ולכן אם נפלה ממנו הכיפה ברחוב, והולך להביאה ממרחק של יותר מד' אמות, יכסה ראשו בשרוולו.

[ראה ילקו"י עמ' רמא]

ל. אם אדם אחר מניח ידו על ראשו, נחשב כיסוי אף כדי שיוכל לברך ולהזכיר שם ה'. [שו"ע סי' צא ס"ד]

considered a proper head covering for those purposes as well. Therefore, if someone's yarmulke blows off his head and rolls down the street, he should cover his head in this manner while chasing it so that he does not walk four cubits while bareheaded.[97]

Someone else's hand

30) If another person places his hand on someone's head, it is considered covered and he may even recite blessings and pronounce God's Name.

97. The *Terumat Hadeshen* (#10) ruled that it is forbidden to pray while covering one's bare head with one's hand since both are limbs of the same body. Maran in the *Bet Yosef* deduced from this that it is permissible for a person to pray if someone else places his hand on that person's head, and he ruled accordingly in the *Shulḥan Arukh* (91:4). This is the ruling of the *Ḥaye Adam*, the *Ḥesed La'alafim* and the *Ben Ish Ḥai*, all cited by the *Kaf Haḥayim* Sofer (91:20).Although Harav Shelomo Luria (responsa #72) ruled that a person may pray while covering his head with his own hand, the *Magen Avraham* (91:4) rejected that opinion.

Regarding the status of being bareheaded

The *Eliya Rabba* (91:5) ruled that although it is insufficient to use one's hand to cover one's head while praying, it is sufficient to permit one to walk the distance of four cubits or more. This is cited by the *Mishna Berura* (2:11) and the *Kaf Haḥayim* Sofer (2:17; 91:20). The *Peri Megadim* (*Mishbetzot Zahav* 2:5), however, ruled that a person may not walk four cubits even if he covers his head with his hand. The *Mishna Berura* concludes his discussion concurring with this opinion. Accordingly, covering one's head with one's hand helps only if one sits in one place or when walking about inside a building.

It does not appear that Maran agrees with the distinction made by the *Eliya Rabba*. Therefore, one's own hand is not considered a head covering for any purpose. The *Eliya Rabba* based his ruling on the *Ture Zahav* (8:3). The *Ture Zahav* ruled that going bareheaded constitutes a transgression of "going in the ways of non-Jews." By covering one's head with one hand, one demonstrates that one is not emulating non-Jewish practices. Nevertheless, it does not permit one to pray in that manner.

If so, this distinction made by the *Eliya Rabba* is based on sound logic.

According to Maran, however, there is no basis for this distinction, unless we say that covering one's head with one's hand demonstrates that one is aware of the Shekhina's presence and is fearful of God. Since the entire rule of keeping one's head covered is a practice of the devout and not an absolute obligation, it is possible to say that it is sufficient stringency to be careful not to go completely bareheaded. If one's hand is on one's head, it is not necessary to refrain from walking about. On the other hand, since there are *Poskim* who ruled that it is forbidden to walk about bareheaded, we should not rely on this leniency. The *Aderet Yaakov* (commentary on the *Ben Ish Ḥai*, page 7) deduced from the *Ben Ish Ḥai* (*parashat Vayishlaḥ* halakha 16) that it does not help at all to cover one's head with one's hand. He admitted, however, that this is not necessarily the *Ben Ish Ḥai's* opinion. Since Maran the Rishon Letziyon ruled that the entire halakha of covering one's head is a matter for the devout, we have a sound basis to be lenient in this matter.

The *Kaf Haḥayim* Sofer did not bother to cite the stringent ruling of the *Peri Megadim*, and neither did the *Halakha Berura* (page 33). Apparently, this is because the *Peri Megadim* followed the *Ture Zahav*, as mentioned above. Since we do not follow the *Turei Zahav* but rather we follow the explanation that covering the head is necessary to demonstrate one's fear of Heaven, we can say that this is accomplished by covering one's head with one's hand.

The *Yalkut Yosef* (Vol. I, page 241), however, cited the opinion of the *Peri Megadim* as the halakha in practice. Therefore, he ruled that if someone's yarmulke blows away he should cover his head with his shirtsleeve, and not one's bare hand, while he chases it. Since it is possible that Maran agrees with this, it is best to follow this stringency.

