**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Deracheha: Women and Mitzvot**

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Kol Isha II: Mutual Responsibility

What are men's and women's relative responsibilities with respect to kol isha? May a woman freely listen to men sing, or sing herself?

# Defining Kol Isha

To whose voice does *kol isha* apply?

*Kol isha* refers to a male hearing the voice of a female raised in song or used in a manner that fosters an intimate connection. Though there may be wider application when a man recites Shema or prayers or studies Torah, this prohibition generally applies to a man hearing the voice of a woman with whom relations would be considered *“gilui arayot”* (a severe sexual prohibition), such as a woman married to another man.

At first glance, Beit Shemuel seems to maintain that the voice of an unmarried female is **not** subject to the halacha of *kol isha*.

*Beit Shemuel* EH 21

The voice of an *erva* [a woman with whom relations would be *gilui arayot*] —but the voice of an unmarried woman or the voice of his wife is permissible.

However, the term "*penuya*," here may refer specifically to a single woman who is not a *nidda*. (This could be a young woman before menarche, or a woman who was widowed or divorced after menopause.) Today, girls typically become *nidda* with their first menses and remain in *nidda* until immersing in the mikveh just prior to marriage. Relations during *nidda* are considered *gilui arayot*.

Mishna Berura explains that *kol isha* does apply to the voice of an unmarried woman in *nidda*. This view has been widely accepted.

*Mishna Berura* 75:17

The singing of a married woman, and similarly all *arayot* (plural of *erva*), is always prohibited to hear, and similarly an unmarried woman who is *nidda*, since she is in the category of *arayot*, and our maidens are all presumed to be *niddot* from menarche.

Given that *nidda* usually doesn’t begin before age eleven, Rav Moshe Feinstein only applies *kol isha* to the singing of females aged eleven and up, though he praises stringency.

Responsa *Iggerot Moshe* OC 1:26

Regarding the matter of hearing the singing voice of a single woman who is pure (not *nidda*), one should permit it when the singers are young and not more than eleven years old. Over age eleven, even when it is known that they have not yet menstruated, even though according to the letter of the law I have demonstrated that one can be lenient, in any case one should be stringent because, since some girls of that age have already begun to menstruate, one should not distinguish between them. And where there is no need, one should not be lenient at all, since in these matters one who is stringent is considered sanctified.

Some other halachic authorities, including Ben Ish Chai, apply the prohibition at a younger age, though the reasoning is less clear.

*Ben Ish Chai* First Year, *Bo*

Nevertheless, a young girl less than six years old, one should not be concerned if she croons and sings to an infant.

Within the Family

There is halachic debate about *kol isha* within the immediate family. Some halachic authorities rule stringently, even for family members, at least from over age eleven.

Responsa *Avnei Yashfeh* II 5:8,9

…it is permissible [for a male] to hear the singing voice of his minor sister, who is younger than eleven years old. However, from age eleven it is unseemly to hear her singing voice….it is permissible to sing *zemirot* if his sister sings quietly.

Others do not apply *kol isha* within the immediate family, where laws of *erva* often receive more lenient treatment, certainly between (grand)parents and (grand)children, and to some extent between siblings. In many communities, siblings touch each other casually and similarly sing together, or to each other, freely.

Still others justify making a familial exception for a different reason, with potentially broader range. Rema ruled that a voice to which a man is accustomed is permissible for him to hear, and not subject to *kol isha*. Rav Yisrael Yaakov Fisher is lenient within the family along these lines:

*Even Yisrael* 9, Notes to *Mishna Berura* 75:3

It seems that the explanation of "a voice to which he is accustomed" is not specifically a speaking voice, but rather even a singing voice is permissible if he is accustomed to it…And according to this it is entirely permissible on Shabbat at the time of *zemirot* that the young women [of the family] participate in saying the *zemirot*, since they sing [together] from their youth and this is a voice to which he is accustomed, and also one may permit it from the perspective of girls’ education, so that they will have desire and love for the Shabbat meal…

Practice within the family varies widely and typically depends on some mix of familial custom and communal practice.

The question of *kol isha* also arises concerning a husband hearing his wife during *nidda*, when relations are forbidden as *arayot* but not all the laws of *erva* apply. In this case, Aruch Ha-shulchan rules stringently, because a husband may find his wife's singing arousing, and arousal should be avoided during *nidda*:

*Aruch Ha-shulchan* YD 195:23

…To hear her singing voice, it seems is also prohibited, since he arouses his evil inclination with this.

In contrast, Rav Ovadya Yosef rules leniently on a husband hearing his wife sing during *nidda*. His logic is twofold: One, a husband is permitted to look at his wife for pleasure during *nidda*, and singing is a less stringent halacha than looking. Two, he will not be overcome by desire because he knows that they will be fully permitted to each other shortly, when *nidda* is over:[[1]](#footnote-1)

*Responsa Yabi’a Omer* IV: YD 15

Therefore, the prohibition of hearing a voice is not as stringent as looking [at a woman for pleasure]. Since [a man's] looking at his wife in *nidda* is permissible according to everyone, even when he takes pleasure in his seeing….How much more so that it is permissible to hear her singing voice, and there is no prohibition in this, since in the future she will be permitted to him [to have relations].

