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

בשעה שמסתפר. [יביע"א ח"ט סי' א אות ו]. והיכא דאפשר, נכון לפוטרו בלשון אחר, כגון בוקר טוב, או מה שלומך, וכיו"ב. [עי' אגרות משה ח"ד סי' מ אות כד, ילקו"י עמ' רמח]

וכן מותר להקדים שלום לחבירו, גם כשחבירו בראש מגולה, ואף על פי שאמרו חז"ל (שבת י ע"ב) ששמו של הקדוש ברוך הוא שלום, שנאמר (שפטים ו, כד) ויקרא לו ה' שלום, מכל מקום אינו כנותן מכשול

Shalom to someone while bareheaded. It is better, however, to use another greeting such as, "Good morning," or, "How do you do?"[101]

Shalom while bareheaded

Our Sages taught us (*Shabbat* 10a) that Shalom is one of God's Names, based on the verse (*Shofetim* 6:24), "He called it *God is Shalom*." Nevertheless, it is permissible to initiate the greeting of *Shalom* to someone who is bareheaded.

is incapable of keeping his head covered [and then he may study Torah while bareheaded.]

Studying Torah While Bareheaded

Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. IX, #1:6) cited the responsa *Kiryat Hana David* (Vol. II, #34) ruling that it is forbidden to study Torah while bareheaded. According to the responsum *Zikhron Yehuda* cited in the previous paragraph, however, it is clear that it is permissible technically to do so. This is likewise the ruling of Harav Shelomo Luria (responsa #72). Even these *Poskim* agreed that it is meritorious to keep one's head covered even when not involved in prayer or Torah study. They mean only that it is even more important to cover one's head while studying Torah since the Shekhina joins the person who studies Torah as our Sages taught in *Avot* (3:6).

The responsa *Vayomer Meir* (#4) ruled very stringently in this matter, that it is absolutely forbidden to study Torah while bareheaded. He added that he leans toward ruling that it is forbidden even to think about Torah topics while bareheaded, since there are *Poskim* who equate thinking to speaking. According to them, thinking about Torah topics while bareheaded would be an example of performing a mitzvah through committing a sin, and it would have no value.

This ruling is unacceptable, however. If someone is in a courtroom and is forced to remain bareheaded, is it better for him to waste all the time he spends there in order to fulfill this unwarranted stringency? The Talmud (*Shabbat* 150a) rules clearly that one may think about Torah topics even when completely naked, emphasizing that only speaking words of Torah is forbidden but not thinking. Certainly if someone is dressed except that he is bareheaded, he may think about Torah topics.

Supporting this leniency, Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VI, #15:7) cited the responsa *She'elat Moshe* (*O.H.* #22) ruling that it is permissible to teach a Talmud class in a public school even if the listeners insist on remaining bareheaded, especially if the teacher needs the income from this employment.

101. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. IX, #1:7) ruled that if someone is having his hair cut and is therefore bareheaded, he may respond *Alekhem Shalom* if someone offers him the greeting of *Shalom alekhem*. Although Ula ruled (*Shabbat* 10a) that it is forbidden to greet people by saying Shalom while in a bathhouse, explaining that Shalom is one of God's Names based on the verse (*Shofetim* 6:24), "וַיִּקְרָא לוֹ ה' שָׁלוֹם – He called it *God is Shalom*," Rambam ignored that ruling. The *Peri Hadash* (85:2) explained that Rambam rejected Ula's ruling altogether since it is contradicted elsewhere, as the Tosafot (to *Shabbat* 10a) pointed out. A number of *Aharonim* concurred with this explanation.

Rabbenu Asher (responsa 3:15) ruled that there is no prohibition to erase the name Shalom although it is forbidden to erase any of God's Names. He testified that people include the greeting of Shalom in all their correspondence and the letters are later discarded or destroyed. This is because Shalom is not really a Name of God; it is a description of Him, like the terms *Rahum* or *Hanun* (the merciful One or the gracious One). Those terms may be erased as well.