לא. מותר לשהות בגילוי הראש בבית המרחץ. [ברכ"י סי' ב אות ח]. וכן בבית מרחץ ציבורי מותר לשהות בגילוי הראש בבית הפנימי, אבל בבית החיצון יכסה את ראשו. [בא"ח פ' וישלח הט"ז, יבי"א ח"ו סי' טו אות ז]

לב. וכן מותר מעיקר הדין לילך בחוף הים ובבריכה, בגילוי ראש, לא רק כשהוא בתוך המים, אלא גם כשיוצא לחוף או לשפת הבריכה, עד שיגיע למקומו ויניח הכיפה על ראשו.

In a bathhouse

31) It is permissible to go bareheaded while in the inner chamber of a bathhouse. In the outer chamber, however, one should cover one's head.[98]

At a beach or pool

32) It is likewise permissible to walk about bareheaded at a beach or poolside, and not only when one is actually swimming in the water. Even after climbing out of the pool, one may remain bareheaded until one reaches the place where he placed his clothes. Then he should put on his yarmulke. When someone goes to a beach without intending to swim but just to relax or to have a picnic, however, he should keep his head covered at all times.[99] When reciting *Birkat Hamazon*, he must be fully dressed

98. The responsa *Zekhor le'Avraham* Avigdor (#3) testified that some people keep their heads covered even when they walk about in the bathhouse. He argued that this is a pointless stringency, explaining that since a bathhouse is considered an unclean place where it is forbidden to discuss Torah subjects, there is no purpose in keeping one's head covered. The basis for covering one's head is, as Rambam taught in *More Nevukhim* (3:52) is to demonstrate that the Shekhina is overhead, and this is not applicable in such a place.

The *Bekhor Shor* (comment to *Shabbat* 118b) wrote likewise that there is no basis for stringency in a bathhouse, but he noted that some people are stringent about it. Harav HIDA (*Birke Yosef* 2:5) likewise commented that this stringency is totally unwarranted.

The *Ben Ish Hai* (*parashat Vayishlah* halakha 16) ruled that this all applies to the inner chamber of the bathhouse, but in the outer chamber one should keep one's head covered. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VI, #15:7) commented that the *Ben Ish Hai* concurs with the *Zekhor le'Avraham*, since his argument applies to the inner chamber only, but in the outer chamber he would agree that there is still a basis to keep one's head covered until one undresses.

Basis for stringency

The *Kaf Hahayim* Sofer (2:17) recommended holding one's hand on one's head while walking about even in the inner chamber, since it involves no hardship and no loss is incurred by doing so. He testified that some people observe this practice. Although Harav HIDA argued that there is no point in covering one's head in the inner chamber, the *Petah Hadevir* (2:8) contended that there is some merit in doing so. Anyone who follows this recommendation will receive a special blessing from Heaven.

The responsa *Vayomer Meir* (#14) discussed the halakha of someone who is forced to sit bareheaded while in a non-Jewish courthouse and he wishes to review Torah topics in his head while he is seated there. He based his discussion on the Talmudic debate whether thinking has the same status as speaking. Most *Poskim* ruled that it is not the same, while Rambam and the *sefer Mitzvot Gadol* stand alone in ruling that it is equal to speaking, as explained in the *Mishna Berura* (*Bi'ur Halakha* 62). Based on this, he ruled that it is best not to think about any Torah topics, arguing that if he does he might be guilty of a *mitzvah haba'a ba'avera*, committing a sin while he thinks he is performing a mitzvah. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol.VI, #15:7) disagreed strongly with this ruling. He demonstrated that the halakha even allows someone completely naked to think about Torah topics although he may not speak any words of Torah, as the *Aharonim* all ruled. If so, why should it be forbidden for someone fully clothed but bareheaded to think about Torah topics, especially when he is forced to be bareheaded against his will? See more about this in the footnote to halakha 33.

99. The *Yalkut Yosef* (Vol. I, page 237) ruled that a beach has a status equal to a bathhouse regarding these halakhot and that therefore it is permissible to go about bareheaded. This is so not only while actually swimming but also while walking about or relaxing at the seaside. It is not necessary to cover one's head since everyone is walking back and forth bareheaded, just like in a bathhouse. Even the *Ture Zahav*, who ruled that going bareheaded is forbidden since it emulates the "ways of the non-Jews," would

אך כאשר סתם נופש בחוף הים, בישיבה, בהליכה, באכילה וכיוצא בזה, ראוי לחבוש כיפה, ולא לשהות כך בלא כיסוי ראש. ואין צריך לומר שבשעה שמברך ברכת המזון שמדינא אין לברך כשהוא לבוש בבגד ים, אלא צריך להתלבש ולברך באימה ובכוונה. ראה ילקוט יוסף ברכת מהדו' אנגלית (הלכות ברכות עמוד ק"פ).

