Women and Hair Covering

In many Orthodox Jewish communities it is standard practice for a woman to begin to cover her hair once she gets married. It is interesting to note, however, that there is a wide range of ways in which this is accomplished, in contrast with the hijab, for example, which can vary in color but largely looks the same in terms of its coverage and drape. In Orthodox communities where this is practiced, the range of hair covering apparel varies tremendously. It can include colorful headbands, a baseball cap or fedora, various sized scarves, large hats and even human hair wigs that cover some or all of the hair. There are communities where women wear wigs and a second head covering, and in some Hassidic communities, women shave their hair and wear a kerchief or wig over their bald heads. At the same time, a sizable minority of observant women do not cover their hair at all outside of religious settings such as synagogues or when lighting Shabbat candles. This topic, touching as it does on identity, femininity, sexuality and modesty, is a matter of no small import, and many women seek to make this mitzvah “their own” through textual study and independent decision making.

Before we explore some of the contemporary aspects of hair covering, we may ask: where does the obligation of hair covering begin? People often wonder if this ritual is biblically based or rabbinically mandated. Furthermore, if there is a clear obligation with an attendant prohibition, why do a substantial number of women choose not to cover their hair even as they are committed to the rigorous observance of Shabbat, *kashrut* and many other minutiae that define their lives as observant Jews? Why has religious society turned a blind eye to this practice rather than actively condemning it as it does with other transgressions within the community?

I have divided the topic of hair covering into two chapters. In this chapter, I offer a textual analysis of the sources from the Mishnah and Talmud in order to understand the Rabbinic perspective on head covering. Almost all the relevant Talmudic sources that refer to women and head covering will be addressed. Notably absent from the quoted sources are any references to *ervah* or the exposed hair of a woman reflecting nakedness, which is often the central statement referenced when the topic of hair covering is discussed. In other words, *ervah* is not the obvious or stated reason given in the Talmud to obligate women to cover their hair.

# Mishnah Ketubot: Dat Moshe and Dat Yehudit

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| Mishnah Ketubot 7:6  The following are to be divorced without receiving their *ketubah*: A wife who violates *Dat Moshe* or *Dat Yehudit.*  What is [regarded as a violation of] *Dat Moshe?*  Feeding [her husband] untithed food, having intercourse with him during the period of her menstruation, not setting apart the dough offering, or making vows and not fulfilling them.  What is [considered to be a violation of] *Dat Yehudit*?  Going out with her head uncovered, spinning in the marketplace, or conversing with every man. | משנה מסכת כתובות פרק ז  **ו** אלו יוצאות שלא בכתובה: העוברת על דת משה ויהודית.  ואיזו היא דת משה?  מאכילתו שאינו מעושר, ומשמשתו נדה, ולא קוצה לה חלה, ונודרת ואינה מקיימת.  ואיזוהי דת יהודית?  יוצאה וראשה פרוע, וטווה בשוק, ומדברת עם כל אדם. |

In this Mishnaic passage, the text introduces examples of offensive behavior on the part of the wife that gives legitimate cause to her husband to divorce her without paying her *ketubah*. There are two categories related to her possible impropriety that are presented. The first is termed *Dat Moshe* and the second *Dat Yehudit.* These unusual terms appear infrequently in the Talmud and their translation is not straightforward.[[1]](#footnote-1)

Does the term *Dat Moshe* indicate biblical law? Biblical laws are referred to in the Talmud as *d’orayta,* or sometimes, if there is no explicit biblical text, as “laws handed down to Moses from Sinai.” *Dat Yehudit* is even more perplexing. Is it a category of rabbinic law? If so, why use such a singular descriptor? Could it refer to custom? The Talmud normally uses the term *minhag* to describe customs and traditionsthat a community voluntarily takes upon itself that are treated as if they were law, even if based on ignorance.[[2]](#footnote-3) The consequences for the violation of *Dat Moshe* or *Dat Yehudit* are specific to a married woman, leading to divorce and forfeit of her *ketubah.*[[3]](#footnote-5) It is not in the realm of religious sin beyond direct implications to the husband as will be seen below. More to the point, these laws do not appear to apply to unmarried women.