Although the practice of many communities is stringent in accordance with the view of Aruch Ha-shulchan, many others follow Rav Ovadya's lenient view.

# Women Listening to Men

Another aspect of 'whose voice' concerns whether women have any parallel issue when listening to men. We have learned that our sages consider a woman's voice in song or when used to build a sense of intimacy as potentially arousing to men or liable to lead to sexual transgression, and therefore introduced the prohibition of *kol isha*. Does the reverse hold true?

Sefer Chassidim, a medieval pietistic work, suggests that a woman does have a parallel prohibition of listening to men:

*Sefer Chassidim* 614

…One must be careful about everything written in *Shir Ha-shirim*, not to listen to a woman’s voice, and this is also the case for a woman, that she should not listen to a man’s voice. For whatever a man is cautioned about, a woman is cautioned about.

However, while early rabbinic literature does consider the possibility of women being prohibited from **looking** at men with intent to take pleasure, there is no parallel discussion of whether a woman may enjoy a man's **voice**. As we have [seen](https://deracheha.org/kol-isha-1-halachic-basis), the Talmud specifically distinguishes between the pleasantness of a woman’s voice and that of a man's.

Influenced by these factors and by accepted custom, Rav Ovadya Yosef concludes that Sefer Chassidim's statement is not accepted as halacha:

*Responsa Yabia Omer* I: OC 6:5

Regarding the essence of the words of *Sefer Chassidim*, that a woman is also cautioned not to listen to a man’s voice…. The primary halacha is as I have written, to permit this. Furthermore, the stringency of *Sefer Chassidim* is the opposite of the common custom, that women in the women’s section [of the synagogue] listen to the song and the prayer, from *chazzanim* and singers with a pleasing voice, and there is no concern for what *Sefer Chassidim* wrote.

Still, Rav Baruch Gigi, Rosh Yeshiva of Yeshivat Har Etzion, has recently argued in the spirit of Sefer Chassidim that women should refrain from attending pop concerts with male performers if there is concern about the style or tone of the performance:[[2]](#footnote-2)

Rav Baruch Gigi, Response to Rav Bigman Regarding *Kol Be-isha Erva*

I have contended for many years, based on the words of *Sefer Chassidim*, that it is also appropriate for women to refrain from going to concerts of male singers, which are also tainted with these stumbling blocks.

As we've [discussed](https://deracheha.org/kol-isha-1-halachic-basis), the prohibition of men or women listening to a singer if the context or content of the singing is inappropriate does not depend on *kol ish* or *kol isha*, but on the [*halachot* pertaining to song](https://deracheha.org/kol-isha-1-halachic-basis). Men and women should weigh attendance at concerts based on context and content, not just gender.

# Intent

Before discussing a woman's relationship to *kol isha*, it is important to clarify the halachic significance of a man's intent, for which he bears full responsibility. Intent may affect whether a man violates *kol isha* in a couple of ways:

**I. Active Intent** Some halachic authorities draw a distinction between active intent and lack of it. Rambam, applying *kol isha* beyond *Keri'at Shema*, explains that whenever the Torah prohibits a couple from having relations and from approaching relations (engaging in sexually affectionate touch), rabbinic law prohibits the man from looking at the woman's beauty with intent to enjoy its sexual attractiveness,[[3]](#footnote-3) and even from listening to her voice.

Rambam *Issurei Bi'a* 21:1-2

Anyone who hugged or kissed in a desirous manner and enjoyed close physical contact receives lashes on a Torah level, as it is written…You shall not come close to revealing *erva*, meaning, you shall not come close to those activities that bring one to revealing *erva*….to gaze at her beauty is prohibited, and one who does this intentionally receives [rabbinic] lashes for rebelliousness, and one who looks even at a woman’s little finger and intends to derive pleasure, it is as if he looked at her intimate organs, and even to hear the voice of a [woman who is] *erva* or to see her hair is prohibited.

Tur and Shulchan Aruch paraphrase Rambam here, and write that a man receives punishment for listening to the voice of a woman who is *erva* to him only when he intends to derive pleasure from it.

*Shulchan Aruch* EH 21:1

It is prohibited to hear the voice of a [woman who is] *erva* or to see her hair. One who does one of these things intentionally receives lashes for rebelliousness.

Indeed, Rambam presents intent to take pleasure as central to the prohibition of a man's looking at a woman. Seridei Eish argues that Rambam likewise limits the man's prohibition in *kol isha* to when he listens with intent to take pleasure in what he hears:

*Seridei Eish* I:77

Certainly it is not prohibited except when he intends to take pleasure, in accordance with Rambam’s opinion…

Other halachic authorities reject leniency based solely on a man's lack of active intent. Yere'im, for example, addresses a locale in which non-Jewish women would sing with great frequency in public.

