *Dvar Halachah* 4:5; *Nitei Gavriel* 28:1,2; *Toras HaYichud* 8:8.

171. *Otzar HaPoskim* 22:41:3; *Toras HaYichud* 8:9; *Minchas Ish* 10:5.

woman may ask a non-Jewish worker (from a reputable company) to do some work in the house if there is a child of the above age at home.

99. A child is an effective *shomer* for allowing the Yichud of a man with a *prutzah* or a non-Jewish woman.¹⁷² Therefore, a man may be alone in the house with a non-Jewish cleaning lady in the presence of a child *shomer*.
100. On a journey or out in the fields, one should not in the first instance (*lechatchilah*) rely on a child to be the *shomer*; however in difficult circumstances one may be lenient.¹⁷³
101. Two men may sleep overnight in a house where there is only a woman and one child *shomer*.¹⁷⁴
102. A man may sleep overnight in a house with one woman and two children *shomrim*, whether the children are both girls or boys, or one girl and one boy.¹⁷⁵
103. A man may not stay overnight in a house where there are two women and only one child *shomer*.¹⁷⁶

172. *Dvar Halachah* 4:7; *Minchas Ish* 10:6.

173. *Nitei Gavriel* 27:9. The same would apply when traveling on a journey with a non-Jew with a child as a *shomer*. *Lechatchilah* this should not be done. In difficult circumstances, one may be lenient; however, a Rav should be consulted. The Rav should be informed if there is the possibility of two children accompanying the man and woman on the journey — see *Dvar Halachah* 4:9:31. An example of this would be a woman and a child *shomer* taking a taxi from one bungalow colony in the country to another. This would involve driving through country roads in a secluded area. *Lechatchilah*, such a journey should be avoided, but if necessary one may be lenient. In such a case, great effort should be made to find another *shomer* who can travel along. In this case there is also the mitigating factor that the driver comes from a reputable company and would not want to lose his license. However, as previously mentioned, a Rav should be consulted in such a case.

174. *Dvar Halachah* 4:9.

175. *Ibid.*

104. It is permitted for a man to be in Yichud with two girls from the age of six until nine.¹⁷⁷
105. A woman may be alone with two boys until age nine.¹⁷⁸ She may also be alone with a boy and a girl of this age.
106. A man may be alone with a girl aged three to nine in the presence of a single *shomer*, even at night.¹⁷⁹
107. A woman may be alone, even at night (and one doesn't need a second *shomer*) with a boy aged nine until twelve if his mother or sister is in the same house.¹⁸⁰
108. A man may be alone with a woman if she is accompanied by a boy over the age of nine, for then it is considered as a case of Yichud of one woman with two men, which is permitted. (As mentioned previously, those who follow the Sefardic custom forbid Yichud of one woman with two men unless one of their wives is present.)

Relatives As *Shomrim*

109. A man may be secluded with a woman in the presence of a) his mother,¹⁸¹ b) his daughter or granddaughter,¹⁸²

176. *Ibid.*

177. *Nitei Gavriel* 27:10. Most certainly he would be permitted to be in Yichud with a boy and girl of this age.

178. *Nitei Gavriel* 27:11; *Minchas Ish* 10:8.

179. *Nitei Gavriel* 27:13.

180. *Ibid.* 27:13.

181. As regards a mother being an effective *shomer*, see *Nitei Gavriel Teshuvah* 3. In practice, based on the ruling of *Igros Moshe* Vol. 2:15, Vol. 4:65:8, one may be lenient. However, the mother is only an effective *shomer* during the day; at night an additional *shomer* is required. If, therefore, a man goes to visit his mother who lives together with another woman, he may not stay overnight unless another *shomer* is present.

c) his sister,¹⁸³ d) his grandmother, e) her father, f) her son or grandson,¹⁸⁴ g) her brother,¹⁸⁵ or h) her grandfather. All the above are effective *shomrim*, for they are extremely vigilant that no improper conduct would transpire.¹⁸⁶ This is true only in the case of temporary Yichud. A man should not live permanently in the same house as a woman even if these *shomrim* are present.¹⁸⁷

110. The above *shomrim* are only effective during the day. During the evening one must have an additional *shomer*,¹⁸⁸ except in the case of Yichud with a woman whose son is present. A son is extremely vigilant of his

As regards a son being an effective *shomer* for his father at night (without the need for an additional *shomer*), see *Nitei Gavriel* p. 386, who is stringent.

182. See *Nitei Gavriel* 27:4; *Dvar Halachah* 8:4; *Igros Moshe, Even HoEzer* Vol. 2:15, Vol. 4:65:8; *Toras HaYichud* 8:3.

183. *Ibid.*

184. *Ibid.*

185. A woman may not be in seclusion with two *prutzim* even if one of them is her brother. Since he is a *parutz*, he will not be a good *shomer* for the other man. Likewise, a woman may not be in seclusion with a *parutz* even in the presence of his sister — *Toras HaYichud* 8:4.

186. See *Dvar Halachah* 8:4,5,6; *Igros Moshe, Even HoEzer* Vol. 4:65:8. Note: These *shomrim* are effective even if the man is a *Libo Gas Boh, Asoko Im Hanoshim*, or *Parutz* — *Dvar Halachah* 8:5. A woman would be allowed to be in Yichud with a *Libo Gas Boh, Asoko Im Hanoshim, Parutz* or even a non-Jew if her father, son or brother is present, even if they are *prutzim* — *Dvar Halachah* 8:6.

187. *Nitei Gavriel* 40:4.

188. *Pischei Teshuvah* 22:2; *Dvar Halachah* 8:7. As regards going on a journey, *Dvar Halachah* states that an additional *shomer* is necessary. However, he quotes various opinions in the case of a son and his mother as to whether an additional *shomer* is necessary. In practice, a Rav should be consulted.

mother and his *shmirah* is effective even at night without the need for an additional *shomer*.¹⁸⁹

111. There is a question among the *Poskim* as to whether a man may be in seclusion with a woman in the presence of her a) mother, b) daughter, c) grandmother, or d) granddaughter. In practice, a Rav should be consulted.¹⁹⁰
112. A man may not be in seclusion with two sisters.¹⁹¹
113. A man may be secluded¹⁹² with a woman in the presence of a) her mother-in-law,¹⁹³ b) her sister-in-law,¹⁹⁴ or c)

189. *Dvar Halachah* 8:7. *Toras HaYichud* 8:18 rules that a man may be in Yichud with a woman in the presence of his daughter, for a daughter is extremely vigilant of her father.

190. *Igros Moshe, Even HoEzer* Vol. 4:64 (end) writes that it is obvious that a man may be in Yichud with a mother and her daughter or a mother and her granddaughter. *Minchas Ish* 11:6 takes issue with the *Igros Moshe* and is not sure why this is so obvious. *Nitei Gavriel* 21:13 quotes two opinions, one lenient and one stringent. Therefore, in practice a Rav should be consulted.

191. *Igros Moshe, Even HoEzer, Ibid.*

192. *Shulchan Aruch* 22:10; *Pischei Teshuvah* 11. See *Taharas Yisroel* 22:23. The reason for this *halachah* has already been explained in the source material. It must be pointed out that even if the two women have an excellent relationship and there is no animosity between them, the *halachah* still applies, for we deem that subconsciously they are wary of each other. *Minchas Ish* 11:28.

Further points:

a) Yichud with a woman and her mother-in-law is forbidden if the woman's husband is now dead. After his death, the natural animosity is deemed to exist no longer. The same prohibition would apply with a divorcee and her ex-mother-in-law, sister-in-law or step-daughter — *Dvar Halachah* 5:22.

b) Yichud with such women is permitted even if the man is a *parutz*, *Libo Gas Boh*, *Asoko Im Hanoshim* or a non-Jew — *Dvar Halachah* 5:23,24.

c) Yichud with such women is even permitted at night or on a journey. However, two such women should not go on a journey or into the fields with a non-Jew — *ibid.*

d) A man may even live on a permanent basis in the house of two such women — *ibid.*

her step-daughter.¹⁹⁵ (See footnotes for definitions of these relatives.)

114. A man may be alone with two women if one of the women's husbands is in town — *Baaloh B'ir*. Since she is protected by *Baaloh B'ir*, she acts as a *shomer* for the other woman.¹⁹⁶

A *Shomer* Who Has a Key

115. In the previous points we have discussed the fact that the physical presence of a *shomer* who by his/her very nature is immune to a transgression, or else would be vigilant concerning one, serves to mitigate a case of Yichud. Another form of *shmirah* is to appoint a kosher

e) Yichud is permitted with two such women even if they are *prutzos* — *ibid*.

193. This refers to the mother of her husband. However, it would not apply to her father-in-law's second wife — *Dvar Halachah* 5:9. *Dvar Halachah* 5:13 also states that a man may be in Yichud with an engaged *Kallah* and her future mother-in-law.
194. A sister-in-law includes both a husband's sister and a brother's wife. As regards two brothers who married two women, there is a dispute among the *Poskim* as to whether one man may be permitted to be in Yichud with these two women or not. See *Toras HaYichud* 8:15. In difficult circumstances, one may be lenient.
195. This refers to the daughter of her husband from a first marriage, after the daughter's true mother has died. However, if he divorced his first wife and then remarried, the daughter from the first marriage is not considered to be a relative with whom the new wife has a negative subconscious relationship. Thus, the daughter's presence would not serve to permit a Yichud situation — *Dvar Halachah* 5:14.
196. *Tzitz Eliezer* Vol. 6:40:10; *Minchas Ish* 8:28. *Shevet Halevi* Vol. 5:202, however, limits this *shmirah* only to a case where her husband is in close proximity; otherwise he is stringent. There are other opinions that disagree and do not allow a woman whose husband is in the city to act as a *shomer* for other women — see *Nitei Gavriel* 35:8.

shomer who will have access at any time to the Yichud situation and hence prevent any improper conduct.¹⁹⁷

116. We have already discussed in the section of *Pesach Posuach* that a neighbor who has a key and is asked to enter from time to time creates a *Pesach Posuach* which serves to permit a case of Yichud. However, a *Pesach Posuach* only helps during the day and not at night. At night two *shomrim* are required. Following this line of reasoning, it would be permitted to give two people a key with free access at night, and they would be effective *shomrim* as long as they actually come to check from time to time. For example, a babysitter who finds herself in a Yichud situation at night can give a key to a neighbor and ask two members of the family to independently come in from time to time to check on her.¹⁹⁸
117. It is important to bear in mind that the neighbors coming in should be immune to that case of Yichud themselves, e.g. a married couple, (he being immune because *Ishto Meshamroso*, and she being immune because of *Baaloh B'ir*). Hence, it would be prohibited for a seminary girl to ask two of her friends to come in

197. The *shomer* must be able to enter at any time uninvited. Hence, *Toras HaYichud* 8:31 states that if there are closed circuit cameras through which the person inside the house can see anyone approaching the house, giving a key to a neighbor would not help to prevent Yichud.

198. See *Dvar Halachah Hosafos Chadoshos* 3:3. He also discusses there the case of a man and a woman who are locked inside an office together for security reasons (e.g. in a diamond bourse), and where a guard has a key and may enter at any time, as to whether this serves to permit Yichud. See also *Toras HaYichud* 8:29.

from time to time as the same problem of Yichud would apply to them as it does to her.

CHAPTER 6

COMMON YICHUD SITUATIONS

Separate Rooms

118. A man and woman may not share an apartment and its facilities even if they sleep in separate rooms,¹⁹⁹ and even if they both lock their rooms at night.²⁰⁰
119. A question arises concerning the case of a man and woman who find themselves in a house alone, as to whether Yichud would be permitted if they were to lock their rooms. Some *Poskim* say that if the woman locked her room, then Yichud would be permitted.²⁰¹ Other *Poskim* disagree.²⁰² In practice one should be stringent.²⁰³

199. *Nitei Gavriel* 30:1.

200. Since this is a permanent living arrangement, all *Poskim* would agree that such a Yichud situation would be prohibited. Even if they had separate entrances, it would still be prohibited — *Toras HaYichud* 9:5.

The issue of sharing rooms in an apartment or house is of particular concern to university students staying in shared student accommodations. An observant student should see to it that he or she stays in quarters only with students of the same gender.

201. *Divrei Malkiel* Vol. 4:102; *Dvar Halachah* 14:10 ft. 22. There are sources which seem to suggest that even if only the man locked his door, it would serve to permit Yichud — see *Nitei Gavriel* 30:2; however, in practice this opinion may not be relied upon.

202. *Igros Moshe, Even HoEzer* Vol. 4:65:19; *Chelkas Yaakov* Vol. 2:17. If the woman is not Jewish, all would agree that Yichud is not permitted even if she were to lock her door — *Minchas Ish* 15:11.

203. *Nitei Gavriel* 30:2 states that in a Yichud situation of just two persons, which is *min-haTorah*, one should be stringent; however, in a Yichud *midrabonon*

120. The prohibition of Yichud exists even if a man and woman are in separate rooms in the same house. As long as there is a door through which a person may pass from one room to the other, there is Yichud. This is true even if the woman is on the top floor of the house and the man in the basement — as long as the two have free access to each other, there is Yichud.²⁰⁴
121. A man may sleep in one room of a house and a woman in another, as long as there are other people in the house who serve to prevent Yichud.²⁰⁵
122. Let us look at a case where there are two rooms in a house, with men in one room and women in another, and it would be highly unusual for a man to enter the women's room or vice versa. If a man were then to come into the women's room or a woman into the men's room

(i.e., Yichud of more than two persons), then in very difficult circumstances one may be lenient. Nonetheless, this leniency only applies in a temporary situation; as previously stated, it would certainly not be permitted in a permanent situation. A further complication of employing this *heter* of locking the room is that if for some reason the room were to be unlocked, e.g. the woman wished to use some shared facility, then she would be in Yichud.

A practical application of this leniency would be the case of two female students who rent a room in the home of a family; the woman of the house is out at work and the man of the house is at home with no other *shomrim* present. During the day and early hours of the night, there should be a *Pesach Posuach*; however, late at night when there is no *heter* of *Pesach Posuach*, then the students may lock the door of their room until the lady of the house returns. This *heter* should not be relied upon regularly and should only be employed in extenuating circumstances.

204. *Nitei Gavriel* 30:12. Such a case often arises when there is a male guest or student who is staying in a guest room on an upper floor of the house at the same time as the woman of the house is on the ground floor. If there is no one else in the house, then this would constitute Yichud, and they would have to resort to one of the *heterim* of Yichud such as *Pesach Posuach*, *shomrim*, *Baaloh B'ir*, etc.
205. *Nitei Gavriel* 30:5; *Toras HaYichud* 9:10.

in such a way that they would be in Yichud — e.g. if the men were *prutzim*, or if one man were secluded with two women — then this would constitute Yichud. The reason is that there would be no *shomrim* in the room, in addition to the fact that the people in the Yichud situation would not be afraid that people might enter from the other room.²⁰⁶

123. If these rooms were to consist of an inner and outer room (i.e., the entrance to one room is through the other), and the men would stay in one room and the women in the other, then there is a dispute among the *Poskim* as to whether this case would constitute Yichud, and in practice one should be stringent.²⁰⁷ If the women locked the room from their side, some *Poskim* are lenient and others are stringent.²⁰⁸
124. If both the inner and outer room have a separate entrance, there is no Yichud.²⁰⁹ However, a window or a balcony from which one can jump to the ground is not considered a separate entrance if nobody usually exits in such a way.²¹⁰

206. *Toras HaYichud* 9:13. However, if it is normal for the men to enter the women's room and vice versa, then there would be no Yichud — *Minchas Ish* 15:6. *Minchas Ish* 15:3 also points out that this applies only when the door between the men's room and the women's room is shut; however, if the door is open, then it is considered one large room and Yichud is permitted.

