The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ע"ד סעיף ב'-ד'

Halacha Highlight

Reciting a *beracha* while standing in the *mikvah*

Shulchan Aruch Siman 74 Seif 4

וש מי שאומר שהנשים יכולות לברך ולהתפלל כשהן לבושות חלוק וכו'

There is an opinion who maintains that women may recite *berachos* and *daven* while wearing a tunic etc.

Shulchan Aruch (סע' ד') references the opinion that women need not be concerned with the issue of their heart seeing their *ervah*. Although Bach disagrees with Shulchan Aruch about this *halacha*, nevertheless, other authorities agree with Shulchan Aruch's position (מ"ב ס"ק ט"ז). Mishnah Berurah goes on to explain that based on Shulchan Aruch's position here, Taz and Shach rule that it is acceptable for a woman to stand in a *mikvah* of clear water and recite the *beracha* on her immersion. It is preferable, however, for a woman to be stringent and she should follow one of two courses of action. One possibility is for a woman to stand with her heart outside of the water so that the water separates between her heart and her *ervah*. The other possibility is for a woman to use her arm to separate between her heart and her *ervah*. Although Shulchan Aruch (סע' ג') mentioned that one may not use his hand to cover his body, it is acceptable for one to use their arm as a separation between one part of the body and another.

The possibility of using one's arm to separate between the upper and lower part of the body raises a difficulty. Generally, a person who touches a part of the body that is normally covered must wash his hands before reciting a *beracha* or *davening*. How, then, could it be a recommended course of action for a woman to use her arm to separate the upper and lower part of her body in order to recite a *beracha*? Rav Shmuel HaLevi Wosner (שיעורי שבט הלוי סי' ר' בט"ז סק"ג), in fact, writes that a woman should be cautious to not touch her body with her hand so that she could recite the *beracha*. Rav Shlomo Zalman Auerbach (מובא דבריו בנשמת אברהם ח"א סי' ע"ד הע' 10) allows a woman in this circumstance to touch her body with her hand. The reason one must wash his hand after touching a part of the body that is normally covered is out of concern that one's hand touched some sweat on the body but when someone is standing in the *mikvah* there is no such concern and thus it is permitted.

Stories to Share

An Alternative

ש"ע סי' ע"ד, ג': "הגה והוא הדין אם מכסה ראשו בידיו לא הוי כיסוי..."

A certain man went every day to the mikveh. In the mikvah in his city city, there was a bit of a distance from where the men got undressed to the showers and the mikveh. As the Taz brought by the Mishnah Berurah mentions in Siman 2, one should not even remain stationary with an uncovered head. The Mechaber himself writes there that one should not walk four amos with his head uncovered. Yet every day in the mikveh that is exactly what this man did. Although some people who had yiras shamayim would cover their head with a kippah, this was difficult for him since there was nowhere to leave it near the showers. And to put it near the mikveh, go back to the showers and then to the mikveh again only solved the problem partially, since his head was still uncovered for a segment of the way. Plus he did not want his kippah to get wet or soiled. Putting it near the mikveh would often result in one or the other (or both) occurring. When he noticed someone covering his head with his hand as he walked he wondered if this was a good solution. When he asked this man about this, he explained that he had the same reservations about taking his yarmulka but figured covering his head with his hand is better than nothing.

When this question reached the Kaf Hachaim he ruled that covering ones head with his hand is effective. "The Rema in Siman 74, seif 3 writes that covering one's head with his hand does not help. Yet we find in Siman 2 that this is only regarding making berachos with his own hand covering his head. But regarding the halachah that one should cover his head at all times, even covering one's head with his hand helps. It is therefore proper for those in a mikveh or bathhouse to cover their heads with their hands."

כף החיים, סי' ע"ד, ס"ק י"א

Overview

Siman 74 Seif 2:

Someone who is bathing naked in clear water and wants to take a drink, he should take a garment and place it beneath his heart so that his heart will not see his *ervah* when he recites the *beracha*. Only a garment will be effective but just placing one's hand beneath his heart is not an effective cover. Similarly, covering one's head with one's hand is not considered covered. See below *siman* 91. **If the water was cloudy so that one's limbs are not visible in the water it is permitted to read while in the water as long as it does not smell.** If one's heart is out of the water it is permitted to read even if the water is clear.

- Even if the water is clear it is still considered a covering as far as the requirement for one to have his *ervah* covered, however, there is still the issue of one's heart seeing one's *ervah*. For that reason it is necessary to have a garment beneath one's heart. (M.B. 7)
- The use of one's hands is not effective to cover one's heart or to separate between one's heart and one's *ervah*. This restriction is limited to one's own hands but someone elses's hand would constitute an separation. (M.B. 9)
- Water constitutes a separation between one's heart and *ervah* but one must be mindful that his eyes should not see his *ervah*. (M.B. 13)

Siman 74 Seif 3:

If a person places his arm across his chest it is considered as though there is an interruption.

- If one's heart and *ervah* are in clear water one may use his arm to separate between his heart and *ervah* and this is effective since generally one does not use his arm to form such a separation. All some authorities disagree with this ruling all opinions agree that if one uses his arm to press a shirt on or beneath his heart it is effective. (M.B. 14)

Siman 74 Seif 4:

There is an opinion who maintains that women may recite *berachos* and *daven* while wearing a shirt even though there is no separation beneath her heart. If a woman is naked she must sit in a way that covers her *ervah* so that her heart does not see her *ervah* but a man may not read *shema* while sitting naked.

- Due to the anatomy of a woman there is no issue of her heart seeing her *ervah* but there could still be an issue of an exposed *ervah*. (M.B. 15)
- Bach maintains that women must also address the issue of her heart seeing her *ervah* but the other authorities agree with Shulchan Aruch. (M.B. 16)
- In Yoreh Deah (*siman* 200) Shach and Taz note that according to Shulchan Aruch a woman may recite the *beracha* on immersing while standing in water but it is preferred if her heart is above the water or she should put her arm between her heart and *ervah*. (M.B. 16)
- There is a disagreement whether the buttocks is considered an *ervah*. (M.B. 17)