The mishnah presents four examples that illustrate violations of *Dat Moshe*, a category that suggests a connection to Mosaic law, meaning Torah: Feeding her husband untithed food, having relations with her husband when she is a *niddah* (a menstruating woman), neglecting to separate the *hallah* portion of the household dough and taking vows without fulfilling them. Three out of four of the examples are situations where she causes her husband or the household to sin, although only one, *niddah*, is exclusively within her purview. Both tithing and the dough offering are non-gendered commandments and a man could have performed them equally well. The mishnah seems to assume that because a wife would be in charge of the household, her husband relies on her to perform these *mitzvot* properly. Breach of trust is the thread that connects the first three *mitzvot* enumerated: Untithed food, menstrual prohibition and separating the *hallah* portion from the dough. The fourth, not fulfilling one’s vows, also touches on a woman’s relationship with her husband. Since the Bible grants the husband the power to oversee and nullify his wife’s vows if he chooses (Numbers 30:7-9), it reflects badly on his reputation or that of his household if she does not uphold them. Conspicuously absent are violations of severe biblical prohibitions, such as desecrating Shabbat, eating non-kosher food or thievery. In other words, her transgression of biblical law, if it only affects her, does not cause her to forfeit her *ketubah*. The forfeiture is only exercised when she violates this typology of *Dat Moshe,* and, in doing so, causes her husband to sin.[[4]](#footnote-7)

The mishnah then presents a second category of behavior termed *Dat Yehudit* (or *Dat Yehudim* in some manuscripts of the mishnah), literally “Jewish practice.” While there are no commandments in the Torah that directly forbid these behaviors, they are consequential enough that a man can divorce his wife without paying her *ketubah*. Included in the list are a woman going out with a bared head, spinning in the marketplace, talking to men, cursing her husband’s parents and speaking so loudly in the house that her neighbors can hear her. The parallel Tosefta in tractate Ketubot adds several other examples: Going out with clothing open on both sides, baring arms, coarse familiarity with servants and bathing with everyone [men and women] in the bathhouse.[[5]](#footnote-9) In violating either *Dat Moshe* or *Dat Yehudit*, loss of *ketubah* serves as a severe penalty and clearly was meant to be a significant deterrent. As noted, these strictures do not pertain to unmarried women.

Given the severity with which adultery on the part of the wife is treated both in the biblical text and in all ancient societies, the practice of *Dat Yehudit* may reflect Jewish society’s desire to prevent promiscuous behavior on the part of married women. Not only women but also men are called upon to uphold these standards. The Tosefta in Sotah 5:9 reinforces this:

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| Tosefta Sotah 5:9  Rabbi Meir would say: Just as there are different attitudes in consumption of food, so are there different attitudes with regard to women.  Some men, if a fly [merely] passes over his cup, he sets it aside and does not taste it. That [fly in the cup refers to] corrupted women, when he wishes to divorce his wife [but has not done it yet].  Some men, if a fly falls into his cup, he throws it out and does not drink it. And this is the trait of Papus ben Yehuda, who would lock [the door of the house] before his wife, and would leave.  And there is a man where, if a fly falls in his cup, he throws [the fly] out and then drinks it. This is the trait of any man who sees her speak to her neighbors and relatives, and leaves her be.  And there is a man where, if a fly falls into the plate, he crushes it and eats it. **And this is the trait of a corrupted man who sees his wife go out with her head uncovered, her heart warmed for her servants and maidservants, and spins cloth in the marketplace, and [whose shirt is] open on both sides, and bathes and plays around with the men.** This is the command from the Torah to divorce her, for it is stated [[Deuteronomy 24:1-2](file:///C:\\Deuteronomy.24.1-2)] "[When a man takes a wife and marries her, then it comes to pass, if she finds no favor in his eyes,] because he hath found some unseemly thing in her, [that he writes her a bill of divorce, and gives it in her hand,] and sends her out of his house... [and she departs out of his house, and goes and becomes another man's wife.]" The text calls him 'another', implying that he is not of similar constitution to the first, [for] the first one sent her away because of sin, and the second came and was lenient toward her. If he merits, the heavens will cause him to send her away from his possession, and if not, she will ultimately bury him, as it says [[Deuteronomy 24:2](file:///C:\\Deuteronomy.24.2)] "or if the latter man dies." It is appropriate for this [type of] man to die, because of the woman he brought into his household. | תוספתא מסכת סוטה פרק ה הל' ט  היה ר' מאיר אומר: כשם שדיעות במאכל כך דיעות בנשים.  יש לך אדם שהזבוב עובר על גבי כוסו מניחו ואין טועמו. זה חלק רע בנשים שנתן עיניו באשתו לגרשה.  יש לך אדם שהזבוב שוכן בתוך כוסו זורקו ואין שותהו, כגון פפוס בן יהודה שנעל דלת בפני אשתו ויצא.  ויש לך אדם שהזבוב נופל בתוך כוסו זורקו ושותהו. זו מדת כל אדם שראה את אשתו שמדברת עם שכיניה ועם קרובותיה ומניחה.  יש לך אדם שהזבוב נופל בתוך תמחוי שלו נוטלו מוצצו וזורקו ואוכל את מה שבתוכה. זו מדת אדם רשע שראה את אשתו יוצאת וראשה פרוע, יצאת וצדדיה פרומים, לבה גס בעבדיה, לבה גס בשפחותיה, יוצא וטווה בשוק, רוחצת ומשחקת עם כל אדם, מצוה לגרשה שנ' כי יקח איש אשה ובעלה וגו' ויצאה מעמו וגו'.  וכתוב קראו "אחר" שאינו בן זוגו. הראשון הוציא מפני עבירה, זה בא ונתקל בה. השיני אם זכה לשמים מוציאה מתחת ידו אם לאו לסוף שקוברתו שנ' או כי ימות האיש האחרון. כדי האיש הזה למיתה שאשה זו כנס לתוך ביתו. |

According to this text, a man is held accountable for the way he responds to the corrupt behavior of his wife. The man who allows his wife to behave immorally without deterring or censuring her in any way will end up being buried by her. The examples of immoral behavior that a man is criticized for tolerating in his wife include her going out with her head uncovered, her heart warmed for her servants and maidservants, spinning cloth in the marketplace, wearing a shirt open on both sides and bathing/playing around with men,stop short of actual adultery.[[6]](#footnote-11) They are similar to the examples found in the Mishnah and Tosefta in Ketubot cited above, illustrating the violation of *Dat Yehudit* by married women and resulting in forfeiture of one’s *ketubah*. While not directly a matter for the courts, since there are no witnesses that adultery has taken place, men are strongly urged, if not required, to divorce such women as a sanction to deter such behavior in Jewish society. Men who permit or ignore actions of this sort are branded wicked for exposing society to the perversion that even the suggestion of adultery presents.

When reading these various sources that reference the same behaviors as immoral and corrupting, *Dat Yehudit* reflects a code of conduct committed to and practiced by married women and upheld by their husbands in the Jewish community. The purpose of this code is to protect society from the debauchery associated with adultery. It is presented in the mishnah as binding, alongside *Dat Moshe*, even as the boundaries of its practical application remain somewhat undefined.

**Going Out With an Uncovered Head**

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| Ketubot 7:6  What is [considered to be a violation of] *Dat Yehudit*?  Going out with her head uncovered. | **משנה מסכת כתובות פרק ז**  **ו** ואיזוהי דת יהודית? יוצאה וראשה פרוע. |

The Mishna states that a married woman who goes out with her head uncovered violates *Dat Yehudit*. It is unclear what defines “uncovered.” Notably, an uncovered head is not a violation of *Dat Moshe* and there is no clear biblical source associated with the practice. Still, the mishnah is unequivocal that such behavior is grounds for divorce without *ketubah*, signifying that head covering for women was considered normative Jewish practice.

The Babylonian Talmud responds strongly to such an amorphous and potentially non-binding definition for this practice. In the ensuing discussion of the mishnah, it brings a startling and unprecedented statement, asserting unequivocally that going out bareheaded violates biblical law. This is in direct conflict with the mishnah (and parallel Tosefta), which not only stated that a woman going out with a bared head violates *Dat Yehudit* but also contrasted *Dat Yehudit* with *Dat Moshe*, suggesting a non-biblical origin to the practice.