Nitei Gavriel 31:8 writes that if the *Ezras Noshim* of a *Shul* has a separate entrance and steps, etc., then it would be forbidden for a man and woman to be alone there during the day when the *Shul* is not in use.

207. *Toras HaYichud* 9:14.

208. *Ibid.*, 9:15.

209. *Ibid.*, 9:16.

210. *Ibid.*, 9:17.

125. A woman is permitted to be in an outer room and a man in an inner room (and vice versa) if the outer room has a *Pesach Posuach Lirshus Horabim*, an entrance to a public thoroughfare.²¹¹
126. There is no prohibition against men and women staying in different rooms in a hotel.²¹² This is true even if they are on the upper floors of the hotel, since all the hallways and corridors are public domains.²¹³

Separate Apartments

127. Two apartments in one house which have separate entrances, but which are connected by a closed but unlocked door, are considered like one apartment. Thus, if a man is in one apartment and a woman in the other, they are in Yichud.²¹⁴
128. If the connecting door is locked even from one side, whether from the side of the man or of the woman, they are considered as two separate apartments and there is no Yichud even if each has the key to the door.²¹⁵

211. *Toras HaYichud* 9:8; *Nitei Gavriel* 30:4. Late at night when the *heter* of *Pesach Posuach* would not be operative, then it would be prohibited — *Nitei Gavriel*, *ibid.*

212. *Shevet Halevi*, Vol. 3:180.

213. *Minchas Ish* 16:13. Even if all the guests in the hotel are non-Jewish, it is permitted for a man to stay in a hotel, even on the same floor as a non-Jewish woman. However, a Jewish woman may not stay in a hotel where there are only non-Jewish men and women unless she locks her door — *Minchas Ish* 16:14.

214. *Toras HaYichud* 9:1. However, if two men are in one apartment and one woman in the other, then Yichud is permitted (during the day) as in a regular case of two men with one woman — *ibid.*

215. *Toras HaYichud* 9:2. See *Nitei Gavriel* 31:4 who writes that even if the two apartments belong to one person who rents out the second apartment, then as

129. Two self-contained apartments in one house, if they share a common hallway and have a common closed entrance, pose a serious problem of Yichud. If a man is in one apartment and a woman in the other, then this may constitute Yichud even if the door to their respective apartments is locked.²¹⁶
130. Therefore, two-family homes comprised of two apartments that share a common front entrance which is usually locked may pose a serious question of Yichud. This is true even if the respective apartments are locked.²¹⁷ If a case of Yichud arises, the front entrance should be left open, creating a *Pesach Posuach* to the hall area, and the private residence should be locked.²¹⁸
131. Let us discuss the case of two separate apartments, one contained within the other. If a person can only exit one apartment by passing through the other, this would create a Yichud situation. It would be Yichud for one man to be in one apartment and a woman in the other even if the connecting door were locked.²¹⁹

long as the door is usually kept locked, the situation does not constitute Yichud.

216. *Toras HaYichud* 9:9, see however *Nitei Gavriel* 31:2. The same would apply to two apartments that share a common yard which is enclosed. If the public cannot see into the yard, then it is considered a closed compound and constitutes Yichud. In such a case the entrance to the yard must remain open — *Toras HaYichud* 9:18; *Minchas Ish* 16:19. If for security reasons the entrance must remain closed, a Rav should be consulted. See *Minchas Ish* 16:20.

217. *Toras HaYichud* 9:4, *Nitei Gavriel* 31:7.

218. *Minchas Ish* 16:17.

219. *Toras HaYichud* 9:3.

An Apartment Building

132. It is permitted for a man and a woman to live in separate apartments in an apartment building, even if they are on the same floor and even if they leave the doors open.²²⁰
133. If, on the upper floor of an apartment building, there are only two apartments, and one is occupied by a single man and the other by a single woman, then a Rav should be consulted as to the question of Yichud.²²¹
134. In general, an unmarried man should not live in an apartment which is next to or close to an apartment of an unmarried woman if they share the same entrance, even if there are other apartments in the building. It would certainly be unbecoming for a *Talmid Chacham* to do so. In any case, a Rav should be consulted.²²²
135. Apartment buildings that have laundry facilities in the basement may present a problem of Yichud if a man and woman wish to do their laundry late at night down in the basement. If closed circuit TV is in place, this might mitigate the problem.²²³

220. *Shevet Halevi* Vol. 3:105.

221. See *Minchas Ish* 16:21; *Toras HaYichud* 9:18; *Nitei Gavriel* 31:1,2.

222. See *Shulchan Aruch Even HoEzer* 22:17, *Turey Zahav*, *ibid.*; *Minchas Ish* 16:23. As to the question of whether a man may be invited for meals by a widow, see *Igros Moshe*, *Even HoEzer* Vol. 3:19, *Minchas Ish* 16:26.

223. See *Nitei Gavriel* 45:8,9 as regards CCTV. A further question is that of who is monitoring the CCTV. If it is someone who would not be bothered by any impropriety, then the camera might not be a deterrent. On the other hand, nobody wishes to have such actions recorded, for the videotape could later be used as incriminating evidence against one. In practice, it would certainly be improper for a Jewish woman to do her laundry in such a basement at the same time as a man, even if CCTV were in place.

136. Two adjacent apartments that have separate entrances but are connected by a locked door are considered as separate domains and there is no question of Yichud.²²⁴

Renting a Room or Apartment

137. A person who wishes to rent a room should take into consideration the question of Yichud and its permissibility.

138. A Rav should be consulted if a man wishes to rent the basement of a house in which there lives a single woman.

Guests

139. A man and woman may stay in separate guest rooms in a home where the presence of family members precludes a Yichud situation.²²⁵

140. If there is a male guest in the home of a married couple, then he may not stay in the house when the man of the house leaves to go to another town or to his place of work²²⁶ unless there are other *shomrim* in the house. The man of the house is *halachically* obligated to wake the male guest so that they exit the house together.²²⁷ Similarly, the man of the house may not be in the house alone with a female guest if his wife has gone out to work.

224. *Nitei Gavriel* 31:4. This would apply even if both apartments were owned by one person who rents out the second apartment to another tenant — *ibid.*

225. *Dvar Halachah* 11:7.

226. See chapter on *Baaloh B'ir* and relating footnotes.

227. *Nitei Gavriel* 30:8.

141. A married couple may have either a woman or man stay in the house as a guest as long as they are fully aware of the Yichud issue and take the necessary precautions that prevent Yichud. It is best that a home have a special guest room where possible so that the guest is afforded the utmost privacy.²²⁸

Out-of-Town Boarders

142. It is common that boys and girls are sent away to live with other families in order that they may attend a Jewish school, Yeshivah or Seminary. Such a boarder must be made aware of all the issues of Yichud. It is strongly advisable that a person in such a situation seek guidance from a Rav as to how to avoid Yichud.²²⁹

143. According to *halachah*, *shomrim* in the home serve to permit Yichud. Nevertheless, it is highly inadvisable to send a boy to board in a home where there are girls of a similar age (and vice-versa) for *tznius* considerations. If there is no other option, a Rav should be consulted.²³⁰

228. See *Dvar Halachah* 6:9, that even if a female guest is staying in a room that is in use by family members, the man of the house may walk through the room in order to exit the house as long as his wife is at home. A word of precaution — when entertaining a guest, one must always adhere to the highest and strictest guidelines of *tznius*. In the above case, it would be advisable that the woman of the house check ahead of time with the guest that it is all right for the man to enter.

229. There are a number of issues to be considered: Is there a situation of *Baaloh B'ir*? Is the boarder a case of *Libo Gas Boh*? Is *Ishto Meshamroso* in place? Are there *shomrim*? There can be so many combinations — and each case is different — that it is almost impossible to legislate in a volume such as this for each circumstance, and rabbinical advice should be sought.

230. See *Shevet Halevi* Vol. 5:201:4 who is stringent about allowing a woman to take up permanent residence with a couple — even though *Ishto Meshamroso* — since her constant company may breed over-familiarity. Similarly, it would be incorrect to have a young man boarding in a home where there are

Elevators

144. Some *Poskim* prohibit Yichud in an elevator.²³¹

However, the opinion of most *Poskim*²³² is that it is permitted as long as the elevator may be stopped on any floor by those wishing to enter. This would apply in office and apartment buildings and other public buildings during the day and early hours of the night. However, late at night or very early in the morning, one should be stringent.²³³ It is certainly a *middas chassidus* to avoid Yichud in an elevator wherever possible.

Visiting the Sick

145. It is permitted for a woman to visit a sick man,²³⁴ or to comfort a mourner,²³⁵ as long as she takes precautions that she will not be in a Yichud situation. When a man is going to comfort a female mourner, it is best that his wife or others accompany him. Alternatively, he should visit her immediately after prayers in the presence of others.

girls of a similar age, even if technically there is no issue of Yichud due to the presence of *shomrim*. The fact remains that there would be major issues of *tznius* involved, and there are no guarantees when it comes to *arayos*.

231. See *Shevet Halevi* Vol. 3:184. *Chelkas Yaakov* Vol. 2:14 and *Minchas Yitzchok* Vol. 4:94 rule that Yichud in an elevator is only permitted in difficult circumstances (*bdieved*).

232. See *Igros Moshe, Even HoEzer* Vol. 4:65:16; *Mishneh Halachos* Vol. 4:187; *Tzitz Eliezer* Vol. 6:22:4 .

233. *Nitei Gavriel* 15:2,4.

234. *Aruch HaShulchan, Yoreh Deah* 335:11; *Shearim Hametzuyanim Behalachah* 192:18; *Baer Moshe* Vol. 2:107.

235. *Shearim Hametzuyanim Behalachah* 207:1; *Kuntres Acharon, ibid.*; *Baer Moshe, ibid.*; *Chelkas Yaakov* Vol. 3:38.

146. It is permitted for a woman to assist a sick man, e.g. to help him sit or stand up, provided she does so in a *tznius* manner.²³⁶

Visiting a Cemetery

147. It is forbidden for a man and a woman to be alone in a deserted cemetery.²³⁷

148. Care should be taken when visiting gravesites of *Tzaddikim* that a Yichud situation should not arise within the *Ohel* of the *Tzaddik*.

236. *Halichos Bas Yisroel* 7:27 — see his discussion regarding a woman who is a *niddah* helping her sick husband. A woman who wishes to work as a medical professional should seek *halachic* guidelines regarding the parameters of *Negiah*, *Tznius* and Yichud.

237. See *Nitei Gavriel* 13:9. A large cemetery, which is often frequented by people attending a funeral or stonemasons, or by gravediggers, stonemasons and others employed at the cemetery, would not constitute Yichud during the day.

CHAPTER 7

TRANSPORTATION

Cars

149. It is permitted for a man²³⁸ and a woman to travel alone together in a car as long as the following conditions are met:
- a. The car has clear (not opaque or tinted²³⁹) windows that allow passersby or the passengers in a passing

238. The following *halachah* would also apply to traveling with a non-Jewish man or a *parutz* — see *Shearim Hametzuyanim Behalachah* 152:3. However, wherever possible a woman should avoid traveling alone with a non-Jew or a *parutz* during the day and most certainly at night — *Minchas Ish* 17:4.

239. If the car has tinted windows but a clear windshield, this would constitute a *Pesach Posuach* as long as the man and woman are visible through the windshield. Even if a man and woman were being driven by a driver, and the man and woman were sitting in the rear of the vehicle which had tinted windows, and the driver were visible through the windshield, this would not constitute Yichud since the driver could see what is happening in the rear. And even if the rear compartment is partitioned off, but the driver can see what is happening in the rear through a small window, this would not constitute Yichud (provided that the driver is not a *parutz*). However, in a stretch limousine or van with tinted windows whose rear compartment is detached from the driver's compartment by a division which is not usually opened except by the passenger, sitting in the rear would constitute Yichud. See *Minchas Ish* 17:5,6.

car to see inside the car.²⁴⁰ This would be equivalent to a *Pesach Posuach* which serves to permit Yichud.²⁴¹

- b. They are traveling only during daylight hours in a place where there are passersby who can clearly see inside the car, or during the evening where there is street lighting and a constant stream of pedestrians or traffic.²⁴² However, if they are in a place where there are neither pedestrians nor traffic, then a man should not travel alone with a woman in a car — not even by day. For example, it would be prohibited to take a ride in a quiet country spot where there are no pedestrians or steady stream of traffic.
- c. During the evening, even if there are few pedestrians but the streets are well-lit and there is a steady stream of traffic, one may be lenient. However, where there is no stream of traffic, even if the streets are well-lit, one should be stringent. Therefore, very late at night when there is no traffic, a woman should not travel alone with a man even if there is street lighting. If once in a while²⁴³ there is another car passing, one may be lenient if necessary as long as the streets are well-lit. However, on side roads where there is no traffic at all, one must be stringent even if

240. In a van which does not have windows in the rear, the man and woman should sit in the front so as to be clearly visible through the windshield. *Dvar Halachah* 15:15.

241. *Shevet Halevi*, Vol. 5:202:5; *Taharas Yomtov*, Vol. 7 p. 57.

242. *Shevet Halevi*, *ibid.*; *Otzar HaPoskim* 22:35:8; *Minchas Shlomo* 91:21; *Divrei Sofrim Yichud* p. 39; *Toras HaYichud* 5:6.

243. It is difficult to establish a definite time standard concerning the frequency of traffic necessary in order to permit Yichud. *Toras HaYichud* 5:6 writes that one car passing on the average of every ten minutes would serve to permit Yichud.

the roads are well-lit.²⁴⁴ Since the number of passersby, traffic flow and street lighting vary from place to place, one should always consult a Rav in case of doubt.

150. Let us consider a case in which there are more than two people of different genders in a car, and they are traveling in a place where there are neither passersby nor a steady stream of traffic, which would create a problem of Yichud. The *halachah* is as follows: a) one woman riding with two men is permitted both during the day and at night, (however, *lechatchilah* one should have three men), and b) one man riding with three or more women is permitted both during the day and at night.²⁴⁵ However, it would be prohibited for a man to

244. *Nitei Gavriel* 43:5. Some *Poskim* (*Nitei Gavriel* 43:6 quoting the *Shevet Halevi*) rely on street lighting and passersby to create a *Pesach Posuach* at night, but only in a case of a Yichud *midrabonon*, i.e., Yichud with more than one person. However, these *poskim* are stringent in the case of just one man and one woman, even if there are passersby and the roads are well-lit.

245. *Tzitz Eliezer* Vol. 6:40:15:8; *Minchas Ish* 17:8. *Nitei Gavriel* 43:10 only permits one woman riding with two men in difficult circumstances, but he says that *lechatchilah* one should have the presence of three men to permit Yichud. *Minchas Ish* 17:23 agrees that if the journey is out of town on a quiet and deserted road, then one should *lechatchilah* have the presence of one woman with three men to permit Yichud.