*Yere'im* 392

…it is prohibited to recite *Keri’at Shema* or sacred words while hearing a woman’s singing voice. And due to our sins, we dwell among the nations, and “it is a time to do for God, they have violated Your Torah” (*eit la’asot la-Shem heferu Toratecha*). Therefore, we are not careful to avoid learning [Torah] while hearing the voice of non-Jewish women.

Were lack of intent to take pleasure sufficient grounds to permit *kol isha*, Yere'im would not need to invoke the principle of "*eit la'asot la-Shem*," meaning that there is no choice but to abrogate an aspect of Halacha (in this case, *kol isha* during *Keri'at Shema*) in order to ensure its survival (in this case the ability to recite *Keri'at Shema*).

Similarly, Chayyei Adam implies that a woman’s singing voice is always problematic for a man reciting Shema or learning Torah. His intent becomes relevant only when a woman speaks, not when she sings:

*Chayyei Adam* I 4:6

A woman’s voice is *erva*, meaning, when she sings. But her speech is not called *erva*. Even so, it is prohibited to intentionally take pleasure from her speech…

Those who apply the prohibition only to cases in which the man actively intends to take pleasure in the voice dramatically reduce the scope of the prohibition as compared to those who reject intent as a decisive factor.

**II. Negative Intent**  Rabbeinu Yona argues that if a man has no intent to take pleasure in a woman's voice and also actively occupies his mind with other things, then the voice doesn't prevent him from reciting *Shema*, or at least not from completing it once he's begun.

Rabbeinu Yona *Berachot* 17a (Rif Pagination)

So he should not recite [*Shema*] while she sings, for a woman's voice is *erva*, but…while she speaks normally it is permissible. Even while she sings, if he can concentrate his mind on his prayer such that he does not hear her and doesn’t pay attention to her, it is permissible and he shouldn't stop his recitation.

In the nineteenth century, Ben Ish Chai makes a related claim, that a man's intent **not** to listen may suffice to prevent violation of *kol isha*. His reasoning takes its cue from a Talmudic passage about involuntarily deriving benefit:

*Pesachim* 26b

Sellers of garments sell [*sha’atnez*] in their usual manner, as long as he does not intend [to protect himself] from the sun when it is sunny, or from the rain when it is raining. The scrupulous bundle [the garments] behind them on a rod. And here, where it is possible to conduct oneself like the scrupulous, if he does not intend – it is permissible.

It is prohibited to wear *sha’atnez* (a mixture of linen and wool). However, a person selling garments made from *sha’atnez* is permitted to drape them over himself, so long as his intention is solely to display them for sale and not to benefit from them as clothing. This is permissible even if he could have displayed them on a rod, without potentially violating the prohibition. By analogy, Ben Ish Chai argues that a man hearing a woman sing with intent to listen is not in violation of *kol isha*.

Responsa *Torah Li-shmah* 394

If he intends to hear her voice, and cherishes this thing, because he is pleased to have the opportunity to enjoy this – then he is certainly violating a prohibition. But if he does have such intent, and is not pleased with this opportunity…but he hears involuntarily…there is no prohibition. Know that there is more to learn from there regarding the case in question, as long as he does not have intention for this, even though it is possible for him to go to a different place where he will not hear her voice, it is also permissible. For there in the gemara, he proved from the case of the garment seller, even though it is possible for him to conduct himself like the scrupulous, nevertheless, if he does not have intention, it is permissible, even though he benefits involuntarily…Nevertheless, a pious person should be stringent with himself where it is possible to separate himself, and especially where it is not a burden, i.e., where he has another room available in the same house from which he will not hear the voice…

We will see below that Ben Ish Chai allows for a woman to continue singing when a man in her presence recites Shema, and does not write that a man should stop her. This ruling likely reflects his view that a man hearing a woman’s voice involuntarily does not violate *kol isha*. Following his reasoning, someone who maintains that a man violates *kol isha* even without active intent to take pleasure could still recognize active intent **not** to listen as a means of avoiding transgression.

More recently, in 2017, controversy erupted over an Israeli army policy requiring religious male soldiers to attend military ceremonies that included vocal performances by female soldiers. Rav Elyakim Levanon expressed his opposition in the strongest terms.[[4]](#footnote-4) He later clarified his view to allow for these soldiers to use earplugs.[[5]](#footnote-5)

Rav Baruch Gigi, on the other hand, permits soldiers to attend ceremonies with female vocalists:[[6]](#footnote-6)

Rav Baruch Gigi, Response to Rav Bigman Regarding *Kol Be-isha Erva*

Regarding hearing a woman’s voice at official ceremonies, in a context where there is no frivolity whatsoever, one may straightforwardly be lenient, and one who is stringent, should be stringent for himself alone.