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| Ketubot 72a  **And who is** considered a woman who violates ***Dat Yehudit***?  One who **goes out and her head is uncovered.**  The Gemara asks: The prohibition against a woman going out with **her head uncovered** is not merely a custom of Jewish women. Rather, **it is by Torah** law, **as it is written**: **“And he shall uncover the head of the woman”** ([Numbers 5:18](/Numbers.5.18)). | כתובות דף עב עמ' א  ואיזוהי דת יהודית?  יוצאה וראשה פרוע.  ראשה פרוע, דאורייתא היא! דכתיב: וּפָרַע אֶת רֹאשׁ הָאִשָּׁה. |

The biblical verse cited as textual support for hair covering in the Talmud is found in the context of a woman accused by her husband of adultery without the support of witnesses. In Rabbinic texts, such a woman is referred to as a *sotah*, literally, “one who goes astray,” and this is the common term used to reference the biblical text as well. There is no certain way to determine whether this woman has sinned or whether her husband has been overcome by jealousy.[[7]](#footnote-12) Given the severity of the accusation and the lack of evidence, the woman is brought before the High Priest to undergo a ritual that will establish her guilt or her innocence. One of the steps involves a ritual that uncovers her head or dishevels her hair.

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| במדבר פרק ה  **יח** וְהֶעֱמִיד הַכֹּהֵן אֶת-הָאִשָּׁה, לִפְנֵי ה', וּפָרַע אֶת-רֹאשׁ הָאִשָּׁה, וְנָתַן עַל-כַּפֶּיהָ אֵת מִנְחַת הַזִּכָּרוֹן מִנְחַת קְנָאֹת הִוא; וּבְיַד הַכֹּהֵן יִהְיוּ, מֵי הַמָּרִים הַמְאָרְרִים. | Numbers 5:18  After he has made the woman **stand before the LORD, the priest shall uncover/dishevel/unbind the woman’s head** and place upon her hands the meal offering of remembrance, which is a meal offering of jealousy. And in the priest’s hands shall be the water of bitterness that induces the spell. |

What is the priest doing to the woman’s head?

The Brown Driver Briggs Dictionary of the Bible gives three possible definitions to the Hebrew root *p’ra* based on its different citations in the biblical text: unbind, uncover, let loose i.e., to remove restraint. All three options were deliberately inserted into the English translation of the verse above to illustrate the possible nuance of each usage. However, based on more recent scholarship,[[8]](#footnote-14) it seems that biblically, the word *p’ra* most likely means to dishevel or scatter. Similarly, in Akkadian, *pe-ra wasarat* means hair that is unloosened rather than uncovered. It is likely that the original meaning of the word indicated a ritual in which the priest loosened the woman’s bound hair in order to humiliate her. The woman stands before the priest holding a poor offering of barley sheaves, her hair disheveled, made to drink water with some dirt and ink dissolved in it. The verse most likely did not describe the removal of a head covering, nor is there any indication from any other biblical text that such a head covering was mandated by the Bible. In modernity, the ambiguity surrounding a clear commandment to cover the head once married will be one of the reasons that women will stop covering their hair.

Despite the lack of clarity in the biblical text, by the pre-Rabbinic second Temple period, in the works of Septuagint, Philo and Josephus,[[9]](#footnote-15) the passage in Numbers is understood to require the removal of a veil or head covering worn by a woman accused of adultery. The purpose of the *sotah* ritual, as understood by these early interpreters, was also to expose and humiliate the woman. This will be clearly echoed in a mishnah in Sotah brought below.