It should be noted that according to the Sefardim these combinations would be prohibited. The only combination permitted would be three men with three women or, in difficult circumstances, two men with two women. (Out of town on a deserted road, two men and two women would not be enough, and only the presence of three men and three women would serve to permit Yichud) — *Minchas Ish, ibid.*

In a place where there are no passersby or stream of traffic such that there is a Yichud problem, a woman may not travel alone in a car with a man even in the case of *Baaloh B'ir*. However, some *Poskim* are lenient in this case, especially if the husband knows who the driver is — *Minchas Ish* 17:12.

travel with two women in a place where there are neither passersby nor a steady stream of traffic.

151. Even if there is no question of Yichud, if a man and a woman are traveling alone, it is correct that the woman sit in the rear if the man is driving (or vice versa) for *tznius* considerations. Furthermore, they should not engage in prolonged conversation.²⁴⁶
152. Wherever possible, a man should avoid traveling alone with a woman in a car, even during the day and even if there are passersby, for *tznius* considerations.²⁴⁷

Public Transportation

153. One may travel on public transportation even at night as long as there are passersby.²⁴⁸
154. On a bus that travels through areas where there are neither passersby nor a steady stream of traffic, there must be the presence of at least one man with three

246. *Shevet Halevi* Vol. 10:237; *Halichos Bas Yisroel* Ch. 7.

247. *Mishneh Halachos* Vol. 6:228, *Nitei Gavriel* 43:2. It should be noted that in the opinion of R. Moshe Feinstein *zt'l* in *Igros Moshe, Even HoEzer* Vol. 4:65:3, a man is in the first instance (*lechatchilah*) prohibited from traveling alone in a car with a woman. He is only lenient in a difficult situation, e.g. a woman who is stranded and requires a lift. This stringent view is based on the fact that a car is by definition mobile and could at any moment be driven to a secluded spot. Although the windows are a *Pesach Posuach*, this does not prevent a person from driving the car to a fully secluded spot. Hence in the opinion of R. Moshe, a woman should not in the first instance (*lechatchilah*) be alone in a car with a man. Although other *Poskim* are more lenient, it is certainly praiseworthy to be stringent wherever possible.

248. See *Dvar Halachah* 3:16:35. As regards travel on a small airplane or helicopter and the question of Yichud, see *Nitei Gavriel* 44:16; *Minchas Ish* 17:24.

women or one woman with two men in order to permit Yichud.²⁴⁹

155. Let us examine the case of a woman traveling in a bus or taxi together with other people, and in the course of the trip she is left alone on the bus together with the driver. If they are in a place where there are neither passersby nor a steady stream of traffic — as above — then she is obligated to leave the bus or taxi. However, if this could be dangerous, she may continue her trip.²⁵⁰
156. On an underground subway train that has connecting doors from one car to the next, there is no question of Yichud since there is a *Pesach Posuach*. However, late at night when there are very few people on the train, it would be advisable both for reasons of *tznius* and safety that riders change cars to a place where there are other people.

249. *Minchas Ish* 17:14. Therefore, two women may not travel on such a bus if there is nobody else on the bus apart from the driver. (Sefardim would only permit this form of Yichud in the presence of three men and three women, and even if there were one man and ten women on the bus it would be prohibited. This should be taken into account if Sefardic women wish to arrange a trip to the countryside with a male driver. Such a trip would be prohibited for them unless one of the women's husbands were present.)

It should be noted that if the driver is a *parutz* or a non-Jew, then Yichud would be forbidden even in the presence of many women. Therefore, a group of women or girls should not rent a bus which has a non-Jewish driver to go on an outing to a place where there may be a question of Yichud. This is often the case on school trips when students visit locations in the country that are quite deserted. Those who organize the trips should be well aware of the Yichud issue. They must make sure either that the bus only goes to areas that have passersby or a steady stream of traffic, or that another *shomer* is present.

250. *Ezer Mekodesh* 22:5; *Tzitz Eliezer* Vol. 7:42; *Nitei Gavriel* 44:10.

School Buses

157. Girls may travel to and from school in a school bus driven by a male driver.
158. This applies even if the first girl picked up and the last girl to be dropped off are alone on the bus with the driver. The reason is that the windows on the bus act as a *Pesach Posuach* and there are passers by.²⁵¹
159. Schools that arrange trips for students should be well aware of the Yichud issue. They should not rent a bus with a non-Jewish driver to take a group of girls to a place where there may be a question of Yichud. It would be correct for another man, such as the school principal, to travel with them.²⁵²

Taxis

160. A woman who urgently needs to travel at night with a taxi should preferably be accompanied by her husband

251. Furthermore, the buses are usually hired from reputable companies who screen their drivers for a police record. Therefore the driver would not wish to do anything that could cause him to lose his license. See *Igros Moshe, Yoreh Deah* Vol. 2:82. However, if the bus makes a pickup in a place where there are no passersby or steady stream of traffic, then this would pose a question of Yichud and a Rav should be consulted.

252. Alternatively, the group could take along two children from the age of six until nine who would act as *shomrim*. *Nitei Gavriel* 44:12 states that if the girls are accompanied by a non-Jewish woman, then she would serve to permit Yichud. Therefore, one suggestion might be to take along a non-Jewish member of the school staff. Furthermore, if a number of buses are traveling and they have radio contact between them, then it is not necessary for each bus to have a man present; one man would suffice for all the buses — *Nitei Gavriel* 44:13; *Minchas Ish* 17:21.

Girls often like to sing on a bus, and therefore the principal might not wish to accompany them on the bus. An alternative suggestion might be that he follow the bus with his car so that he accompanies the bus wherever it goes. See *Nitei Gavriel* 44:13.

or other *shomrim*. If this is not possible, she may travel in a taxi as long as the taxi belongs to a reputable company in the city, the roads are well-lit, and there is a steady stream of traffic on the road.²⁵³

161. A woman may not take a taxi through a deserted area where there are neither passersby nor a steady stream of traffic. However, in difficult circumstances three women may be permitted to take a taxi through such areas (even if the driver is not Jewish) as long as the taxi is from a reputable company.²⁵⁴
162. After weddings or other women's social events or *shiurim* which finish late at night, adequate arrangements must be made for the women return home with no question of Yichud. It is best that the women arrange rides among themselves, or at least that they order a taxi with a female driver. Where this is not possible, three women should take a taxi together. Where even this is not possible, a woman may order a taxi as long as it is from a reputable company, the roads are well-lit, and there is other traffic on the road. However, a woman may not take a taxi alone at a time when there is no traffic.
163. Great care must be taken when traveling between bungalow colonies or out in the country. In general, the country roads are poorly lit and are quite deserted at

253. *Igros Moshe, Yoreh Deah* Vol. 2:82; *Nitei Gavriel* 44:6. One of the reasons for allowing this is that the driver is concerned about his profession and would not do anything by which he would lose his license. This is certainly the case with drivers who work for reputable companies. See also *Nitei Gavriel* 10:18.

254. *Nitei Gavriel* 44:5; *Minchas Ish* 17:18. It is preferable that the light be left on inside the taxi.

night. A woman who visits her friend in the next colony may not return alone with a male driver. In such a case the woman may be permitted to return home either a) together with two other women²⁵⁵ or b) with a single *shomer*, as long as the taxi is from a reputable company.²⁵⁶

164. A woman who needs to take a taxi to visit a *mikveh* should preferably travel together with her husband. If this is not possible, she is allowed to take a taxi alone as long as the drive is through well-lit streets and at a time when there is still traffic on the road. However if there is no traffic, then she must take along another *shomer*. The best alternative is for her to order a female taxi driver. It is important that a woman not neglect the Yichud issue in an effort to conceal her visit to a *mikveh*.²⁵⁷
165. In general, whenever possible it is preferable that a woman request a female taxi driver.²⁵⁸
166. It is preferable whenever possible to ride in a taxi that has a dividing window between the driver and the passenger.²⁵⁹

255. See Ch. 1 where we explain that out in the country four women are required in order for Yichud to be permitted. Here, however, the *halachah* would permit three women to travel together, along with the factor that the driver is from a reputable company and would not engage in behavior that would cause him to lose his license.

256. *Nitei Gavriel* 44:6.

257. See *Igros Moshe, Yoreh Deah* Vol. 2:82; *Nitei Gavriel* 44:6.

258. *Sefer HaSichos* 5751, *Parshas Noach*, p. 87 fn. 116.

259. *Nitei Gavriel* 43:8.

CHAPTER 8

YICHUD AT WORK

The Workplace

167. One must be careful to observe all the laws of Yichud in the workplace — among employees, employers and clients alike. When seeking employment, one must make sure that the employment is in a place in which there will be no question of Yichud or compromise of *tznius*.²⁶⁰ It is worthwhile to keep in mind an interesting statistic from the non-Jewish world: the vast majority of extramarital relationships start with an overly-friendly relationship at the workplace. This statistic itself should serve to caution every Jew to be aware of issues of *tznius* and Yichud in the workplace at all times.
168. Since there are so many variations among workplaces and working conditions, the following *halachos* are mere guidelines. Each individual case must be discussed with a Rav to ascertain whether or not there is any question of Yichud. Unfortunately in our highly promiscuous generation, immorality in the workplace is quite prevalent. Furthermore, many women now spend most

260. The main point here is that the prohibition of Yichud cannot be waived for the sake of making a living. The reader is referred to an excellent book on this subject called *Nine to Five: A Guide to Modest Conduct for Today's Workplace* by Rabbi Shmuel Neiman.

of their day in the working environment. It is therefore crucial that in order to maintain the standards of *Kedushas Yisroel*, the workplace be free of questions of Yichud and lack of *tznius*. Even if there is the lure of good pay, a true *Bas Yisroel* would never compromise on her standards for fleeting monetary rewards.

169. It is most appropriate that in the work environment, men and women should not develop an overly friendly relationship. Some *Poskim* advise that in the work environment, men should not call women by their first names or vice-versa, in order to create a distance between them. In general, those who work together in an office are in the category of *Libo Gas Boh*, which places greater restrictions than usual on Yichud.²⁶¹

Offices

170. A woman may not work in a closed office with a man, or vice-versa. This applies even if they have separate rooms in the same office. For example, it would be prohibited for a woman to work as a secretary for a man even if they had two separate offices within one larger closed office.²⁶²

261. *Nitei Gavriel* 45:15.

262. Often in an office situation, one enters a closed office and encounters a female secretary sitting by a desk, while her male employer works in an inner office. A woman may not take employment in such an office, even if her male employer keeps his office locked when he is in the office. The same would be true even if there were two female secretaries, for this would still constitute the Yichud of one man with two women. The only possible *heter* would be if the main door of the office were a proper *Pesach Posuach* through which anyone at any time could enter the office. Even so, the secretary must be careful not to enter her employer's office and shut the door. Instead, she should leave the office door open so that anyone who entered the office could

171. If, however, other staff members regularly enter the office without asking for permission, then Yichud is permitted, for their entry constitutes a *Pesach Posuach*. Even if the door to the office is locked, as long as three other workers have the key and could enter at any time (or there is a combination lock to which three others know the code), then there is no question of Yichud.²⁶³
172. Often the office employs many people which, when all are present, does not create a Yichud problem. However, there may be a problem early in the morning or late at night when those arriving early or those working late at the office may be in a Yichud situation. Before one enters the office early or stays late, the question of Yichud must be addressed.²⁶⁴
173. In an office where it would be unusual for anyone to enter unannounced, or in a public office after office hours, a closed but unlocked door would not serve to permit Yichud. Rather, the door must literally be left

immediately see what is happening inside the inner office. It should also be noted that even if the two offices were on different floors of the building, as long as both offices are within one building that share a common entrance and the man and woman have free access to one another, this constitutes Yichud.

263. See *Nitei Gavriel* 32:6 who notes that if three people can enter, then it is considered a *Reshus Horabim* and would serve to permit Yichud.

264. It must be noted that many office workers are *prutzim*, as attested to by the high levels of promiscuity in the working environment. Therefore, even if a woman is left alone with two men who are *prutzim*, it constitutes Yichud. As regards one man with three women who are *prutzos* or non-Jewish, a Rav should be consulted. (See *Dvar Halachah* 10:2 who is lenient in such a case. However, each case must be judged on its own merits by a competent Rav. Unfortunately, too many cases of promiscuity in the workplace have led to tragic results, and therefore a person should not make *halachic* judgments without the guidance of a Rav who has experience in these matters.)

open to a public place where someone may actually enter.²⁶⁵

174. If a number of people work in an office and they all have the key to the office or know the combination to the lock, then a man and a woman may be alone in the office as long as there is the realistic expectation that another office worker may enter at any moment. This is a very practical *halachah* applicable during lunch hour when many workers leave the office for lunch, thereby possibly leaving someone in the office in a Yichud situation. If the workers have free access and could return at any time, this constitutes a *Pesach Posuach* which allows the Yichud to be permitted.²⁶⁶
175. If the office has a bay window through which one may see what is happening in the office, then there is no question of Yichud.²⁶⁷
176. There are those who say that if the office is monitored by closed circuit television and the monitors are in a different room than the people in Yichud, then there is no Yichud problem.²⁶⁸
177. If there are a number of offices in a building, each of which comprises a person and his/her secretary (e.g. a law firm which has many offices comprised of a lawyer and secretary), then it would be permitted for a woman

265. *Minchas Ish* 20:6.

266. *Nitei Gavriel* 45:9. As regards closed circuit television cameras being a mitigating factor in a Yichud situation, see *Nitei Gavriel* 45:8,9.

267. The bay window serves to permit Yichud as long as the man and woman remain in public view. However, if they move into another room which is out of public view, then there is Yichud. *Minchas Ish* 20:7.

268. *Minchas Ish* 20:8.

to be a man's secretary (or vice-versa) as long as the door to their office is closed but not locked. This holds true provided that it is usual for other lawyers or secretaries to enter unannounced for consultation and the like. If staff members rarely enter unannounced, then the door to the secretary's office must be kept literally open, and when he/she enters the room of the (opposite gender) lawyer, the door must also be kept literally open.²⁶⁹

178. A woman may work in a closed office together with two men (as long as they are kosher²⁷⁰). Therefore it would for example be permitted for a woman to work as a secretary for two lawyers, for example, if both are kosher.²⁷¹ If one of the men leaves the office, or any other Yichud situation arises, she must immediately do something to prevent a Yichud problem, e.g. create a *Pesach Posuach*.

179. A woman may not be alone in an office with a man with whom she has a close working relationship — *Libo Gas Boh* — even if her husband is in the city.²⁷² Therefore, a

269. *Minchas Ish* 20:15.

270. See Ch. 1 for the *halachah* of one woman with two men if one of them is a *parutz*. In practice, if one of the men is a *parutz* or a non-Jew she should consult a Rav. It should be noted that Sefardim who follow the opinion of the *Beis Yosef* would not allow such a Yichud situation unless there is the presence of three men and three women.

271. Most preferable would be that she had a separate office, and whenever she would enter their offices the door would be left open so the other man could enter at any time. Furthermore, she should not develop an overly-friendly relationship with them, for then they may come into the category of *Asoko Im Hanoshim*, which would create a question of Yichud — see Ch. 1:fn 59a. If all three share an office and they are partners in work and have a close working relationship, this creates a question of Yichud and a Rav should be consulted.