לג. מותר לענות "אמן" כשהוא בגילוי הראש, וכל שכן שמותר להרהר בדברי תורה בגילוי הראש, כגון בשעה שמסתפר וכיו"ב. [יבי"א ח"ט סי' א אות ז]. וכן מותר לענות "שלום" כשהוא בגילוי הראש, כגון

and sit upright respectfully and concentrate on the prayer. It is forbidden to recite it while wearing only a bathing suit. See the *Yalkut Yosef Berakhot English Edition II*, page 180.

Amen while bareheaded

33) It is permissible to respond Amen [to *kaddish* or to someone's blessing] while bareheaded, such as might happen while having one's hair cut.[100] It is likewise permissible to think about Torah topics while bareheaded, or to say

agree that this does not apply on a beach since it is normal for anyone to go bareheaded while there. It does not display a lack of the fear of Heaven, either.

The *Yalkut Yosef* then cited Harav Hayim Kanyevski ruling that one must not go about bareheaded at a beach unless one is actually in the water. Indeed, many Torah scholars followed this practice. Nevertheless, there is a halakhic basis for leniency to allow people to remain bareheaded at the beach, as explained in the previous paragraph.

Logic dictates that this leniency applies to someone who goes swimming and has not yet come back to where he placed his clothes. Once he returns to that place, however, he should put on his yarmulke before continuing to wander about. He should certainly put it on if he intends to spend a long time at the beach while no longer swimming. The beach, for him, has the status of the outer chamber of the bathhouse, and the *Ben Ish Hai* ruled that one must cover one's head in that place, as explained above.

100. Maran the Rishon Letziyon (responsa *Yabia Omer* (Vol. IX, #6) cited the responsa *Kenesset Yisrael* Sasson (#17, page 11c) who asserted that although Maran ruled in the *Shulhan Arukh* (*Siman* 91) that it is forbidden to pronounce God's Name while bareheaded, if someone heard a congregation responding *Amen, yehe shemeh rabba*, etc., while bareheaded he may respond along with them. Therefore, if someone removes his yarmulke to put on his *tefillin shel rosh* and the congregation begins this response just as he finishes tightening it on his head before he puts his yarmulke back on, he may respond with them since none of God's Names are included in this response. In a similar vein, the *Eshel Avraham* of Butchatch stated (*Siman* 84) that it is permissible to respond Amen before performing *netillat yadayim* upon waking up in the morning, or to respond Amen while in view of nudity.

Maran the Rishon Letziyon challenged this, pointing out that the *Tzeror Hamor* (*parashat Naso*) ruled that if a woman responds Amen while bareheaded she has sinned since the numerical value of the word Amen is 91, which equals the two Names of *Havaya* and *Adonay*. This is the meaning of our Sages' statement that one who responds Amen to a blessing is greater than the person who recited it. This is because when someone recites a blessing he pronounces only one of these Names, whereas the person responding Amen refers to both. Therefore, it would appear that one must be careful to cover one's head in order to respond Amen and to refrain from responding while bareheaded.

This is not correct, however. It is true that if someone is able to cover his head to respond Amen and he purposely neglects to do so and responds while bareheaded, he is guilty of a sin. When someone is incapable of covering his head, however, it is better to respond Amen while bareheaded than not to respond at all. In fact, Rambam ruled (*Hilkhot Tefilla* 5:1) that one must be dressed properly and cover one's head in preparation for praying, but that if someone is incapable of doing so, or even if someone purposely prayed without dressing properly, his prayer is nevertheless considered valid. See below in halakha 31 and the footnote there.

Maran the Rishon Letziyon cited another proof from the responsa *Zikhron Yehuda* by Rabbenu Yehuda ben Asher (#20), who ruled that when studying Torah one should not be bareheaded if possible since one is inclined to feel more awe for God while one's head is covered. Sometimes, however, the heat is unbearable and a person