In the *Shulhan Arukh* (84:1), Maran ruled that it is forbidden to use the greeting of Shalom while in a bathhouse, like Ula. Nonetheless, we can rule that it is permissible to respond Shalom while bareheaded based on a *safek sefeka*. First of all, there are *Poskim* who ruled against Ula that Shalom is not considered God's Name at all. Certainly, if it permissible to pronounce the word in the bathhouse, it may be pronounced while bareheaded as well. Even if the halakha is like Ula that Shalom is God's Name, it might be that one may pronounce any of God's Names while bareheaded, since this seems to be the plain meaning of the Talmud (*Berakhot* 60b) as explained below in the

לחבירו במה שיצטרך לענות לו "עליכם שלום" בגילוי הראש, שדוקא אזכרת ה' או אלהים אסור להזכיר בגילוי הראש, אבל "שלום" מותר מן הדין לומר בגילוי הראש. וכן מותר לומר "שבת שלום" למי שהוא בגילוי ראש. והיכא דאפשר נכון לומר בלשון אחר, כגון בוקר טוב, או מה שלומך, וכיו"ב.

(ודע, דבזמן הזה יש להקדים שלום לכל אדם, אפילו לרשע. וזו כוונת המשנה הוי מקדים שלום "לכל" אדם. לכל לרבות רשע. דאף שאמרו אין שלום אמר ה' לרשעים, היינו לעתיד לבוא, אבל כיום מצוה להקדים להם שלום, כדי לחבב עליהם את לומדי התורה ויראי ה').

Although this causes him to respond in kind while bareheaded, this is not considered a case of causing another person to sin. While it is forbidden to pronounce God's Names while bareheaded, that applies technically to the Names Adonay and Elohim only. It is not absolutely forbidden to pronounce the Name Shalom while bareheaded.

Therefore, when meeting someone bareheaded on Shabbat, it is permissible to tell him Shabbat Shalom although he will most likely respond in kind. If possible, however, it is better to greet him with some other expression such as, "Good morning," or, "How do you do?"[102]

Even when meeting a wicked or sinful person, it is a mitzvah to initiate a greeting and tell him Shalom. This is the intent of the Mishnah (*Avot* 4:15), "Initiate the greeting of Shalom to all men," meaning even to a sinner. Although the verse states (*Yeshayahu* 48:22), "אֵין שָׁלוֹם אָמַר ה' לָרְשָׁעִים – God says to the wicked, 'There is no *shalom*,'" that refers to the future [after the arrival of Mashi'ah]. In our times, it is a mitzvah to be cordial and greet sinners and wish them well so that they will be favorably impressed with those who are observant and who study the Torah.

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footnote to halakha 36. This is likewise the ruling of the *Gedulot Elisha* (*Y.D.* 244:17, page 237).

Greeting another Jew with the term Shalom should not be taken lightly; it is of major significance and importance. If someone refuses to respond in kind when he is greeted, it may incite strife and hatred. The way of a Torah scholar is to always bring peace among people. See more about this in responsa *Yabia Omer* (Vol. VI, #15:8).

The *Yalkut Yosef* (page 248) recommended avoiding responding to another's greeting with the term Shalom if possible, saying that it is better to respond, "Good morning," or, "How are you?" this is in deference to the responsa *Igrot Moshe* (cited in the following footnote) who ruled stringently in this matter.

102. Saying *Shalom alekhem* to a bareheaded person

The responsa *Igrot Moshe* (Vol. IV, #40:24) ruled that one must avoid saying *Shalom alekhem* to a bareheaded person since if one does, the other person is likely to respond with *Alekhem Shalom*. Although he probably does not mean to refer to God with this greeting, it is still disrespectful to cause him to say it while bareheaded. If one initiates the greeting with some other expression such as, "What's new by you?" it is certainly permitted.

Harav Shelomo Zalman Auerbach (*Halikhot Shelomo – Tefilla*, 2:26) ruled leniently, permitting one to greet bareheaded people with *Shalom alekhem* since those who respond have no intention of using God's Name. It is certainly permissible according to Maran the Rishon Letziyon as is obvious from the discussion in the previous footnote. Likewise, the *Yalkut Yosef* (page 247) cited a handwritten note from his father ruling that one may greet a bareheaded person with *Shalom alekhem*, in contrast to the ruling of the *Igrot Moshe*.