272. *Nitei Gavriel* 36:4.

woman may not seek steady employment which involves working together with another man, even in the case of *Baaloh B'ir*. Consequently, a woman may not work as a man's secretary and rely solely on the *heter* of *Baaloh B'ir*. There must be either a *Pesach Posuach* or other *shomrim* in order to permit such a case of Yichud.

180. If a woman's husband is in the city (*Baaloh B'ir*), she may go for a business appointment to another man's office on condition that either a) the door remains unlocked, or b) it is a case of Yichud *midrabonon*, i.e., Yichud of more than two persons. For example, a married woman in a situation of *Baaloh B'ir* may visit a man in his office if the man has a female secretary working there.²⁷³
181. A woman who is not married may only visit another man in his office if either a) two other women are present,²⁷⁴ or b) one other man is present.
182. A man may have a meeting with two women if the husband of one of the women is in the city.
183. During the day and in the city, a man is permitted to be alone with three women. However, this does not apply to a man who is in the category of *Asoko Im Hanoshim* or *Libo Gas Boh*. A man who works closely together with women in an office is certainly in this category, and therefore a man may not work permanently in an office

273. Although this would constitute one man and two women, *Baaloh B'ir* would serve as a *heter* in this case.

274. This would be the case even if the two women were secretaries — as long as they had access to the man's office at any time, even if his door was shut but not locked. However, if he locked the door, then it would be Yichud.

with three women when he has a close working relationship with all of them.²⁷⁵

184. The *heter* of one man and three women may be used on a temporary basis, e.g. a man may visit another office where there are three women present; however, he must be careful not to become overly friendly with them. If he develops a friendship with them, then he may not be alone with them.²⁷⁶
185. If, however, he has not developed any sort of relationship with one of the three women present at the workplace he is visiting, he is permitted to be in the room with all three, even though he is well-acquainted with the other two.²⁷⁷
186. A man is only permitted to visit a woman in her office if either a) another kosher man is present, b) two other women who are not *prutzos* are present,²⁷⁸ or c) if another woman is present and there is a case of *Baaloh B'ir* or d) *Baaloh B'ir* and the door is unlocked.
187. It is not permitted for two men who are *prutzim* to work with two women. There is also a serious question about working in an office where there are more than three

275. See *Minchas Ish* 20:13. If the door to the office would be closed but not locked, one may be lenient — see *Minchas Ish* 20:13. In practice, a Rav should be consulted.

276. *Nine to Five*, p.37.

277. *Dvar Halachah* 10:4. See Ch. 1 for further *halachos* of one man and three women.

278. However as previously stated, he should not develop a close relationship with all three of them, as this would serve to prohibit Yichud. Even if he has a good relationship with two of them but is unacquainted with the third, then seclusion is permitted.

men and three women but all of them are *prutzim*. In practice, a Rav should be consulted.²⁷⁹

188. A woman may not work together with three non-Jewish men. The fact that their wives are present does not serve as a *heter* in such a case.²⁸⁰
189. A man may not be alone in the same building as a woman even if they are on different floors. For example, in an office building with a main entrance that is kept closed, a woman may not be on one floor and a man on another floor if nobody else is in the same building.²⁸¹
190. Single men and women should consult with a Rav before they accept any employment that would bring them into close working contact with a member of the opposite gender.²⁸²

Shops

191. A shop whose door is open to the street presents no question of Yichud, for there is a *Pesach Posuach*. However, this is only true in the area of the shop which is freely accessible to the public. An inner room which is reserved for staff only would definitely present a question of Yichud (particularly if there is a sign on the door which reads “No entry — staff only”). A man and

279. *Nine to Five*, p. 38. There he writes that the same would apply to a combination of three men and two women or two men and three women. However in the case of three men and three women, some *Poskim* are lenient and permit such a combination even if the men are *prutzim*. See also *Minchas Ish* 20:10,11.

280. *Nine to Five*, p. 40. He writes there that the same would apply to a woman working with three non-observant Jewish men. In practice, a Rav should be consulted.

281. *Nitei Gavriel* 45:6.

282. See *Nine to Five*, p. 54-55.

woman may not be in that room alone, unless the door is left literally open and there is the possibility that someone may enter or observe what is happening in the room.

Closing Time

192. A man who runs a clothing store for women or children and whose main customers are women must take care at closing time to make sure that shutting the main door does not create a question of Yichud.

Cleaning Ladies, Butlers and Maids

193. A married woman in a case of *Baaloh B'ir* should consult a Rav if she wishes to work as a cleaning lady or nurse in the home of a single man.²⁸³

194. An unmarried woman who wishes to work as a housekeeper in the home of an unmarried man must be fully aware of the Yichud issue. She must consult a Rav who will provide her with guidelines.²⁸⁴

195. A Jewish woman should consult a Rav if she wishes to work as a housekeeper or maid in the house of a non-Jew, even if the non-Jew's wife is present.²⁸⁵

283. Although her husband is aware of her whereabouts, this may become a case of *Libo Gas Boh*, in which case *Baaloh B'ir* would not serve as a *heter*. She should ask a Rav as to whether it would suffice to have a *Pesach Posuach* of leaving the door literally open.

284. During the day, she could have a *Pesach Posuach* as long as there are passersby who might come in. However, this would not suffice at night. Furthermore, over the term of her employment, she may become a *Libo Gas Boh*, in which case the *heter* of *Pesach Posuach* is questionable. A Rav should decide.

285. As previously mentioned, the presence of his wife does not serve to permit Yichud in this case. However, a *Pesach Posuach* is effective in the case of a

196. A man who wishes to work as a butler in the home of a married couple should consult a Rav.²⁸⁶
197. A man who lives alone should not employ a maid who will live in the house, even if they are careful about Yichud. This is true even if the maid's son lives with her.²⁸⁷
198. A woman who lives alone should not employ a male butler who will live in the house even if there is no question of Yichud.²⁸⁸

The House of a Non-Jew

199. A woman who needs to go to the house of a non-Jew, whether it is to learn a trade, as a saleswoman, for an interview for work,²⁸⁹ or for any other purpose, must remember that the fact that the non-Jew's wife is present does not serve to permit Yichud. She must insist upon the door being open, or she should take with her *shomrim* who will serve to permit the Yichud.²⁹⁰

Workers in the Home

200. If a worker (e.g. plumber, builder, electrician, etc.) is doing some work in the home and only the lady of the

non-Jew or *parutz*. Again, the question of *Libo Gas Boh* arises. See *Taharas Yisroel* 22:12 who warns against a Jewish woman working in the home of a non-Jew unless she is accompanied by a *shomer*.

286. Even though it is a case of *Baaloh B'ir*, if there is a close relationship between the woman and the butler, then he is a *Libo Gas Boh*, and one would require a *Pesach Posuach*. Since the whole situation is questionable and circumstances vary, a Rav should be consulted.

287. *Minchas Ish* 26:15.

288. *Ibid.*, 26:13.

289. *Shevet Halevi* 6:33.

290. See *Taharas Yisroel* 22:12.

house is present, she must be careful to leave the door open or have a *shomer* present.²⁹¹ Similarly, if a man comes to deliver a certain item, e.g. an appliance or furniture, she must make sure that a *heter* of Yichud is in place.²⁹²

Teaching

201. A married man is permitted to teach girls in a school or seminary.²⁹³ However, he should not be over-familiar with the girls and should make sure that he teaches with the utmost *tznius*.²⁹⁴ It is also important for the girls in the class to conduct themselves with utmost *tznius* in

291. *Nitei Gavriel* 10:19. It should be noted that if the worker is working in a room of the house in which the *heter* of a *Pesach Posuach* would not apply — e.g. he is fixing a boiler in the basement, in which case having the front door open would not permit Yichud in the basement (see chapter on *Pesach Posuach*) — then the woman should not enter the basement with the worker. Instead, she should stay in a place in the house where the *Pesach Posuach* would be effective. If she needs to enter such a room in order to give the workman instructions, etc., then either she should be accompanied by another *shomer* or ask a neighbor to come in, etc. In the case of *Baaloh B'ir* it is permitted; however, see *Minchas Ish* 8:20 that even in the case of *Baaloh B'ir* it is correct that she leave the door unlocked.

A woman should not invite a salesman to come into the house if a problem of Yichud would arise.

292. It should be noted that if the delivery man brings the delivery into an inner room of the house (e.g. into the basement or a bedroom) — a place in which a *Pesach Posuach* would not help (see chapter on *Pesach Posuach*) — then she must make sure that another *heter* of Yichud is in place.

293. *Shevet Halevi* Vol. 3:183; *Dvar Halachah* 13:4. See *Alter Rebbe's Shulchan Aruch Hilchos Talmud Torah* 1:13, who quotes two opinions as to whether a married man whose wife is in a different city may teach young boys; however, the custom is that we are lenient and permit a married man to teach even if his wife is in a different city or in the hospital, etc. *Dvar Halachah* 12:3, *Igros Moshe, Even HoEzer* Vol. 4:65:13.

294. Furthermore, if he feels that he cannot overcome his *Yetzer Hara*, he should definitely not teach girls. It should be noted that there are *Poskim* who forbid men to teach girls for this reason — see *Nitei Gavriel* 47:7; *Minchas Ish* 22:9.

the presence of a male teacher. They should make sure that they are sitting in a *tznius* fashion and that their knees and elbows are covered adequately by their clothing.

202. A man who works in a girls' school or seminary must be very careful about Yichud. This applies when speaking to a student privately and also when with other female teachers in a staff room. A male principal may not invite one of the students or staff into his office if the door is locked.
203. A single man should not teach young children, either boys or girls, even if there is no question of Yichud, the problem being that the mothers of the children come to pick up the children and he may associate with them.²⁹⁵ He may, however, teach older boys who arrive and return home unaccompanied.²⁹⁶
204. Some *Poskim* are of the opinion that this *halachah* only applies where the women would bring their children to the private home of the teacher. However, in most Talmud Torahs, *Chadarim* and schools today, in which there are many classes and staff members with administration and a *Menahel*, one may be lenient and allow an unmarried man to teach.²⁹⁷

295. *Shulchan Aruch, Even HoEzer* 22:20; *Beis Shmuel, ibid.*; *Alter Rebbe's Shulchan Aruch, ibid.* See however *Otzar HaPoskim* 22:57:2. *Minchas Ish* 22:1 writes that some *Poskim* say that one should not object to those who are lenient in this matter nowadays.

296. *Nitei Gavriel* 47:2; *Minchas Ish* 22:7.

297. *Shevet Halevi* Vol. 5:206:2; *Tzitz Eliezer* Vol. 6:40:27:20. A further leniency may apply if the children are brought by school buses rather than by their mothers — *Minchas Ish* 22:6. *Minchas Ish* 22:8 adds that if all the teachers in a school are unmarried, then one should be stringent.

205. This leniency is certainly applicable in the case of a supply teacher, a teacher of a specific subject, or a leader in a camp.²⁹⁸
206. A woman should not teach young children at home, either boys or girls, the problem being that the fathers of the children come to pick up the children and she may be in Yichud with them.²⁹⁹ (However, she may teach children who come unaccompanied.³⁰⁰) In the case of *Baaloh B'ir* it is permitted.³⁰¹ Furthermore, if there is a *Pesach Posuach*, there would be no prohibition for the main concern is that of Yichud.³⁰² Consequently, a woman may run a preschool or kindergarten from her home as long as either there is a case of *Baaloh B'ir* or there is a *Pesach Posuach*.
207. In a school in which there are many classrooms and other staff members there is no question of Yichud, and it is permitted for both married and unmarried women to teach.³⁰³
208. It is incorrect for a woman to teach boys who have reached the age of *Chinuch*.³⁰⁴ However, when necessary

298. *Minchas Ish* 22:5.

299. *Shulchan Aruch, Even HoEzer* 22:20. However, it should be noted that *Apei Zutre, Even HoEzer* 22:32, writes that the prevailing custom is that women teach youngsters, boys or girls...and we should allow them to do so. *Minchas Ish* 23:4 points out that the prohibition only applies to teaching on a permanent basis. If a woman is a supply teacher or a leader in a camp, it is permitted.

300. *Minchas Ish* 23:7.

301. *Igros Moshe, Even HoEzer* Vol. 4:65:18.

302. See *Tzitz Eliezer* Vol. 6:40:27:13; *Dvar Halachah* 13:4; *Minchas Ish* 23:5.

303. *Tzitz Eliezer* Vol. 6:40:27:20.

304. This holds true even when there is no question of Yichud. The problem is one of *tznius*, that one should not train boys to look at a woman — see *Lehoros Nosan* Vol. 7:100; *Nitei Gavriel* 47:10; *Minchas Ish* 23:10.

it is permitted for a woman to teach boys until the age of nine.³⁰⁵ This leniency should only be employed in a school setting.

209. It is permitted for an older girl to be a camp counselor for boys under the age of nine.³⁰⁶

210. A woman may not teach boys physical exercise once they have reached the age of *Chinuch*.³⁰⁷

305. *Halichos Bas Yisroel* 7:29. This ruling is based on a decision of Rabbi S. Z. Auerbach *zt'l*. He adds that one should be more stringent regarding private lessons. The actual age of the boy depends on his physical maturity and whether other boys will also be present in the class.

If the private lesson is in her home and her husband is present, or if the private lesson is in a school setting and the child is a special-needs child, she should consult a Rav.

306. *Ibid.*

307. *Nitei Gavriel* 47:13.

CHAPTER 9

BABYSITTING

Babysitting

211. When looking for a babysitter, parents must bear in mind that Yichud applies even with close relatives. For example, it is forbidden for an uncle to babysit for his niece (above 3 years old). Another common situation to be aware of is that it is forbidden for a teenage girl to babysit for her infant niece or nephew when her sister is out (e.g. she went out to a wedding and is not expected back until late) and the girl is alone with her brother-in-law. This case is most prevalent among young married couples who invite their siblings to stay with them and use them as babysitters. The wife must be vigilant never to allow her sister to be in Yichud with her husband.
212. A girl over the age of 12 may not babysit for a boy above the age of nine, unless there are *shomrim* or other factors which serve to permit Yichud.³⁰⁸
213. A boy over the age of 13 may not babysit for a girl aged 3 and above unless there are *shomrim* or other factors which serve to permit Yichud.³⁰⁹

308. *Shulchan Aruch, Even HoEzer 22:1,11.*

309. *Ibid.*

214. As mentioned previously in the section on *shomrim*, a Jewish boy or girl from the age of 6 until 9 is an effective *shomer*. Therefore, a seminary girl may babysit for a 9 year old boy if another child aged 6 to 9 is present. One *shomer* is effective during the day; however at night two *shomrim* are required.³¹⁰ Let us look at an example: a seminary girl is asked to babysit for a family consisting of a 9 year old boy, a 7 year old girl and a 4 year old girl. There is a problem of Yichud with the 9 year old boy, but it is permitted for her to babysit by day, because the 7 year old girl is an effective *shomer*. At night, however, the seminary girl may not babysit, since two *shomrim* are required and the 4 year old girl does not qualify as a *shomer*. In this case, to leave the door open and create a *Pesach Posuach* would only be effective during the early hours of the evening when people would still enter unannounced. In difficult circumstances, i.e. the parents were supposed to return by day but were delayed, a neighbor may be given the key and specifically asked to come in unexpectedly in order to prevent Yichud.³¹¹ (See next point).
215. If there are no children in the home that qualify as *shomrim* and a female babysitter finds herself in a Yichud situation, she should give a key to two

310. Two child *shomrim* serve to permit Yichud at night, even if both of the *shomrim* are sleeping.

311. Alternatively, if the neighbor also has an effective child *shomer*, that child may be invited to sleep over, hence creating the presence of two *shomrim* who are effective even when sleeping. It would not suffice for the seminary girl to invite over another female friend. This would create a situation of one man with two women and only one *shomer*, which is prohibited at night — see *Dvar Halachah* 4:9.

neighbors and ask that they enter independently from time to time, hence creating a situation where she has two *shomrim* even at night.³¹²

216. If a married couple employs a seminary girl to babysit, then they must make adequate arrangements for the babysitter's return home. Most preferable would be that the woman of the house take the babysitter home. If this is not possible, then if a) they live in a large city, b) there are people on the streets even late at night, c) the way to the babysitter's home is along main roads that are well-lit and d) there are passersby, then the man of the house may take her home. (In this case, if driving her home, it is preferable that she sit in the rear.) If, however, the house is in a secluded area (e.g. in a

312. See *Dvar Halachah Hosafos Chadoshos* 3:3. The neighbors must be in the category of those who do not create a problem of Yichud themselves. To ask neighbors who are a married couple would suffice, because she has the *heter* of *Baaloh B'ir*, and he, *Ishto Meshamroso*.