Summary

According to the view that *kol isha* depends on the man's intent, the man determines his own intentions, what he can handle and how.[[7]](#footnote-7) According to the view that *kol isha* does not depend on the man's active intent to take pleasure, a man‘s conscious intent **not** to take pleasure in hearing a woman sing may keep him from violating the prohibition. (Even according to those who reject intent as a factor, a man might be able to move to an adjacent space, or take another measure within a space so that he hears her less well.)

Intent-dependent situations are often less than ideal, and put a certain pressure on the man. Still, the views attributing significance to a man's intent mean that a woman's singing does not automatically entail a *kol isha* violation for a man.

# Singing

Does *kol isha* create halachic limitations on women who wish to sing?

The specific halachic implications of *kol isha* for a woman who would like to sing are unclear. As we have seen, all Jews should sing with [*tzeniut*](https://deracheha.org/tzeniut) and without deliberate intent to build intimacy or arousal outside of the marital relationship. We've also seen that the prohibition of *kol isha* applies specifically to men.

Given that a woman cannot personally violate *kol isha*, why should she think twice about singing when she does not intend to arouse or build intimacy with men?

Potentially for two reasons: *tzeniut* and mutual responsibility. When Halacha considers something to be a form of *erva*, it is assumed that a person would not reveal it, as a matter of *tzeniut*.Additionally, Jews bear responsibility to help each other observe *mitzvot*, as a matter of *ahavat Yisrael* and *areivut*,[[8]](#footnote-8) and the mitzva of *lifnei iveir lo titen michshol* (*Vayikra* 19:4, “do not put a stumbling block before the blind”) prohibits us from leading others to transgress Halacha.[[9]](#footnote-9)

Let’s look more closely at the halachic debate over how these considerations, both of which depend to some extent on community norms, can affect when a woman sings.

**I. Defining Kol Isha** When is a woman's voice considered a form of *erva*. The more one views *kol isha* as context-dependent, the more possible contexts exist in which a woman can sing with *tzeniut*.[[10]](#footnote-10) (We discuss contextual considerations in the next installment of this series.)

**II. Assessing Responsibility** How much responsibility is borne by whom? When and to what extent can men reasonably be expected to take active responsibility for their intentions or reactions in a way that is halachically meaningful, and how might that affect a woman's halachic accountability when she sings?

Halachic authorities approach these issues in a range of ways. Rav Yissachar Eilenberg, for example, considers a woman's voice to be *erva* in a wide range of situations, and minimizes men's ability to control their urges. This leads him to instruct all women not to sing audibly in the presence of men other than immediate family members.[[11]](#footnote-11)

Responsa *Be’er Sheva, Be’er Mayim Chayim* 3

It is fitting and proper for every upright, God-fearing woman … not to make her singing voice heard with Shabbat *zemirot*, or in any way at any time as long as a man to whom she is *erva* is sitting at the table with her. Only her lips should move, and her voice should not be heard one bit. For even if she is extremely pious and modest and her intentions are acceptable to Heaven, it is still a mitzva that brings about a serious transgression because perhaps the man who hears her voice will have improper thoughts…. And she must be careful that people not stumble because of her…

Rav Eilenberg acknowledges the complication of limiting a woman’s expression even when she has no intent to violate halacha or to arouse, but he does not see a way around it. This view has been embraced by many Jewish communities in which women are taught to refrain from singing audibly in the presence of men.

In contrast, Rav Shlomo Ganzfried focuses on a specific situation in which *kol isha* is of great concern, namely, when a man is reciting Shema. While he prefers that a woman refrain from singing, he leaves room for a man to find a way to handle the situation on his own.[[12]](#footnote-12)

*Kitzur Shulchan Aruch* 5:16

…In a pressing situation when he hears women singing, and it is not possible for him to object, he should not refrain because of this from *Keri’at Shema* and prayer and Torah, but should make an effort to focus with all his heart on the sacred with which he is occupied, and not pay attention to it.

Ben Ish Chai also singles out situations of particular *kol isha* concern. He takes matters one step further, though, and does not suggest that a man ask a woman to refrain from singing, even when he recites *Shema*, learns Torah, or prays within earshot. Rather, he places responsibility on the man to go to another room or adapt his learning if the voices are audible to him at those times.[[13]](#footnote-13)

*Ben Ish Chai* First year, *Bo* 13

A woman’s singing voice, whether of a single or married woman and even his wife’s singing voice, is *erva* and it is prohibited to read words of Torah or to pray or recite *berachot* when he hears it. It makes no difference for this whether she is unattractive or elderly. Here in our city, it is the way of the women to croon to a crying baby with the sound of a tune in his ears, in order to quiet him and get him to sleep, and one needs to be careful not to learn [Torah] while the woman is crooning and singing to the baby, even if she is his wife….Furthermore, it is also their way here in this city (may God protect it) to bring women to sing for a bride on the night before the wedding, so it is prohibited for a man to learn words of Torah if he hears their voice, and if it is impossible for him to go to another place, he should learn silently, looking at the book but not saying anything aloud…