In the Rabbinic period, these two different but somewhat overlapping translations of the word *p’ra* can be found in Rabbinic texts. The dominant approach follows the tradition of removal or uncovering. For instance, in a totally unrelated ceremony, during male circumcision, the second stage of the ritual is known as *p’ria*, or the uncovering of the corona after the foreskin is removed.[[10]](#footnote-16) The clear meaning of this word in the circumcision ritual helps elucidate the normative Rabbinic translation in interpreting the *sotah* ritual as described in the biblical passage

However, a secondary definition also exists in Rabbinic literature in which *p’ra* is translated as *s’tr,* or loosen, based on a literal reading of the biblical verse.[[11]](#footnote-17) This is reflected in a number of Tannaitic sources that will be examined below but it is largely acknowledged, even in those texts, that while dishevelment might have been the original translation in the Bible for *p’ra*, in Rabbinic Hebrew, a different word, *s’tr,* is used to describe the loosening of hair. Thus, the earlier definition of “loosen” is now replaced by the later definition of “uncover.” Nonetheless, echoes of the earlier usage remain in some Rabbinic texts.

# What Happened to the Woman’s Head During the *Sotah* Ritual?

Before returning to the Talmudic passage in Ketubot which links the act of a woman going out with a bared head to the *sotah* passage, we will examine several Tannaitic sources that describe the *sotah* ritual, specifically the act of uncovering her head.

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| ספרי במדבר פרשת נשא פיסקא יא  וּפָרַע אֶת רֹאשׁ הָאִשָּׁה. כהן נפנה לאחוריה ופורעה כדי לקיים בה מצות פריעה. דברי ר' ישמעאל.  דבר אחר, לימד על בנות ישראל שיהו מכסות ראשיהן. ואף על פי שאין ראייה לדבר זכר לדבר: וַתִּקַּח תָּמָר אֵפֶר עַל רֹאשָׁהּ. | Sifrei Bamidbar 11  “And he uncovered the head of the woman.”The priest moved behind her and uncovered her head in order to fulfill the *mitzvah* of *p’ria*, according to Rabbi Yishmael.  Another opinion. Learn from this that the daughters of Israel should cover their heads. And even though there is no proof of this, there is an allusion to it, “And Tamar took ashes and put them on her head” (II Samuel 13:19). |

In *Sifrei Bamidbar*, there is an interpretive passage that describes what happens when the priest approaches the *sotah* to uncover her head. The first opinion is attributed to Rabbi Yishmael. The priest stands behind her and uncovers her head. He explains that the *mitzvah* of *p’ria*, defined as uncovering, is carried out with this action.

The second Tanna, who is anonymous, extrapolates from the biblical passage that the daughters of Israel should cover their heads. This interpretation fits well with the sources found in Septuagint, Josephus and Philo, written closer to the time of the Tannaim, all of whom translate the word to mean uncover, presumably because of the prevalent practice of women covering their heads. Philo and Josephus even mention a garment of some sort that is removed from her head.[[12]](#footnote-18) Note that the anonymous Tanna attributes the practice of Jewish women covering their heads to the biblical verse of the *sotah*, but it is framed as an indication of proper behavior as opposed to a direct biblical commandment. The Tanna recognizes that there is no clear biblical commandment for women to cover or, conversely, a prohibition for women to uncover their heads.

Thus, it remains unclear from this source whether the obligation has actual biblical status, or is rabbinic in its origins, or if it belongs to the category of *Dat Yehudit* – Jewish practice — described explicitly in the mishnah. Neither is it clear from the Sifrei that only married women covered their heads since the wording “daughters of Israel,” suggests a larger community. Maimonides, in his Mishneh Torah, for example, requires both single and married women to cover their heads when going out to the market. Tur[[13]](#footnote-19) and Shulhan Arukh[[14]](#footnote-20) rule accordingly in their respective codes.

# Unbound Hair and the Humiliation of the Accused Sotah

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| Mishnah Sotah 1:5  …And a priest grasps her garment—if it tears, it tears; if it unravels, it unravels—until he has bared her bosom, and he loosens her hair.  Rabbi Judah says: if her bosom is beautiful, he does not bare it; if her hair is beautiful, he does not loosen it. | משנה מסכת סוטה פרק א  **ה**… וכהן אוחז בבגדיה. אם נקרעו נקרעו אם נפרמו נפרמו עד שהוא מגלה את לבה וסותר את שערה.  ר' יהודה אומר אם היה לבה נאה לא היה מגלהו ואם היה שערה נאה לא היה סותרו: |