In an area where there are no Jewish neighbors, the question arises as to whether non-Jewish neighbors are effective *shomrim*, and thus whether or not giving them keys would serve to prevent Yichud. If the neighbors are a married couple, then it would be preferable to ask the woman to come in (if the babysitter is female) because if the man came in, that in and of itself would present a problem of Yichud since we don't apply the *heter* of *Ishto Meshamroso*. In practice, a Rav should be consulted.

When giving a key to a neighbor is not an option, then *bdieved* one may permit the Yichud situation even late at night, if the front door is literally open and the babysitter sits in an illuminated room — see *Minchas Ish* 13:24. Alternatively, if the house has a bay window through which one can see in from the street, then as long as the room is fully illuminated and the curtains are open, the Yichud situation may be permitted. Alternatively, the babysitter could lock herself in a room. However in all these cases, if she would have to move away from the window (go upstairs, etc.) in order to tend to the children, then it is highly questionable whether the *Pesach Posuach* would serve to prevent Yichud, particularly late at night when there are few passersby. Therefore, the best advice is to give keys to neighbors and ask them to come in from time to time.

country bungalow colony) and it would be necessary to drive along dark roads, etc., then the man may not drive her home. In a case of great difficulty one may be lenient if one of the children who is of age to be a *shomer* accompanies the father.³¹³ As regards taking a taxi, see the section on taxis.

217. When planning social events and employing babysitters, couples must take the Yichud factor into account.
218. If the babysitter is married, and her husband is in town and knows where she is and could potentially arrive unexpectedly, then one may permit the Yichud situation even at night.³¹⁴
219. A married man whose wife is in the vicinity may babysit for a girl as long as his wife is expected home shortly. See Ch. 4.
220. If the woman of the house is away or if the man is a single parent, and he employs a female babysitter, then upon his return home, he must be careful (unless there are adequate *shomrim* present) not to enter the house until the babysitter has exited; or else, at least he should leave the door open.
221. In general, a man must be careful not to develop an overly friendly relationship with the household help or babysitter. For this reason, and certainly for *tznius* considerations, the main communication with the

313. See *Dvar Halachah* 9:13.

314. However, this would not apply in the case of *Libo Gas Boh* — see Chapter on *Baaloh B'ir*.

household help or babysitter should be via the woman of the house.

222. *Halachically* it is permitted for a boy under the age of *Bar Mitzvah* to babysit for a girl, and for a girl under the age of *Bas Mitzvah* to babysit for a boy. However, this should be discouraged wherever possible a) for *tznius* considerations and b) for safety.³¹⁵
223. One may not employ a non-observant woman to babysit where there would be an issue of Yichud, even if she would not be bothered by the prohibition.³¹⁶
224. One should not employ a woman — Jewish or not — who is a *prutzah* to babysit even if there are effective *shomrim* available. This should be avoided not so much for Yichud considerations (since *halachically* a child *shomer* is effective even for a *prutzah*³¹⁷) as for *tznius* considerations. A word of caution — when employing a non-observant babysitter for observant children, one should give the babysitter certain guidelines: a) she should be dressed in a manner of *tznius*; b) she should be told about *Kashrus*, e.g. she should not offer the children any foods that do not have the appropriate *hechsher*, or if the children are *fleischig* (have eaten meat), she should not give them dairy foods; c) she should not turn on the radio and listen to unsuitable music; and d) she should not go online in front of the children. Some people are afraid to give babysitters or housekeepers guidelines in case they might be offended. This is a mistaken approach. The guidelines should be given in a

315. See *Shevet Halevi* Vol. 5:202 who is stringent for *chinuch* reasons.

316. *Nitei Gavriel* 42:15.

317. *Ibid.*, 28:2.

friendly manner and with sensitivity. That way the hired person knows exactly what they may or may not do, and both the babysitter and the parent feel more secure.

225. Strictly speaking, it is permitted to employ a non-Jewish woman to babysit a Jewish boy under the age of *Bar Mitzvah* and there is no problem of Yichud (See Ch. 1) However, all the points mentioned in the previous paragraph should be taken into consideration.

CHAPTER 10

MEDICAL PERSONNEL

Women Visiting Male Doctors

226. In general, a man should try to visit a male doctor, and a woman, a female doctor. However, if no doctor of the same gender is available, it is permitted to be treated by a doctor of the opposite gender.³¹⁸

318. And there is no question of *Negiah* — *Darkei Teshuvah*, *Yoreh Deah* 157:8. See *Nishmas Avraham*, *Yoreh Deah* 195. *Shiurei Shevet Halevi* 195 (p. 274) writes that although the *Shach* and other *Poskim* agree that a male doctor may examine a female, there is no blanket *heter* for a woman to go to a male doctor for no reason. She should certainly seek out a female doctor, even if she has to pay for it. Only when there is no female doctor available, or if the male doctor is more qualified or experienced than the female, may a woman see a male doctor. She should certainly not see a doctor who is a *parutz*, and she should minimize unnecessary visitation, such as a routine checkup during pregnancy. She should only visit the male doctor if there is a complication, or just before birth. See also *Shevet Halevi* Vol. 3:186, Vol. 4:167; *Mishneh Halachos* Vol. 7:233; *Minchas Yitzchok* Vol. 7:77; *Toras HaYoledes* Ch. 8:2:3; *Halichos Bas Yisroel* 7:10.

Women who go to a doctor for a routine checkup should certainly request that a female doctor or nurse make any examinations. This is definitely the case with gynecological examinations. *Baer Moshe* Vol. 3:152:15 strongly rebukes women who visit male doctors for minor ailments which require internal examination when there is a female doctor available as an alternative. *Taharas HaBayis* Vol. 2 p. 222 writes that women in pregnancy who visit a doctor to monitor the progress of the pregnancy should definitely request a female doctor or midwife for a routine checkup. Only if there is a serious complication, and there is no female doctor as qualified as the male to attend the patient, may a male doctor be seen. *Minchas Yitzchok* Vol. 7:73 strongly advocates that if a woman is to have an

A Visit to A Doctor's Office

227. Women should be made aware of the issue of Yichud when seeing a doctor. They must know the *halachos* of Yichud before the visit so that they may avert the serious prohibition of Yichud.³¹⁹
228. A visit to a doctor's office may present a problem of Yichud and is only permitted under the following conditions: a) the meeting takes place in a public office or clinic during office hours when there are people in the waiting room and members of staff (e.g. nurses and secretaries) at work, and b) the door to the doctor's office is open slightly or closed but not locked, and

internal examination, she should be accompanied to the doctor by her husband (who should wait in the waiting room) or by another woman friend who has the status of *Baaloh B'ir*.

Shaarei Halachah U'Minrag Vol. 3 p. 353 writes that a female doctor is preferable for a woman — in addition to *tznius* considerations — because a woman will understand the nature of another woman better than will a man.

319. In fact, the *Poskim* discuss at great length the permissibility of a woman seeing a male doctor and the Yichud issue involved. There is the interesting question of whether the prohibition of Yichud is waived in a case of *Pikuach Nefesh*, or whether we consider it a branch of *Gilui Arayos* and therefore under the category of *Yehareg Ve'al Yaavor*. Furthermore, if there is no question of danger and therefore no *Pikuach Nefesh*, the prohibition of Yichud applies and is complicated by the fact that the doctor works with women and develops a close relationship with his clients, therefore making him an *Asoko Im Hanoshim* and a *Libo Gas Boh*. On the other hand, there is a famous Responsa from the *Radvaz* Vol. 3:481, from which one may draw the suggestion that a doctor will not endanger his practice and that he is intent on his work, hence permitting Yichud. There may also be other mitigating factors such as *Baaloh B'ir* and a *Pesach Posuach*. Taking all these considerations into account, one should be aware of the issues and follow the guidelines set out in the following points. See *Igros Moshe* Vol. 4:65:1; *Shevet Halevi* Vol.3:186, Vol. 4:167.

It should be noted that the question of Yichud is more difficult with chiropractors, masseurs and physiotherapists, etc., who work with their hands on the body — *Nitei Gavriel* 46:3

other members of staff may enter at any time.³²⁰
Therefore, when making an appointment with the

320. *Tzitz Eliezer* Vol. 6:40:12 writes that a woman may enter a doctor's office for an examination if the door is closed but not locked (as long as there are three people in the waiting room, or else a man and his wife), for then it is considered a *Pesach Posuach Lirshus Horabim*. However, *Nishmas Avraham* 22:1 quotes Rabbi S. Z. Auerbach *zt'l*: "Rav Auerbach *zt'l* also told me that as long as a nurse, patient or any other person can at any time enter the examination room, whether as part of his or her job or whether in error, there is no transgression of Yichud." The implication is that this Yichud situation is permissible even if there is nobody in the waiting room at the time, since the appointment is within office hours and someone may enter at any moment, hence creating a *Pesach Posuach*. This is also evident from the following Responsa from *Igros Moshe Even HoEzer* Vol. 4:65:1 who writes: "As regards a woman who needs to be examined by a doctor while undressed (even though there is another person in another room of the doctor's offices, and it is not customary for anyone to enter his examination room, nevertheless,) it is a daily occurrence that even the wives of Torah scholars go alone to the doctor and are secluded with him in his office. This lenient behavior has become widespread because the doctor, be he a Jew or a non-Jew, is intent on his work, removing from him any lustful feelings. Even when he finishes his examination he cannot spend extra time with her, for there are other patients whom he has scheduled for the following time slot. And even if the next patient has not yet arrived, he fears that he or she may arrive soon. If she is the last patient for the day and he knows that no other patients are expected, one may rely on the presence of an employee in his office, for should he spend more than the usual amount of time with the patient, this will arouse suspicion. The doctor, Jew or non-Jew, will be careful that no suspicion is cast on his name that might harm his practice. However, she cannot be permitted to be secluded with him when there is no one else in the office and when no other patient is expected, and her son, daughter or husband must accompany her to such an appointment. But, if she did go to the appointment alone at such a time and transgressed the prohibition of Yichud, she is not forbidden to her husband, for Yichud alone is not sufficient to forbid a woman to her husband." See also *Minchas Ish* 18:4.

It is clear, therefore, that after office hours when all the staff is gone, the open door to the doctor's office does not help prevent Yichud for there is nobody in the office to enter unannounced. Therefore when a woman makes an appointment at the doctor's office, she should make sure that it is not the

doctor, she should schedule it at a time when other members of staff will be present in the office.

229. As long as there are members of staff who may disturb the Yichud situation, then a woman may enter the doctor's office alone. Therefore in a doctor's office in which the doctor, a nurse and a secretary work, and the nurse or secretary may enter the doctor's examining room or private office at any moment, a woman may go

last appointment of the day at a time when all the staff has left for the day, for this may result in Yichud.

Shevet Halevi (*Shiurei Shevet Halevi Hilchos Niddah* p. 278, Responsa Vol. 4:167) summarizes the guidelines of visitation by women to medical personnel:

- a) She should minimize as much as possible examination by male personnel.
- b) Wherever possible, she should request a female doctor/nurse.
- c) When a female doctor is not available or the male doctor is better qualified, it is permitted for her to be examined by a male.
- d) Under no circumstances may a woman be examined by any medical personnel who are known to be promiscuous.
- e) She should only visit a doctor during office hours when others are present in the office.
- f) Whenever possible, she should be accompanied by another woman.
- g) The doctor should leave the door of the office slightly ajar, or at least closed but not locked.
- h) Non-observant medical personnel may advise a woman to do something in violation of *halachah*. Therefore, women should always take medical advice in conjunction with a competent Rav.
- i) She should not engage in prolonged conversation or joke with the doctor, but rather just focus on the medical issue at hand.

As regards her husband accompanying her to the office, *Shevet Halevi* writes that if the husband will have to wait in a waiting room full of women (who may be *prutzos*), then this accompaniment for the purpose of mitigating the Yichud situation may be detrimental in terms of *tznius*. (However, it seems to this author that if the visit is to a private clinic in the doctor's home or private offices it is preferable for her husband to attend.)

into the room alone with the doctor as long as the door remains unlocked.³²¹

230. If nobody usually enters, even a nurse, without permission, then a woman may not be alone with the doctor. She should request from the doctor that the door be left slightly open (if the door opens to a waiting room where other people are waiting or other staff members are present).³²² If another female nurse is present in the room, the door may be closed but not locked.³²³
231. If the door to the doctor's office is locked and nobody has permission to enter, then even if there are people in the waiting room, it is Yichud unless the door is left slightly open. However if there is a member of staff who has a key to the office and who has permission to enter at any time, then the seclusion may be permitted.³²⁴ Furthermore, if the woman's husband has accompanied her to the office and is sitting in the waiting room, then there is no issue of Yichud.³²⁵

321. *Toras HaYichud* 10:4; *Minchas Ish* 18:9.

322. If nobody usually enters, a closed but unlocked door would not prevent Yichud.

323. Although this would still be the Yichud of one man with two women, in such a case a closed but unlocked door would prevent the Yichud — *Minchas Ish* 18:7.

324. *Tzitz Eliezer* Vol. 6:40:12. He adds that if the doctor's wife has a key to his office and she is in town and may enter at any time, then Yichud is permitted. *Dvar Halachah Hosafos* 3:3 writes that if there is a camera outside the office, and a doctor has a monitor inside the office and can see who is entering the room, then if the door is locked, one may not permit Yichud even if another member of staff has a key, since the doctor is aware of who enters.

325. See *Minchas Yitzchok* Vol. 7:73; *Tzitz Eliezer* Vol. 6:40:12, *Nitei Gavriel* 46:4,5,6. (See, however, *Toras HaYichud* 7:16 who is stringent). The woman

232. In the above situations, the *Poskim* discuss at length the permissibility of a woman entering a locked doctor's office in the event of *Baaloh B'ir*. Some *Poskim* are stringent.³²⁶ Other *Poskim* are more lenient.³²⁷ In practice, when necessary one may rely on the *heter* of *Baaloh B'ir* in this case.³²⁸ However, she should request from the doctor that the door be left slightly open, or closed but unlocked.³²⁹ Because there is a question among the *Poskim* in this case, it is certainly best that

should inform the doctor that her husband is in the waiting room — *Minchas Ish* 18:11.