Note that women and girls in his community (Baghdad of the late nineteenth and early twentieth centuries) would customarily sing in a variety of contexts, whether putting babies to sleep or gathering around a bride on the eve of her wedding, and that Ben Ish Chai expresses no reservations about these practices. Other historical records also attest to a range of women's singing in a range of communities.[[14]](#footnote-14)

In Practice

Given the range of approaches to answering these questions, practice often depends on communal norms for addressing them. As a rule, people should be respectful of a community's or a host's practices. Halacha recognizes local custom, *minhag ha-makom*, and urges compliance with a host's wishes whenever possible and permissible.

It is also incumbent on everyone in any setting to be mindful of the *halachot* of not embarrassing others.

What about a situation in which a household's practice, or song in another setting, will diverge from the practice typical of the community? In the case of hosts serving a dish at their table that they know does not meet their guest's kashrut standards, Mordechai writes that the hosts need to inform their guests of that fact. His suggestion could also be adopted here.

Mordechai *Yevamot* 1

Where two *Chachamim* who live in one city, or in two places, and these prohibit and these permit – those who permit need to inform those who prohibit: this item, you prohibit and we permit.

# This course of action is similar to a distributor of recordings or videos clearly indicating that a woman sings on the recording or video, without making a halachic determination for others as to whether this constitutes *kol isha*. (We look at the halachic status of recordings in our next installment.)

# Not Singing

Beyond the question of the impact on men of a woman's singing, some halachic authorities have written about the potential impact on women of **not** singing. In his responsum permitting singing *zemirot* together, Rav Yechiel Ya'akov Weinberg raises this consideration:

Responsa *Seridei Eish* I:77

…in this case, where there is not a complete prohibition, only a pious custom and a measure of modesty, it is possible to learn from our neighbors and to permit in France, where the situation of Judaism has already reached a crisis… Therefore, I have ruled for the leaders of the “Jeshurun” organization that they may rely on the great [rabbinic leaders] of Germany, who were expert in the science of education and knew the spirit of the girls of the generation, who were educated in school and studied languages and sciences, who have a sense of self-esteem and perceive insult and exclusion from the community in the prohibition imposed on them from participating in holy *zemirot*. Therefore, they permitted women to participate in Shabbat *zemirot*. And we see and know that the great [rabbinic leaders] of Germany succeeded in the education of the girls and young women more than the great [rabbinic leaders] of other countries. And in Germany we have seen learned women with a high level of education, who were deeply committed to the religion of Israel and fulfilled the *mitzvot* with enthusiasm. Therefore, I am not eager to forbid what they permitted there, and in such cases it is said “a time to do for God, they have violated Your Torah"…. For in countries like Germany and France, the women feel insulted and wounded in their rights if we prohibit them from participating in the delight of Shabbat through holy *zemirot*. This is understood to anyone who knows the nature of women in these countries. And the prohibition can cause the women to go far from religion, Heaven forfend. And I have explicitly made the condition in my above letter that one may not force the women to participate in holy *zemirot*, and if they wish to be stringent upon themselves, Heaven forfend that one should tease them and mock them, for ultimately they are maintaining the custom of our holy forefathers, who were careful not to permit women even [to sing] holy *zemirot*.

In short, there are cases in which the spiritual needs of the women in a given community may lead that community to rely on more leniencies with *kol isha*.

Rav Mosheh Lichtenstein argues that a similar calculus should apply today:[[15]](#footnote-15)

Rav Mosheh Lichtenstein, “*Kol Isha*: A Woman's Voice,” *Tradition* 46:1 (Spring 2013): 19.

In a generation worthy of women who wish to actively participate in giving praise and thanks to God at the Shabbat table, the Passover Seder and in many other settings, and in an era when women personally express themselves in all general areas of life, it is highly obligatory to enable them to express themselves in religious contexts as well. Inasmuch as it is possible to encourage the inclusion of women in the service of God in the context of legitimate halakhic *pesak*, it is both our privilege and duty to do so.

Rav Lichtenstein's assessment of the National Religious or Modern Orthodox community might not hold true in other communities, in which women's singing may be more limited to start with.

His emphasis on "legitimate *pesak*" reinforces the significance of awareness of **halachic** factors that can mitigate considerations of *kol isha*. In some situations, a woman might not sing. In others, a woman might find a way to sing that minimizes the halachic difficulties it could present for the men around her.

What are the broader effects of kol isha on women and on our society?

For some women, singing is not a very important or significant part of life, and the topic of kol isha does not have a great personal implications. For other women, singing may be a central element of identity. This can be especially true if a woman is a particularly talented singer or if she finds singing to be a very meaningful and fulfilling form of expression or avodat Hashem. For such women, the halachot of kol isha can pose serious practical and theological questions.

