



Overview

Siman 75 Seif 4:

It is prohibited to read *shema* in the presence of an *ervah*, even the *ervah* of a gentile or child. Some authorities permit reading *shema* in the presence of the *ervah* of a child as long as the child is incapable of *biah* and *halacha* follows this opinion.

- ❖ Regarding a child Bais Yosef writes that he is stringent only *l'chatchila* but *b'dieved* one is not required to reread *shema*. (M.B. 21)
- ❖ Magen Avrohom writes that a mohel should not hold the child's *ervah* when he recites the *beracha* on the *milah* but other *Poskim* disagree and Pri Megadim writes very strongly against the position of Magen Avrohom. (M.B. 24)

Siman 75 Seif 5:

It is prohibited to read *shema* if an *ervah* behind a lamp is visible through the walls since the *pasuk* says, ולא יראה בך ערות דבר and in this case it is visible.

- ❖ A lamp is made from glass but the same *halacha* applies if one could see an *ervah* through a garment. However, in these circumstances it is acceptable for a person to merely close his eyes. (M.B. 25)
- ❖ If one read *shema* when an *ervah* was visible he must reread *shema*. (M.B. 26)

Siman 75 Seif 6:

If an *ervah* was in front of someone and he turned his head away, closed his eyes, it was night or if he is blind it is permitted to read *shema* since the restriction relates to seeing the *ervah* and in these circumstances it cannot be seen.

- ❖ Authorities write that the options mentioned in Shulchan Aruch do not work for a person who himself is not wearing clothing. (M.B. 27)
- ❖ Later authorities disagree with all the options mentioned in Shulchan Aruch other than turning away one's face and even then it is effective only if one turns his body away so that the *ervah* is to his side. Therefore, if the person himself is not wearing clothing this option is ineffective. (M.B. 29)
- ❖ There is a disagreement whether closing one's eyes is effective if the *ervah* is in a different room but all authorities agree that if it is on the other side of a window that it is effective. (M.B. 29)
- ❖ One is permitted to contemplate Torah matters without clothing since it is only words of Torah that is prohibited. Nevertheless, one may not listen to a *beracha* to discharge his obligation if he is not properly covered since he may not answer to the *beracha*. (M.B. 29)

Stories to Share

A Pure Environment

ש"ע ס' ע"ו, א': ימשווים דבכסוי תלה רחמנא דכתיב וכסית את צאתך...

A certain man was giving a shiur on today's amud regarding learning Torah or speaking in learning in front of uncovered excrement when he suddenly realized they might have a problem of their own. The shiur was given in a garden right near a plastic pipe which he knew served to remove waste from the house. He wondered if it was permitted for them to speak—or even think—in learning near

Halacha Highlight

Davening or reciting a beracha in the presence of the ervah of a child

Shulchan Aruch Siman 75 Seif 4
וכן כנגד ערות קטן אסור

Similarly, it is prohibited to read *shema* in the presence of the *ervah* of a child

Shulchan Aruch (סעי' ד') writes that it is prohibited to read *shema* in the presence of the *ervah* of a child. Rema cites authorities who are lenient and allow one to read *shema* in the presence of the *ervah* of a child as long as the boy is younger than nine and the girl is younger than three (מ"ב ס"י"ק כ"ג). Rema writes that this lenient opinion is correct according to *halacha*. Furthermore, Mishnah Berurah (ס"י"ק כ"א) explains that even according to Bais Yosef it is only *l'chatchila* that one should not read *shema* in the presence of a child's *ervah* but *b'dieved* one is not required to reread *shema*.

Radvaz (שו"ת ס"י אלף תכ"ח, ח"ה ס"י נ"ה) explains that according to Shulchan Aruch the reason it is prohibited for one to read *shema* in the presence of the *ervah* of a child is because *shema* requires proper intent and one should not be distracted by anything while reading *shema*. Therefore, although the *ervah* of a child is not categorized as an *ervah*, nevertheless, it is distracting and thus should not be exposed while reading *shema*. When reciting other *berachos* that do not require the same degree of concentration and especially if the *beracha* is short there is no concern even according to the stringent opinion. Other authorities (עי' פסקי תשובות אות י"ד הע' 140) write that it is appropriate to be stringent *l'chatchila* and one should not *daven* or recite any *beracha* in the presence of a child's *ervah* even the *ervah* of a newborn since it is disrespectful to the *tefila* or the *beracha*. However, since technically there is no prohibition to *daven* or recite a *beracha* in the presence of the *ervah* of such a young child it is sufficient for one to merely close his eyes and it is unnecessary for one to turn his body away from the child altogether (פסקי תשובות שם).

what was essentially a sewage duct. The concluded the shiur immediately and the maggid shiur promised to ask one of the gedolei haposkim about this.

When this question reached Rav Yosef Shalom Elyashiv, zt"l, he ruled that such a pipe is not a problem. "There is no problem with pipes carrying waste, since we are not worried that they may have absorbed some of the sewage and render the area around them forbidden to Torah and the like. Even if the pipe is not covered one can learn Torah or make a berachah near it since plastic has the halachah of metal which is a valid covering."

אליבא דהלכתא, גליון 9

On another occasion, a certain person wished to make a blessing in the room where his wife had given birth. When he was about to do so, the very religious doula insisted that this is forbidden. "I don't know why, though. I was told that there is some kind of defilement and it is forbidden to make a blessing right away here like it would be in the bathroom."

When this question reached Rav Yosef Shalom Elyashiv he rejected this reasoning out of hand. "There is no reason to refrain from divrei kedushah in a room where a woman has or is giving birth provided she is covered and there is no actual excrement in the room. The yoledes should wash her hands or wipe them off before making a blessing."

הליכות בת ישראל, פי"ד, ס' מ"ד