326. *Toras HaYichud* 7:16 writes that although the *heter* of *Baaloh B'ir* is generally effective if the case of Yichud occurs behind a locked door; however, that would apply in a case where, if the husband were to arrive suddenly and knock on the door and would not be let in immediately, there would be room for suspicion. However, in the case of a doctor's locked room, the woman would have an excuse for not opening the door immediately, and therefore *Baaloh B'ir* would not serve to permit Yichud. *Divrei Sofrim* p. 122 also questions the permissibility of employing the *heter* of *Baaloh B'ir* in this case. He first quotes the opinion of the *Chochmas Adam* who says that if the husband gave permission to his wife to be alone with another man, then the *heter* of *Baaloh B'ir* is not effective. There are other *Poskim* who disagree with this. But even if one were to follow the lenient opinion, one may argue that the entire *heter* of *Baaloh B'ir* is premised on the fact that the husband may just turn up, and in this case it is very unlikely that the husband would come to the doctor's office. Furthermore, the doctor may be considered a *Libo Gas Boh*, thus further restricting the usage of this *heter*. *Divrei Sofrim* strongly advises that a husband should accompany his wife to the doctor, and where this is not possible, a Rav should be consulted.
327. *Tzitz Eliezer* Vol. 6:40:12. One of the reasons for leniency in this case is that the doctor would not wish to do anything that would endanger his practice. In addition, he is intent on his work.
328. *Nitei Gavriel* 46:11. However, *Nishmas Avraham* 22:1 writes in the name of Rabbi Auerbach *zt'l* that if the doctor is the family doctor and has examined the woman many times in the past, then he has a ruling of a *Libo Gas Boh* and the *heter* of *Baaloh B'ir* would not help in this case. If this is in fact the case, then she should be accompanied to the doctor either by her husband, another *shomer*, or a woman friend who has the status of *Baaloh B'ir*.
329. *Minchas Ish* 18:8.

the woman be accompanied to the doctor's either by her husband, another *shomer*, or another woman friend.³³⁰

233. A woman should not be ashamed to raise the issue of Yichud with the doctor. She should make sure that: a) the door will be left open, or closed but not locked; and b) the staff members have permission to enter the doctor's office unannounced. If staff members do not usually come in, she may request that a member of staff be with her in the office, or at least come in from time to time.³³¹
234. All that has been said above about the question of Yichud when visiting a doctor applies just as well to a man who visits a female doctor. Therefore, he should only visit the doctor during office hours, and the door should be unlocked and staff be able to enter at any time.³³²

A Visit to the Doctor's Home or Private Rooms

235. If the visit is to a private office, e.g. seeing a consultant in his private rooms or at the doctor's home, and a) nobody else is home, or b) there is only one nurse or secretary sitting outside the office, then there is a serious question of Yichud.³³³

330. Since two women would be present, this would constitute Yichud *midrabonon* and one could therefore rely on the lenient opinion.

331. See *Nishmas Avraham, Even HoEzer 22*. See also fn. 367.

332. *Tzitz Eliezer* 6:40 writes that a female doctor may examine a male patient in her office even if the door is locked if her husband is in town. However, *Minchas Ish* 18:19 writes that it is correct that the door remain unlocked. If the female doctor is not Jewish, this would be forbidden unless her husband is actually on the premises.

333. If the woman visiting the doctor is not married — and therefore has no *heter* of *Baaloh B'ir* — and only another nurse is in attendance, this would seem to

236. In such a case a married woman should preferably be accompanied to the doctor's appointment by her husband.³³⁴ If this is not possible, then she may rely on the *heter* of *Baaloh B'ir*³³⁵ and she should request that the door be left unlocked.³³⁶ However, it would be preferable³³⁷ that she take with her other *shomrim* such as: a) a child aged five to nine; b) her father, mother, grandfather, grandmother, brother or son, c) her mother-in-law, or d) her stepdaughter. Alternatively, she may be accompanied by another woman friend, and they should request that the door be left unlocked.³³⁸
237. If the woman is not married and no nurse is in attendance, and the doctor is in his private rooms or at

be a question of one man with two women, which is prohibited. One could argue, however, that since this is only *Yichud midrabonon*, one could rely on the opinion of the *Radvaz* Responsa Vol. 3:481, that a doctor will not endanger his practice and that he is intent on his work, hence permitting *Yichud*. See *Nishmas Avraham, Even HoEzer* 22:1. In practice she should take with her another woman friend, creating a situation of one man with three women, which is permitted — see *Toras HaYichud* 10:3.

If the woman is accompanied by another woman friend who has the status of *Baaloh B'ir*, then the *Yichud* would then be only *Yichud midrabonon*, in which case the patient could rely on the *heter* of *Baaloh B'ir*. She should request that the door be left unlocked — *Toras HaYichud* 10:1. See also fn. 371, 373.

334. The husband does not have to enter the room with her. As long as he is in the waiting room, the seclusion is permitted. She should inform the doctor that her husband is there — *Minchas Ish* 18:11.
335. *Tzitz Eliezer* Vol. 6:40:12:9.
336. *Minchas Ish* 18:8.
337. This is because there are *Poskim* — see *Toras HaYichud* 10:2 — who opine that *Baaloh B'ir* would not be effective in this case. *Toras HaYichud* states that in this situation, either a) she should be accompanied by her husband or another *shomer*, or b) she should go with another woman, in which case there would only be *Yichud midrabonon* so that she may rely on the *heter* of *Baaloh B'ir* as long as the door is closed but not locked.
338. *Toras HaYichud* 10:2.

home, then there is definitely a question of Yichud. It would also be questionable if the doctor were to leave the door of the home open, since even in that situation, no one would enter his private examination room unannounced for fear that they might disturb an examination in progress. In such a case, she should definitely be accompanied by a *shomer* or, alternatively, be accompanied by another woman who has the status of *Baaloh B'ir*.³³⁹

238. In the above case, if there is a single nurse or secretary present at the doctor's home or private rooms, then it would be permitted for a woman to take with her another woman friend (even unmarried). The Yichud situation would be allowed for this would constitute the permissible status of one man with three women.³⁴⁰
239. If the visit is to a private office in the doctor's home, and the doctor is a Jew, and his wife is at home, then there is no question of Yichud, as long as the doctor's

339. In this situation there would be only Yichud *midrabonon* and one could rely on the lenient opinion which allows Yichud in the case of *Baaloh B'ir* even if the door is locked — *Minchas Ish* 18:12.

If she was accompanied by another woman who was not married, then it would be a case of a Yichud *midrabonon*, and one could possibly rely on the opinion of the *Radvaz* Responsa Vol. 3:481, that a doctor will not endanger his practice and that he is intent on his work, hence permitting the Yichud. See *Nishmas Avraham, Even HoEzer* 22:1. In practice, a Rav should be consulted in this case.

340. *Minchas Ish* 18:13. It should be noted that Sefardim follow the ruling of the *Beis Yosef* who does not permit the Yichud of one man with three women. However, if one of the women's husbands is in town, all opinions would permit Yichud.

wife could enter at any moment.³⁴¹ If the doctor is not Jewish, seclusion is prohibited even if his wife is at home.³⁴²

240. Some *Poskim* write that if members of the doctor's household are home and could enter at any time, or even if they are not at home but have a key to the home and they could enter whenever they wish — including entry into the doctor's office at home — then this would constitute a *Pesach Posuach* which would serve to permit Yichud.³⁴³ This would not help, however if the door were locked from the inside with a latch, for then no one could enter without the door being opened from the inside.

Home Visitations

241. If a doctor or other man in the medical profession makes a home visit to a woman in her home, then the door should be left open.³⁴⁴ If the door is shut, the visit

341. Even if the door would be locked, the seclusion would be permitted as long as the doctor's wife had a key and could enter at any moment — *Minchas Ish* 18:16.

342. *Tzitz Eliezer* Vol. 6:40:12; *Nitei Gavriel* 46:8.

343. *Tzitz Eliezer* Vol. 6:12:10; *Dovev Meisharim* 5.

344. This would only help during the day or early hours of the night. Furthermore, the doctor's examination must take place in a room of the house where Yichud would be permitted by having a *Pesach Posuach*. However if the woman is in an upstairs bedroom and she lets the doctor enter by way of intercom and he goes upstairs to the patient, then this poses a question of Yichud and another *heter* must be in place to permit the Yichud. It should also be noted that if the doctor is a family doctor who is *Libo Gas Boh*, the *heter* of *Baaloh B'ir* would not apply. In such a case a *shomer* would be required to permit Yichud.

The case of a doctor who is called out in the middle of the night to visit a female patient living alone, who is suffering from a non-life-threatening illness, poses an interesting question. In practice, it would be better that he

is still permitted if her husband is in the city or if other family members have a key and they may enter at any time.³⁴⁵

A Hospital

242. One must also be aware of the Yichud issue in a hospital. If a patient is in an open ward, then there is usually no problem of Yichud because staff members are present day and night. However if a person is in a private room — and particularly in small private clinics — then a patient should always make sure that the door to his or her room is unlocked while being attended to by a nurse or doctor of the opposite gender.³⁴⁶

be accompanied by another man. If he is called upon to treat a life-threatening illness, then the issue of Yichud is waived — see *Minchas Ish* 19:6.

345. See for all the above: *Tzitz Eliezer* Vol. 6:40:12; *Shevet Halevi* Vol. 5:203:6; *Minchas Yitzchok* Vol. 7:73; *Shearim Hametzuyanim Behalachah* 152:3.

346. Usually, there are a number of nurses and medical staff on every ward. Therefore a doctor may enter a woman's private room to make an examination as long as the door to her room is left unlocked, since staff members may enter at any moment.

However, in a small ward, the presence of a single male patient and a female nurse would create a question of Yichud. The presence of two men and one nurse during the day and the early hours of the night would be permitted; however, at night the presence of three men would be required. Often, though, there are two female nurses on duty at night. Therefore, if only a single male patient would be on the ward together with two female nurses, there would be a question of Yichud (unless one of the nurse's husbands was in town if she was Jewish) and a Rav should be consulted. The presence of two men and two women would be permitted in this case (for one would have the additional factors that the nurses are concentrating on their work and would not do anything to endanger their jobs).

A Scan

243. Having a scan, if nobody else is present in the room apart from the patient and a member of staff, poses a question of Yichud. It may only be permitted when there are *shomrim* in a nearby room.³⁴⁷

An Ambulance

244. If a woman needs to travel to the hospital — either because she is sick or to give birth — it is preferable that she be accompanied by her husband or another *shomer* (such as a child *shomer*).³⁴⁸ However, if nobody is available she may go in the ambulance alone.³⁴⁹

347. *Nitei Gavriel* 46:18. The door to the room where the scan is taking place should be closed but not locked, and the staff member who is doing the scan should be aware that family members or other *shomrim* are in the nearby room.

348. *Nitei Gavriel* 16:2.

349. *Nitei Gavriel* 16:3; *Minchas Ish* 19:7. (This leniency would certainly apply if the woman was married and in a situation of *Baaloh B'ir* — see *Nishmas Avraham, Even HoEzer* 22:2.)

Most ambulances today are made in such a way that — although one cannot see into the rear compartment because the windows are tinted or have curtains (or no windows at all) — the driver may see into the rear compartment. Therefore even if a male nurse is caring for a woman in the rear compartment, since he can be seen by the driver there is no Yichud — *Minchas Ish* 17:7 (See there that this also applies if the driver of the ambulance is a woman.)

If a woman in labor or a female doctor needs to travel on *Shabbos* in a case of *Pikuach Nefesh*, then if the driver is not Jewish, they should take with them a child *shomer*. If that is not possible, an adult should accompany them. However if the driver is Jewish, they should not take with them a *shomer*; rather, they should travel alone and the prohibition of Yichud would be waived in the face of *Pikuach Nefesh*. (As previously mentioned, the prohibition of Yichud while traveling in a car only applies to areas where there are no passersby or steady stream of traffic. Therefore, in most towns today, Yichud would not be an issue.) If, however, the woman's husband or another family member wishes to travel in the ambulance with the woman in

Pikuach Nefesh

245. The prohibition of Yichud is waived in the face of danger to life.³⁵⁰ Therefore a woman in mortal danger may be treated by a male doctor even if they are in a Yichud situation, and vice versa. If possible the door should be left open to create a *Pesach Posuach*.
246. Therefore, if a Jewish male member of one of the emergency services (Police, Fire Department, ambulance or *Hatzalah*) is called upon to take care of a single woman, he should leave the front door open upon entering the house.
247. A female doctor or midwife may travel with another man in an emergency situation, even if they are in Yichud.
248. A social worker who is called out by a client of the opposite gender who is suicidal or who has taken an overdose may be in Yichud with the patient as long as the case poses a question of *Pikuach Nefesh*. If the social worker is called out for a problem which is at present not life-threatening but if not treated could become life-threatening, then Yichud is permitted. However, if the social worker is called out for a situation which is definitely not life-threatening (e.g. a mentally ill patient who is creating a disturbance in the middle of the

order to calm her, he or she may do so, for this is considered as one of the needs of the sick and the prohibitions of *Shabbos* are waived. See also *Nishmas Avraham, Even HoEzer* 22:1:3.

350. *Minchas Ish* 19:6. See there at great length the discussion among the *Poskim* as to whether Yichud is an offshoot of *Gilui Aroyos* and requires martyrdom or not.

night), then the social worker should be accompanied by a *shomer*.

The Sick

249. The prohibition of Yichud also applies to a patient who has been hospitalized, even if he or she is very sick. Only if it is a male patient who has been medically diagnosed as impotent may one be lenient. However, even in such a case one should be careful because of *Maris Ayin*.³⁵¹

250. Yichud is prohibited with a woman who is in labor.³⁵²

Doctors and Their Staff

251. Jewish doctors, medical personnel and caregivers must be well aware of the Yichud issue.³⁵³ It is highly commendable that Jewish medical professionals have a Yichud policy in their practice.³⁵⁴

351. *Minchas Ish* 19:4.

352. *Minchas Ish* 19:5.

353. In addition to the issue of Yichud, a doctor or other medical caregiver must act only *Leshem Shomayim*. To quote from *Nishmas Avraham, Even HoEzer* 21:5: “Therefore a doctor, student or any other caregiver, whose work in treating and caring for the sick is undoubtedly noble, must be most careful when attending to a woman. His eyes and thoughts must be focused entirely upon his job, and he must remain intent only on what he is doing. In addition, he must also be acutely aware of the patient’s feelings. For example, wherever possible, he should only uncover that part of her body which he needs to examine, re-covering it before examining elsewhere. The *Shulchan Aruch* rules that it is forbidden to look closely at a woman; it does not differentiate between young and old, Jewess and non-Jewess, modest and immodest. The *Beis Shmuel* writes that if doing so brings him to impure thoughts, he has transgressed Torah Law.”

354. The following is an excerpt from a letter that was recently circulated by a Rabbinical Court in America:

“Dear Sir:

You are no doubt aware of the many scandals which have unfolded on the American scene in the past few years, involving (alleged) abuse of children and susceptible women by doctors, therapists, clergy and other counselors. We all know that the laws of Yichud were formulated to protect the Jewish community from this despicable behavior which has become pervasive in America. The laws of Yichud are even more stringent in a case of increased acquaintanceship. Additionally, even in cases where the technical letter of the *halachah* might permit a certain situation, our Rabbis were very much concerned that the spirit of the *issur* of Yichud be safeguarded.