On a practical level, given that the prohibition of kol isha technically falls on men, limiting what they can listen to, a woman is often left wondering when she can sing and how free she can feel singing when men are present.

On a theological level, a woman may wonder why God blessed her with an ability to sing if she is not welcome to fully develop or actualize her potential in this area. This argument is reminiscent of a Talmudic statement of Chana, but with a modern twist:

*Berachot* 31b

She said before him: Master of the world: Of all that you created in a woman you did not create one thing for naught. Eyes to see, and ears to hear, a nose to smell, a mouth to speak, hands to do work with, legs to walk with, breasts to nurse with. Why did you give me these breasts on my chest if not to nurse?

Chana believes that her God-given physical faculties were meant to be used. Modern iterations of this question add the assumption that artistic talents occupy a similar place as gifts from God, and that some form of performance would be an essential use.

In an interview, Israeli singer Nina Tokayer articulates these questions:[[16]](#footnote-16)

Nina Tokayer, interviewed by Shira Lankin Schepps in "Nina's Story: Making Music Together," The Layers Project

…the question that had been nagging at me my whole life…was, ‘What am I supposed to do with this gift that I was given, this voice that has power to impact people- and something that is really a deep part of my existence- how can I reach people and still do that within the framework of halacha?’

Even without special talent or a yen to perform, a woman who is committed to Halacha may sometimes struggle to find the right balance between respecting Halacha and the men around her and finding her place as a member of a community committed to a spirited Hallel, Shabbat zemirot, or songs around a bonfire as forms of serving God.

Other issues arise on a communal level. A culture imbued with the halachot of kol isha might send the mistaken message that women do not and should not have a voice in the Jewish community or should be silenced in order to prevent men from having inappropriate sexual thoughts or reactions. These concerns gain legitimacy when some communities prevent women's speaking voices from being heard in public or on the radio.

In the following blogpost, a young woman writes openly about how her brother's observance of kol isha affects her.[[17]](#footnote-17)

Anonymous Blogger, "Hilchos Siblings Kol Isha," The Jewish Side Blog

Now I never felt restricted at all from not being able to sing or dance in public, since I don’t feel I’m good at either one. But there are times at home when you just feel like singing. Then comes the brother’s voice “shhhh!”. I would get this annoyed feeling, and I would feel frustrated. There are some emotions that get expressed through singing, and sometimes you just have a song in your head and feel like singing. My brother would assure me that it’s not meant as an insult, that if anything it shows that my singing may be nice. [Follow-up Comment by the blogger:] Actually this Shabbos, for the first time I stuck up for my little sister when she wanted to sing, and I told my little brother that he can't tell her not to sing, but rather he should just go away if he doesn't want to hear.

Regardless of one's halachic positions on whether the brother is allowed to hear his sister or to quiet her, it is complex for both brother and sister to grow up with the understanding that his presence determines when she can sing.

It is important for discussions of kol isha to be sensitive to the individual desires of women to participate in and be inspired by experiences of communal singing, and to seek halachic ways for this to take place in line with a given community's norms.

It is no less important for these conversations to happen in our communities in a way that does not overly sexualize women and the female voice or legitimize a general silencing of women.

May a religious woman pursue a career as a singer?

The halachot of kol isha are primarily addressed toward a man and what he is permitted to hear. Since Halacha does not clearly prohibit a woman from singing, a religious woman with a talent for singing might wonder whether it is permitted for her to sing publicly in front of men.

Rav Aharon Lichtenstein, was known in some cases to rule leniently on kol isha with regard to a man listening to women's voices of the sort to which he is accustomed. But Rav Lichtenstein would add that that logic would not apply to a voice of a woman singing in front of people who paid money to hear her sing. That raises questions for a woman who is considering putting herself in this situation. Rav Mosheh Lichtenstein has expressed similar reservations.

Rav David Bigman, Rosh Yeshiva of the Yeshivat Hesder in Ma'aleh Gilboa, believes that men can listen to women sing when it is "hakshava temima le-shira temima"-"innocent listening (with no intent to derive sexual pleasure) to innocent singing (when there is no intent to be sexually arousing)." Rav Bigman writes that he therefore sees no problem with a woman pursuing a career in singing, as long as her singing fits with a Torah culture and the content of the song, the style of singing and the dress and body language of the singer do not have a vulgar feel to them.