It is therefore evident that there is a need to protect our community from the effects of, or even the potential danger of such behavior. We are therefore calling upon all parents of children in susceptible situations, and especially upon Jewish women — and those who provide services to these women and children — to voluntarily adopt standards of office practice which will protect the patients or clients as well as themselves — the caregivers — from any threat or suspicion of abuse. Unfortunately, we have often witnessed how false accusations can destroy individuals and families, and we all need to be protected.

Consequently, we are advising all responsible persons in the community to ask that special precautions be taken in cases of a doctor, or therapist, or rabbi — anyone who meets in private with a child or woman and may be in a position to take advantage of their vulnerability, whether physical, emotional, or psychological. We suggest that there always be another person present in the room, or at least right outside the **open** door. (We realize that there are situations where this is unworkable: e.g. in certain counseling services. We ask for your input as to how to adhere to the letter and spirit of the laws of Yichud in such situations.)

It is, unfortunately, a sad day when we have to ask all professional caregivers to take precautions so that there will not be even a risk (of appearance) of impropriety which might be alleged to them. It is also sad that children and women need to be warned not to trust people they need to trust. Nevertheless, we feel this is a necessary step which must, and should, be taken. We urge you to adopt such standards; moreover, we ask that you contact all your clients/patients and advise them of this new policy, and that you post this new policy in your office (or post this letter). If you and your colleagues will meet this challenge, it will set a standard for accepted practice for all others, without casting the pall of suspicion upon anyone. Thereby, it is hoped, these standards will remove not only the temptation but also the reality of our people succumbing to the depraved level of secular society, and alternatively, the anguish and ramifications created by false accusations and similar gossip.

252. A male doctor may not be alone with a female nurse before the office opens or after hours unless precautions are taken to prevent Yichud.
253. The same is true in a hospital setting, particularly late at night or in the early hours of the morning when the corridors of the hospital are very quiet, since in this case a closed but unlocked door of a room would not constitute a *Pesach Posuach*. The problem may be exacerbated by the fact that a medical team working closely together would be considered *Libo Gas Boh*. Therefore, a doctor and a nurse should not be alone in a room in a hospital late at night or very early in the morning unless the door to the room is literally open and there is a chance that someone may come in.
254. A male surgeon may not perform an operation when only a female nurse and the patient are present if the patient is heavily anesthetized. Likewise, in the same situation a female surgeon may not perform surgery when only a male nurse is present.
255. A Jewish nurse or medical secretary must be careful not to be locked in a room together with a doctor when other staff cannot enter. It is common that secretaries have much paperwork to do once patients have left the office. Secretaries must be careful not to remain in a situation where there could be Yichud.

We invite your comments and suggestions regarding setting up such precautionary procedures.”

Therapy / Counseling

256. It is best that a woman see a female therapist, and a man, a male therapist wherever possible. When there is no one else as qualified as a therapist of the opposite gender, then it is permitted to see that person as long as one of the aforementioned *heterim* of Yichud are in place. It should be noted that a woman who visits a therapist may not rely on the *heter* of *Baaloh B'ir*, since she develops a close relationship with the therapist and he is considered a *Libo Gas Boh*.³⁵⁵
257. A male therapist or counselor whose profession involves speaking to women privately — or vice versa — must be aware of the Yichud issue. This is certainly the case where one gives a home consultation. Before any consultation, adequate arrangements must be made to prevent Yichud.

Caregivers

258. A single man who is disabled and needs a caregiver should take a man as a caregiver and not a woman, even if he is very old.³⁵⁶
259. A disabled woman who needs care should only employ a female caregiver.

A Night Nurse

260. A single woman who works as a night nurse should consult a Rav if she has to care for an elderly or sick man through the night.

355. *Nitei Gavriel* 36:3.

356. *Minchas Ish* 26:16.

CHAPTER 11

BEING CAREFUL ABOUT YICHUD

Education

261. It is incumbent upon every father to educate and guide his household and make each family member aware of the issue of Yichud.³⁵⁷
262. Both men and women should from time to time review the laws of Yichud.

The Guard At A Women's Dormitory

263. A man should not be employed as a guard for a women's dormitory, even though he is standing outside, for there are no guarantees when it comes to these matters.³⁵⁸

Dating and *Shidduchim*

264. A man and a woman who are dating must be extremely careful not to be in a Yichud situation. Therefore, they should not go to a secluded park or quiet country spot.

357. See *Rambam Hilchos Sotah* 4:19; *Shulchan Aruch, Even HoEzer* 178:21.

358. *Shulchan Aruch, Even HoEzer* 22:15. Even if the man is outstanding in piety it is prohibited. See *Minchas Ish* Ch. 26 for further details of this *halachah*. He discusses there the issue of security and under which conditions one could permit male guards to watch a girls' school, seminary or dormitory. In practice, it is best to employ a female guard and if this is not possible, then a Rav should be consulted.

This applies even more after they become engaged, for then there is a case of *Libo Gas Boh*. See Chapter 1 for more details.

265. If a man and woman meet in a private home, there must be a *shomer* in the home. If only the woman's mother is at home and has the status of *Baaloh B'ir*, there is no Yichud. However if her husband is not in the city, then the front door should be left closed but not locked.³⁵⁹ If other family members are in the house, then the couple may be in a room alone even if the door is closed but not locked, although it is a *middas chassidus* to leave it slightly ajar. If the household members are sleeping, then they should leave the door open.
266. Strictly speaking, it is permitted for an engaged *choson* to sleep in the family home of his *kallah* if there are other family members present who serve to prevent Yichud. However, it is correct that he sleep elsewhere, e.g. at a friend's house, for *tznius* considerations.³⁶⁰

Taking Employment

267. Before parents allow their children to take a job, they must make sure that the job does not pose Yichud or other *tznius* issues.
268. In the workplace there should be clearly delineated areas for men and women.
269. A father is obligated to teach his daughter a profession.³⁶¹ However, the daughter must be educated

359. *Minchas Ish* 24:2.

360. *Ibid.*, 24:3.

361. *Maharam Shik, Orach Chaim* 163.

in a kosher environment — one which ensures the highest standards of *tznius* and precludes any question of Yichud.

What to Do if One Detects a Yichud Situation

270. If a person finds a man and a woman in a Yichud situation, he must do something to avert Yichud. Therefore, if one enters a house and finds that two people in the house are accidentally in a Yichud situation, one must leave the door open and inform the people of the situation so as to prevent further Yichud.
271. If a woman finds herself in Yichud with her male employer, she should inform him immediately of the situation and do something to mitigate the Yichud. She should certainly not be embarrassed to mention the issue. Furthermore, she should not be afraid of losing her job because of the issue. On the contrary, her employer may regard her with more esteem because of her righteousness.
272. If a man does not know that the door has been left open, then the woman should inform him that the door is open so that he should not think that he has transgressed the prohibition of Yichud.³⁶²
273. One who is in doubt as to whether he/she may be in a Yichud situation should make inquiries and try to ascertain to the best of one's ability that there is no question of Yichud.³⁶³ For example, let us look at the case of a man who enters an office for an appointment,

362. *Minchas Shlomo* 35.

363. As regards the issue of a *safeik* in Yichud — whether we are stringent even in a Yichud *midrabonon*, see *Nitei Gavriel* 10:8.

and a female secretary lets him in and shows him to the waiting room. If the visitor is unsure as to whether or not the man he wants to see is in the office, then he must inquire if he is actually there. If the secretary replies that he is not in the office at present but is expected shortly, then the visitor must not remain in Yichud with the secretary; he must return later when the other man arrives.³⁶⁴

Swimming

274. A woman should not go swimming where there is a male lifeguard, even if there is no question of Yichud.³⁶⁵

Brother and Sister in Separate Bedrooms

275. It is preferable that a brother and sister who have reached the age of *Chinuch* (age six and above) should not sleep in the same room.³⁶⁶

Children's Friends Visiting and Sleepovers

276. When children invite their friends over, it is important that the boys do not fraternize with the girls. If the parents are not present, care must be taken that there is no question of Yichud, particularly if the friends are sleeping over. This can often become an issue at the

364. If the female secretary is a married Jewish woman, then *Baaloh B'ir* would be a mitigating factor.

365. *Nitei Gavriel* 49:10. See also *Igros Moshe, Even HoEzer* Vol. 4:62:1 who writes that although he sees no *halachic* objection since the lifeguard is engaged solely in his duties, he concludes that G-d fearing women — and particularly the wives of *Talmidei Chachamim* — should not swim in the presence of a male lifeguard, due to the fact that he may make advances to a woman after the swimming.

366. *Nitei Gavriel* 49:12.

time of a family *simchah* when many cousins are present and their parents are out at the *simchah*.

***Tzedakah* Collectors**

277. It often occurs that a *tzedakah* collector comes to the door and only a girl is at home, with no other *shomrim* present. If the collector wants to wait inside to see the girl's father, then she should either ask the man to return awhile later (when other *shomrim* will be present), or else she should leave the door open (if it is an effective *Pesach Posuach*).
278. However, collectors should not go from door to door during hours when only the women are at home because of the potential for Yichud. Furthermore, women are not obligated to open the door to such collectors.³⁶⁷

The Internet

279. Leading *halachic* authorities have strongly suggested that one should keep the laws of Yichud when online. Their opinion is that one should only go online in the presence of a *shomer* or when there is a *Pesach Posuach*, in which case someone could enter at any moment. The presence of a *shomer* or having a *Pesach Posuach* will prevent a person from downloading or viewing forbidden material or visiting a non-kosher website.³⁶⁸

367. See *Nitei Gavriel* 10:20.

368. Although many people need the internet for their business, however it is incumbent upon parents to be extremely vigilant as regards internet access for their children. Parents should certainly not allow their children to use the internet unsupervised, if at all.

Asking a Rav

280. If a woman enters a Rav's home to ask a *Shaalah* and the Rav's wife is not present, then some other *heter* of Yichud must be in place, e.g. *Pesach Posuach*, *Baaloh B'ir*, *Shomrim*, etc.

Permanent Situations

281. It should be noted that many of the *heterim* of Yichud mentioned in the previous chapters only serve to permit Yichud in a temporary situation. However, these *heterim* may not be used on a permanent basis. Therefore, the question of Yichud is magnified if the Yichud is in a permanent situation. In each case a Rav should be consulted.³⁶⁹

369. See *Taz, Even HoEzer 22:5* that even in a situation where Yichud is permitted (for example, when there are three men and three women), if this is a permanent situation, then it is prohibited for it is highly likely that this will eventually lead to actual Yichud. The *Rambam Issurei Biah 22:12* also writes that it is forbidden for a *Talmid Chacham* to live in a courtyard where a widow resides, even though there may be no question of Yichud. This all applies in the workplace. Consequently, even if one is working in a location where there are *heterim* of Yichud in place, then if it is a permanent situation, it may be problematic and a Rav should be consulted.

CHAPTER 12

INSPIRATION

The very first Yichud which the Torah describes in detail, and which the Torah describes in detail, and one which potentially could have had disastrous results, was the Yichud of Yosef and the wife of Potifar. The Torah tells us (*Bereishis* 39:11) “And it was on that day that Yosef came home to do his work and no other household members were at home. She grabbed his garment saying...” *Rashbam* comments: “He was usually very particular not to be in seclusion with her, until that day when against his will — being a servant — he had to remain in the house to do his work, and on that particular day all the household members had gone out to see the river Nile rise...”

The very fact that the Torah records the details of this story, and that *Chazal* expand on the great challenge and test presented to Yosef, indicate the great *nisayon* a Yichud situation presents. Yosef *HaTzaddik* almost succumbed to the temptation; only at the last minute did an image of his father appear to him, and he saw *Gehinnom* open before his feet. This combination of visions held him back from sinning. In today’s generation, who could parallel the righteousness of Yosef and be so sure that in such circumstances he would not sin? Prevention is the best cure.

To avoid any Yichud situation is certainly the best way, and the surest path to maintaining *Kedushas Yisroel*.

The *Chofetz Chaim* in his *sefer Machne Yisroel*, Ch. 19, records a story about Rabbi Mordechai Yaffe, the author of the *Levush*. From this story we can see the great reward in store for whomever is careful about Yichud.

“It is recorded in holy *seforim* that in the merit of being careful about the prohibition of Yichud, the *Levush* was granted the merit to compile such great *seforim*. He was a merchant in his youth, and he once came to the house of a well to-do-lady. He entered the house in order to sell his merchandise without realizing that there was nobody else at home. She took him into an inner chamber and made an approach to him. The only way to escape from the room was through a toilet, which opened into a sewer that led away from the house. Although he was dressed in expensive clothing, he immediately escaped through the toilet, ruining his clothing in the process. Consequently, it was decided in Heaven that since he had withstood such a test, he would merit to become a great *Posek* and Rav. He would merit to write ten *seforim*, each of which would be called *Levush*, meaning a garment, to recall the fact that he had been willing to ruin his expensive garments in order not to sin.”

The ten *Levushim* hold a very prominent place in today's Torah literature, and this is all in the merit of keeping the laws of Yichud.

The *sefer Lev Eliyahu* quotes a story of the *Nesivos* in connection with Yichud: “The great *tzaddik Av Beis Din* of Aliska told me that he read himself in the communal records of the town of Lisa an awesome story of events that occurred

involving the Rav of Lisa, the famous *Gaon* R. Yaakov *zt"l*, author of the *Nesivos* and *Chavas Daas*.

Once the widowed daughter of the *Nesivos* needed to travel with her own daughter, who was a *kallah*, to a certain town to make purchases for the wedding. They hired a wagon with a non-Jewish driver. Instead of driving them to their destination, this wicked driver took them to his home, called in his friends, robbed the women of their money and tied them with ropes. He lit a large fire in the oven, planning to cast them into the furnace so that no trace of them would remain. Meanwhile he placed the stolen money on the table, and the robbers started discussing how to divide the money. Suddenly, the door opened and a German officer entered the house. The murderous robbers fled for their lives. The officer untied the women, returned their money and took them back to the town.

That night the *Nesivos* — who had already passed on to the next world — came to his daughter in a dream and said to her, ‘You should know that when I became aware of your situation, I ascended to a high Heavenly place and I requested mercy for you. It did not help, for you had transgressed the prohibition of being in *Yichud* with a non-Jew. I ascended to an even higher place and entreated that your lives be saved in the merit of the Torah which I disseminated in my *sefer Nesivos* and other *seforim*. This is what helped you. From now on, however, be extremely careful never to transgress the prohibition of *Yichud*.’

This entire episode was told to the communal leaders of the town Lisa by the daughter of the *Nesivos*, and they recorded it in the communal ledger for posterity.”

Every parent should pray that their children be saved from any test or *nisayon*. This is evident from the story recorded in *Tanna Dvei Eliyahu* Ch. 18: “There was once a Kohen who was very G-d fearing, and he performed all his good deeds discreetly. He had ten children, six sons and four daughters, from one wife. Every day he would pray, prostrate himself before *Hashem* and request mercy that none of his children transgress or be involved with anything untoward or unsavory. When Ezra led the Jews out of *Bavel*, this Kohen and his family accompanied him. The Jew merited a long life in which, during the course of fifty years, he saw his children merit to become *Kohanim Gedolim*, and his grandchildren, the *Pirchei Kehunah*. About such a man does the verse state (*Tehillim* 37): “Trust in *Hashem* and do good...delight in *Hashem* and He will grant you the requests of your heart.” Today, parents who wish to see true *Yiddishe* and *Chassidische nachas* from their children must pray that they be saved from all the great *nisyonos* and challenges of secular society.

Every day we pray, “Do not bring me to a test — *nisayon*.” We also know that no less a personage than King David himself³⁷⁰ inquired from *Hashem* as to why the opening blessing of the *Amidah* mentions the G-d of Avraham, Yitzchok and Yaakov but doesn’t mention the G-d of David. *Hashem* replied that He had tested the Patriarchs and they had excelled, whereas He had not tested David. King David than asked *Hashem* for a test — the test of Bas Sheva — which he failed. We derive from this episode that one should not ask for a test. It is well worth bearing

370. Talmud *Sanhedrin* 107a.

this point in mind if one may be in a Yichud situation. However great one may be, and however strong one's convictions, one must always remember: a) Yichud is prohibited whether it makes sense or not (and the mind and common sense are surely clouded when it comes to *arayos*); b) never ask for a test — for even the greatest have succumbed, and c) there are no guarantees when it comes to *arayos*.

A final word: it is unfortunate that today, because we are surrounded by a promiscuous society, some people lose their sensitivity for *kedushah*. They often don't feel "what's wrong" in certain situations, and that can be a problem even if those situations are permitted according to the strict letter of *halachah*. However, we must always remember the golden phrase, *Es Past Nisht*, meaning "it's not befitting". Even if certain situations are *halachically* permitted, there still needs to be a sensitivity for *kedushah* that will take a person *Lifnim Meshuras Hadin* — beyond the letter of the law — so that they will be sensitive to the spirit of the law.

A certain Rav said that he was once in an apartment building which had a small elevator. Another married couple was waiting for the elevator, as well. When it finally arrived and the doors opened, the woman saw that if all three entered the elevator, she would feel that she would be standing uncomfortably close to the Rav. She did not enter, and she asked her husband to tell the Rav to use the elevator first, that they would wait. Of course, according to *halachah* it was definitely permitted for all three to enter the elevator, since the woman was accompanied by her husband. There was absolutely no question of Yichud. However, the woman had developed a sensitivity to *Es Past Nisht* and felt that it

was not befitting for a *tznius* woman to stand that close to another man, even for a few moments. It is incumbent on teachers and parents alike to instill in their students and children not only a solid knowledge of the *halachah*, but also a deep sensitivity, so that they should wherever necessary go beyond the letter of the law to safeguard *kedushas Yisroel*. Children must be educated that in every situation they must ask two questions: 1) Is this halachically permitted? 2) Even if it is permitted by *halachah*, is it befitting or not? This is most certainly the case in the education of *Chassidische* children — for the whole essence of a *Chassid* is one who goes *Lifnim Mishuras Hadin*.

The *Midrash*³⁷¹ states that in the merit of distancing ourselves from *arayos*, we will merit the *Geulah*. May it be *Hashem's* Will that in the merit of learning and keeping these *halachos* we shall merit the coming of *Moshiach*. On that great day, *Hashem* will bring a spirit of purity to the world, and our true focus will be on Yichud with *Hashem*, *Amen*.

371. See *Shir HaShirim* 4:12:1.

GLOSSARY

- Arayos* — prohibited relationships
- Asoko Im Hanoshim* — lit. a man whose job is to work with women
- Avak Lashon Hara* — lit. the dust of *Lashon Hara* — a secondary form of gossip
- Baaloh B'ir* — lit. husband in the city
- Bar/Bas Mitzvah* — the age of thirteen for a boy and twelve for a girl, the age at which they become obligated to keep the commandments
- Bdieved* — not in the first instance, but as a secondary resort, usually in difficult circumstances
- Bet Din* — Court of law
- Bnos Yisroel* — the daughters of Israel
- Chassid* — a member of the Hasidic movement
- Chazal* — Our Sages of blessed memory
- Chinuch* — education
- Choson* — bridegroom
- Chuppah and Kiddushin* — marriage according to Jewish law
- Chuppas Niddah* — a wedding at which the bride is not ritually pure
- Eretz Yisroel* — the land of Israel
- Ervah* — a woman with whom the Torah forbids a relationship
- Ezras Noshim* — ladies' section of the synagogue
- Gehinnom* — purgatory

- Gemara* — a simile for the Talmud
- Geulah* — redemption
- Ger* — a convert
- Halachah* — Jewish law
- Hashem* — G-d
- Hechsher* — a stamp of rabbinic approval
- Heter* — permissibility
- Ishto Meshamroso* — lit. his wife guards him
- Kallah* — bride
- Kedushah* — holiness
- Kedushas Yisroel* — the holiness of the Jewish people
- Kever Avos* — the gravesite of one's ancestors
- Klal Yisroel* — the Jewish people
- Kohanim Gedolim* — high priests
- Lechatchilah* — in the first instance
- Leshem Shomayim* — for the sake of Heaven
- Libo Gas Boh* — a person with whom one has a warm and cordial relationship
- Lifnim Mishuras Hadin* — beyond the letter of the law
- Maris Hoayin* — lit. what is seen to the eye; a rabbinic prohibition due to the fact that what is being done — although in itself it is permissible — appears to be a prohibited act
- Middas Chassidus* — an act of piety
- Midrabonon* — a rabbinic prohibition
- Mikveh* — a ritual pool
- Min-haTorah* — a scriptural law
- Mishnah* — the earliest recorded Oral tradition written by Rabbi Yehudah HaNasi
- Moshiach* — Messiah

- Nachas* — joy
- Negiah* — touching
- Niddah* — a menstruant
- Nisayon* — a test or trial
- Nshei Ubnos Yisroel* — the women and daughters of Israel
- Ohel* — a mausoleum over the gravesite of a Tzaddik
- Parutz(m.) / prutzah(f)* — a person who does not keep the guidelines of modesty
- Pesach Posuach* — an open door
- Pikuach Nefesh* — to save a human life
- Pirchei Kehuna* — young priests
- Poskim* — rabbinic authorities
- Psak Din* — a rabbinic ruling
- Reshus Horabim* — a public domain
- Sefer/seforim* — book/s
- Shaalah* — question to a Rabbi
- Shalom Bayis* — Peace in the home
- Shechinah* — the Divine Presence
- Shidduch* — a matched marriage
- Shiur* — a class
- Shomer/im* — a guard/ guards
- Shulchan Aruch* — the Code of Jewish Law
- Simchah* — a joyous occasion
- Talmidei Chachamim* — scholars
- Tzaddik* — a righteous person
- Tznius* — modesty
- Yetzer Hara* — the evil inclination
- Yichud midrabonon* — a form of Yichud that is only prohibited rabbinically
- Yom Tov* — a festival

INDEX

Please Note: The numbers are not a reference to page numbers but to the number of the *halachah*, and the reference can either be in the text or in the footnote.

- Adopted children** — 30
Adoption — 30
Airplane — small — 153
Affair — 3
Age limit of Yichud — 1
Ambulance — 244
Apartment — 119, 127-131
Apartment building — 52, 132-136
Apartment houses — 127
Asoko Im Hanoshim — definition — 13
Asoko Im Hanoshim — does *Pesach Posuach* work — 44
Asoko Im Hanoshim — when *Baaloh B'ir* — 71
Asoko Im Hanoshim — and *Ishto Meshamroso* — 85
Au Pair — 89
Autistic children — 1
Baal Teshuvah — 3
Baaloh B'ir — concept — 55
Baaloh B'ir — at night — 56
Baaloh B'ir — if husband is sick — 59
Baaloh B'ir — when wife is away from home — 62
Baaloh B'ir — if *Libo Gas Boh* — 66
Baaloh B'ir — with *Parutz* and *Asoko Im Hanoshim* — 70
Baaloh B'ir — and non-Jews — 72
Babysitting — 211-225
Back door — is it a *Pesach Posuach* — 41
Bank vaults — 49
Basement — in apartment building — 135
Basement — in house of a single woman — 138
Bay Window — 54
Bedroom — 50
Blind — 59, 76
Boarder — 143
Boy — minimum age of Yichud — 1

- Boys and Girls** — below age of Bar/Bas Mitzvah — 8
- Brother** — as *shomer* — 109
- Brother and Sister** — 9
- Brother-in-law** — 4, 66
- Builder** — 200
- Bus** — 154, 155
- Business appointments** — 180
- Butler** — 196
- Cleaner** — 193
- Car** — Yichud in — 149-152
- Caregivers** — 251
- CCTV** — 48, 49, 115, 135, 174, 176
- Cellar** — 50
- Cemetery** — 147
- Cemetery** — visitation by *choson* and *kallah* — 38
- Children** — as *shomrim* — 94-108
- Children** — Yichud with — 1, 8, 105-107
- Choson** — 3
- Chuppas Niddah** — 3
- Cleaner** — 77, 99
- Closing time** — 192
- Collectors** — 277
- Coma** — 5
- Convert** — 33
- Cousin** — 4
- Co-worker** — 68
- Dating** — 38, 264
- Daughter** — as *shomer* — 109
- Daughter** — with father and another woman — 24
- Daughter-in-law** — 4
- Dentist** — see doctor
- Disabled** — 258
- Divorced couple** — 40
- Doctor** — visit to surgery — 227-234
- Doctor** — women visiting men — 226
- Doctor** — men visiting women — 226
- Doctor** — visit to private rooms — 235-240
- Doctor** — visit to home of doctor — 235-240
- Doctor** — home visitation — 241
- Doctors** — and their staff — 251
- Domestics** — 193-195
- Door** — closed but not locked — 45, 46
- Education** — about Yichud — 261
- Elderly** — 5
- Electrician** — 200
- Elevators** — 144
- Engaged couple** — 39
- Ex-partner** — 40
- Ex-wife** — 40
- Ezras noshim** — 122
- Family homes** — 130
- Father** — as *shomer* — 109
- Father** — non-Jewish — 36

- Father-in-law** — 4,66
Foster child — 31, 69
Ger — 9
Ger — Yichud with their relatives — 33, 34
Girl — minimum age of Yichud — 1
Grandfather — as *shomer* — 109
Grandmother — as *shomer* — 109
Grandparents — 3
Grandson — as *shomer* — 109
Guard — on women's facility — 263
Guests — 80, 120-121, 139-141
Half-brother/sister — 9
Helicopter — 153
Hospital — 242
Hotel — 127
House with two apartments — 130
Husband in the city — see *Baaloh B'ir*
Impotence — 5, 249
Inner room — 50
Intermingling — 29
Internet — 279
Ishto Meshamroso — definition — 76
Ishto Meshamroso — with *Libo Gas Boh* — 83
Ishto Meshamroso — with a *parutz* — 84
Ishto Meshamroso — with *Asoko Im Hanoshim* — 85
Kallah — 3
Kallah — and future mother-in-law — 113
Key — 48
Libo Gas Boh — definition — 12
Libo Gas Boh — and *Ishto Meshamroso* — 83
Libo Gas Boh — with *Pesach Posuach* — 43
Locked room — whether it permits Yichud — 119
Maid — 193
Man — one man with two or more women — 18
Man — with two women if *Baaloh B'ir* — 114
Medical Personnel — see doctor
Men — one woman with two men — 14
Men — two women with two men — 26
Metro — 156
Mikvah — 164
Min-haTorah/midrabonon — Ch. 1 beginning
Mother — as *shomer* — 110, 111
Mother — man with mother and another woman — 24
Mother and daughter — 111
Mother-in-law — 4, 83, 113

- Mother-in-law** — living with — 76
- Mother-in-law** — Yichud with another woman and her — 25
- Mourner** — 145
- Negiah** — 39
- Neighbor having key** — 49
- Nephew** — 4
- Niece** — 4
- Night** — definition — 14
- Non-Jew** — prohibition of Yichud with — 6
- Non-Jew** — with girl under 12 — 7
- Non-Jew** — with boy under 13 — 7
- Non-Jew** — and *Baaloh B'ir* — 72
- Non-Jew** — and *Ishto Meshamroso* — 86
- Non-Jew** — does *Pesach Posuach* work — 44
- Non-Jew** — group of non-Jewish men with their wives — 16
- Non-Jewish** — daughter — 35
- Non-Jewish** — father — 36
- Nurse** — see doctor
- Nurse** — night — 260
- Office situations** — 170-190
- Open door** — see *Pesach Posuach*
- Orphan** — 31
- Out of town** — 14
- Parent** — non-Jewish — 35, 86
- Parutz** — definition — 11
- Parutz** — and *Ishto Meshamroso* — 84
- Parutz** — does *Pesach Posuach* work — 44
- Parutz** — when *Baaloh B'ir* — 70
- Parutz** — one woman with *prutzim* — 15
- Patients** — 249
- Permanent Yichud** — with *shomrim* — 109
- Pesach Posuach** — concept — 41
- Pesach Posuach** — with *Libo Gas Boh* — 43
- Pikuach Nefesh** — 245
- Plumber** — 200
- Porch** — 41
- Public Transportation** — 153-156
- Relatives** — as *shomrim* — 109
- Renting a room** — 138
- Reshus Horabim** — what constitutes — 41
- Scan** — 243
- School Bus** — 157
- School Trips** — 159
- Secretary** — 170, 177-179
- Separate rooms** — 118
- Shidduch** — 38, 264
- Sholom Bayis** — 3
- Shomer** — concept — 90

- Shomer** — coming and going — 91
- Shomer** — drunk — 91
- Shomer** — sick — 91
- Shomer** — by day/night — 92, 95
- Shomer** — for *Libo Gas Boh* — 93
- Shomer** — for *Asoko Im Hanoshim* — 93
- Shomer** — for *parutz* — 93
- Shomer** — for non-Jew — 93
- Shomer** — with a key — 116
- Shop** — 191
- Sick** — 249
- Sister** — as *shomer* — 109
- Sister** — Yichud with two sisters — 112
- Sister and Brother** — 9
- Sister-in-law** — 4, 113
- Sister-in-law** — Yichud with a woman and her — 25
- Son** — as *shomer* — 110, 111
- Son-in-law** — 4, 66
- Stairways** — 53
- Step-brother/sister** — 9
- Step-child** — 31, 69
- Step-daughter** — 113
- Step-daughter** — Yichud with a woman and her — 25
- Step-father** — 4, 32
- Step-mother** — 32
- Store** — 191
- Subway** — 157
- Surgery** — doctor's — 227-234
- Swimming** — 274
- Taxi** — 160-166
- Teaching** — 201-210
- Three men with three women** — 27
- Three women and one man** — 20
- Time limit of Yichud** — Ch. 1 beginning
- Two family houses** — 130
- Two men with one woman** — 14
- Two men with two women** — 26
- Two women with one man** — 18
- Tzedakah collectors** — 277
- Uncle** — 4
- Underground** — 156
- Visiting the sick** — 146
- Where is Yichud prohibited** — Ch. 1 beginning
- Wife guards him** — See *Ishto Meshamroso*
- Window** — 54
- Woman** — one woman with two men — 14
- Women** — one man with 2 or more women — 18
- Workers** — in the home — 200
- Workplace** — 167-169
- Yichud** — definition Ch. 1 beginning