Rav David Bigman, “Regarding Which Matter Is *Kol be-isha Erva* Said”

According to this approach, there is no problem for the modest and pious among our daughters to develop careers as singers even within general culture, but without waiving the delicate fundamentals of Torah culture…

Based on Rav Bigman's approach, there are religious women who sing professionally in front of men. Israeli singer Nina Tokayer is one example:

Nina Tokayer, interviewed by Yehuda Schlesinger, "Pair of Doves," *Yisrael Ha-yom* 7.22.16

In the beginning I really didn’t sing before men, but in the past year I became aware of a different halachic opinion…We have good friends who do not come to hear us, because this matter is debated, and they are more particular. This is totally fine from our perspective…To my view, I make more of a *kiddush Hashem* than a *chillul Hashem*. Whoever does not listen to women's singing won't hear me sing. But whoever does listen, then it is better that he hear Jewish music…

Rav Baruch Gigi, Rosh Yeshiva of Yeshivat Har Etzion, agrees that there is room in some cases to allow for men to hear women's singing. However, he writes that sensitivity to the broader Orthodox community and concern for a breaking down of the boundaries of tzeniut lead him to conclude that it would be inappropriate for a religious woman to pursue a career as a singer who performs to mixed audiences[[18]](#footnote-18).

Rav Baruch Gigi, “Response to Rav Bigman Regarding *Kol Be-isha Erva*”

It seems to me in practice, that if we are desirous of life and seek to know the illuminating path of Torah for this time, and out of broad consideration of reality and the sensitivities of the community in all its components, and of the concern of a full breach of the boundaries of *tzeniut*, certainly it is not fitting and proper for a daughter of Israel imbued with love of God and Torah to develop a career of singing and public performance for a mixed-gender audience. At the most, one should direct her to develop of a career performing for female audiences.

For these reasons and others, there are many women who have chosen to restrict singing to all-women frameworks, and who find that these laws resonate with them. Toby Klein Greenwald, a pioneer in the field of women's-only theater, explains that performing for all-women audiences is more than just a default technicality:

Toby Klein Greenwald, "The Female Voice in Orthodox Biblical and Educational Performing Arts," in *Orthodox Forum*: *Developing a Jewish Perspective on Culture,* ed., Yehuda Sarna (New York: Ktav, 2014), 347-348

…[T]his powerful phenomenon far surpasses the technical issue of women and girls finding venues and communities in which to express themselves artistically while performing halakhically….while female troupes may have begun by default, so that they could sing and dance freely, the core appeal in women's performing groups is the vibrant environment—supportive, kind, courageous, hopeful, less competitive, believing, and with freedom of expression…Most women who perform in all-female troupes are not in need of male acknowledgment of their talents in song, dance, or acting in order to value themselves…Our audiences are our sisters, and they are coming in droves. We are grateful beyond words for the opportunity to communicate to them our art and our messages.

In our final installment, we turn our attention to what contextual grounds for leniency might be relevant to assessing situations in light of *kol isha*, with special attention to religious song.

# Further Reading

Gigi, Rav Baruch, “[Response to Rav Bigman Regarding *Kol Be-isha Erva.*”](http://www.maalegilboa.org/article/%D7%AA%D7%92%D7%95%D7%91%D7%94-%D7%9C%D7%A8%D7%91-%D7%91%D7%99%D7%92)

Greenwald, Toby Klein, "The Female Voice in Orthodox Biblical and Educational Performing Arts." In *Orthodox Forum*: *Developing a Jewish Perspective on Culture,* edited by Yehuda Sarna. New York: Yeshiva University Press, 2014, pp. 327-366.

Haber, Rav Shemuel. Et Tzenu’im Chochma, Vol. 2. Karnei Shomron, 2007.

Lichtenstein, Rav Mosheh, “[*Kol Isha*: A Woman's Voice](https://traditiononline.org/kol-isha-a-womens-voice/).” *Tradition* 46:1 (Spring 2013): 9-24.

1. This principle is used in a few cases related to the ability to control desires:

Yoma 18b

For one who has bread in his basket is not like one who does not have bread in his basket. [↑](#footnote-ref-1)
2. <http://www.maalegilboa.org/article/%D7%AA%D7%92%D7%95%D7%91%D7%94-%D7%9C%D7%A8%D7%91-%D7%91%D7%99%D7%92> [↑](#footnote-ref-2)
3. Maggid Mishneh, Issurei Bi’a 21:2

These things entail lashes for rebelliousness, as is known with all prohibitions that are rabbinic. [↑](#footnote-ref-3)
4. Available [here](https://www.kikar.co.il/%D7%9C%D7%9E%D7%A1%D7%95%D7%A8-%D7%94%D7%A0%D7%A4%D7%A9-%D7%A2%D7%9C-%D7%A9%D7%99%D7%A8%D7%AA-%D7%A0%D7%A9%D7%99%D7%9D-%D7%92%D7%9D-%D7%90%D7%9D.html). [↑](#footnote-ref-4)
5. Available [here](https://www.srugim.co.il/25696-%D7%94%D7%A8%D7%91-%D7%9C%D7%91%D7%A0%D7%95%D7%9F-%D7%9C%D7%AA%D7%9C%D7%9E%D7%99%D7%93%D7%99%D7%95-%D7%90%D7%A4%D7%A9%D7%A8-%D7%9C%D7%94%D7%A9%D7%90%D7%A8-%D7%91%D7%90%D7%95%D7%9C%D7%9D-%D7%A2%D7%9D). [↑](#footnote-ref-5)
6. Rav Eliezer Melamed takes an intermediate position. He acknowledges that there can be grounds for leniency in pressing circumstances, based on lack of intent, but only on an individual basis. Available [here](https://revivim.yhb.org.il/2012/01/12/%D7%A4%D7%A7%D7%95%D7%93%D7%94-%D7%A0%D7%92%D7%93-%D7%94%D7%94%D7%9C%D7%9B%D7%94/).

Rav Eliezer Melamed, Counter-Halachic Orders, *Revivim* Tevet 5772

Based on the lenient opinions in this area, some Rabbis had the practice that, when required by their official position to participate in memorial ceremonies that incorporated songs performed by female singers, not to leave so as not to offend the members of the bereaved families, but intended not to derive pleasure from the singing. But where there was no concern of offense, they left. However, it is clear that it is impossible, based on an individual leniency intended for certain people to avoid giving offense, to nullify the halacha established by the sages and permit all soldiers to attend military assemblies where women sing, with the idea that they are always there involuntarily and unwillingly and they intend not to listen or derive pleasure from the singing. [↑](#footnote-ref-6)
7. Compare Rema on grounds for male leniency to have certain personal labors performed by females:

Rema EH 21:5

There are those who say that whatever he does not do in an affectionate fashion, but only with intention for the sake of Heaven, is permissible. [↑](#footnote-ref-7)
8. We discuss areivut here: https://deracheha.org/discharging-anothers-obligations [↑](#footnote-ref-8)
9. Sefer Ha-chinuch, Mitzva 232

Not to cause an innocent person to stumble on the way…This negative commandment also includes assisting a transgressor… [↑](#footnote-ref-9)
10. *Lifnei iveir* may not technically apply in cases where the violation is uncertain or a matter of stringency. Peri Chadash discusses this in the case of a guest who follows more stringent *kashrut* standards than his host:

*Peri Chadash* YD 496

It seems to me that even with a prohibition that is not recognizable, since it would be improper for someone who permits to serve it to someone who prohibits, so as not to cause him to transgress according to his position – in any case, the one who permits does not violate *lifnei iveir* since the thing is permissible in his opinion. [↑](#footnote-ref-10)
11. Available here: <https://hebrewbooks.org/pdfpager.aspx?req=36247&hilite=60645010-0a65-4dd3-bf80-4a881a4dc840&st=%d7%a9%d7%a4%d7%aa%d7%99%d7%94&pgnum=56> [↑](#footnote-ref-11)
12. In his general discussion of types of permissible song, Bach also touches on women singing. There he raises reservations about women singing while they work, and calls for protest when women would heed it. His stated reasoning, though, is that such singing lacks constructive purpose and thus violates norms of his day for mourning the *churban*.

Bach OC 560:7

The tunes that the weavers sing, and similarly other craftsmen at their craft, are prohibited, for they are only to gladden their hearts and are prohibited… and similarly the women who sing with their mouths as they work, one should protest, and if they do not listen, it is better that they [violate halacha] in error and not on purpose…

Presumably, if women could make the case that singing at work truly helped productivity, it would be acceptable even to Bach. He does not suggest that women singing at work are in violation of *tzeniut*. This is the case even though men (including Bach himself) were aware of the singing and might give ear in a way that would violate *kol isha*. [↑](#footnote-ref-12)
13. Elsewhere, Ben Ish Chai implies that it would be preferable if a woman in *nidda* could refrain from singing lullabies in her husband's presence*,* if he has nowhere else to go. That is still not the same as suggesting to her that she not sing.

Ben Ish Chai, Second Year, Tzav

Here in our city, the custom of the women is to sing to the child in a pleasant voice so that he will sleep, and so he will not cry, and one must be careful with this if his wife is *nidda*, but if the child cries a lot and needs this song that he is used to, and there is nowhere for the husband to go, it seems that one may be lenient. [↑](#footnote-ref-13)
14. Prof. Marc Shapiro offers some examples here:  <https://seforimblog.com/2012/02/answers-to-quiz-questions-and-other-2/> [↑](#footnote-ref-14)
15. Available here: <https://traditiononline.org/kol-isha-a-womens-voice/> [↑](#footnote-ref-15)
16. Available here: <https://thelayersprojectmagazine.com/ninas-story-making-music-together/> [↑](#footnote-ref-16)
17. Available here: <https://thejewishside.blogspot.com/2008/12/hilchos-siblings-kol-isha.html> [↑](#footnote-ref-17)
18. <http://www.maalegilboa.org/article/%D7%AA%D7%92%D7%95%D7%91%D7%94-%D7%9C%D7%A8%D7%91-%D7%91%D7%99%D7%92> [↑](#footnote-ref-18)