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| Tosefta Sotah 3:2-3  2. And so you find with the accused wife, by the same measure which she behaved, retribution is metered out to her. She stood before the man so as to be attractive to him, therefore the priest stands her before all to show her disgrace as it is written: And the priest stood the women before God.  3. She spread beautiful shawls for him, therefore the priest removes the *kipah* (cover) from her head and places it at his feet. She braided her hair for him, therefore the priest unbinds her hair. She adorned her face, therefore her face turns yellow. She colored her eyes blue for him. Therefore, her eyes bulge out. | תוספתא מס' סוטה פרק ג  **ב** וכן אתה מוצא בסוטה שבמדה שמדדה בה מדדו לה. היא עמדה לפניו כדי שתהא נאה לפניו לפיכך כהן מעמידה לפני הכל להראות קלונה, שנ' וְהֶעֱמִיד הַכֹּהֵן אֶת הָאִשָּׁה לִפְנֵי ה'.  **ג** היא פירסה לו סדין, לכך כהן נוטל כפה מעל ראשה ומניחה תחת רגליו. היא קולעה לו שערה לפיכך כהן סותרו. היא קישטה לו פניה לפיכך פניה מוריקות. היא כחלה לו עיניה לפיכך עיניה בולטות. |

The two Tannaitic texts brought above from tractate Sotah, describe a graphic and violent ritual meant to expose and condemn female promiscuity.[[15]](#footnote-21) A process is described of uncovering the woman’s body to humiliate and disgrace the accused for disrobing for her lover.

The interpretation of *p’ra* in the second passage seems to involve two stages that incorporate the two meanings of the word defined above: First uncovering the head and then unbinding or loosening the hair. As described in Halakha 3 of the Tosefta, the priest removes the *kipah* (head covering) and then unbinds her braided hair. This is far more invasive than the process described earlier in the Sifrei by Rabbi Yishmael, where the priest stood behind her and merely uncovered her head. Rabbi Judah then comments that her bosom should not be revealed when the priest tears her dress and her hair should not be loosened after it is uncovered if her body or hair are especially attractive, for fear that it will encourage sexual thoughts among the onlookers rather than serve as a deterrent. Unloosening the hair was seen as an act of sexual intimacy and arousal, far beyond the removal of the *kipah*. For this reason, Rabbi Judah insists that the second stage of loosening be carried out judiciously.

There are two more mishnaic sources that can help further our understanding of the word *p’ra* as it evolves from meaning “loosening” to “uncovering.” In the first source below, the mishnah describes the difference between the wedding of a virgin and a non-virgin.

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| משנה מס' כתובות פרק ב  **א** האשה שנתארמלה או שנתגרשה. היא אומרת בתולה נשאתני והוא אומר לא כי אלא אלמנה נשאתיך, אם יש עדים שיצאת בהינומא וראשה פרוע כתובתה מאתים. ר' יוחנן בן ברוקא אומר אף חלוק קליות ראיה: | Mishnah Ketubot 2:1  A woman who became a widow or was divorced [and wants her *ketubah*], she says; You married me [as] a virgin, [and owe me two hundred *zuz*] and he says; Not so, but I [or in the case where she was widowed the sons say; Our father] married you as a widow [and owe you one hundred *zuz*]. If there are witnesses that she went out with a curtained litter (Jatrow) and her hair loosened/uncovered, her *ketubah* is two hundred [*zuz*]. Rabbi Yohanan ben Beroka says: Also the distribution of [sweet] roasted grain [to the children present at the wedding] is evidence [in his area, this, too, was a custom reserved for virgins]. |

In the time of the Mishnah, marriage took place in two stages. A young woman was first legally married through a ritual known as *kiddushin* or *erusin* (betrothal). She would then remain in her father’s home for up to 12 months to prepare for the final stage in the marriage process known as *nisu’in*. In the mishnah above, the still-virgin bride is being carried in a curtained litter[[16]](#footnote-22) to the bridal canopy. Her hair is loosened or uncovered.[[17]](#footnote-23) Here again, there is ambiguity as to the meaning of *p’ra*. After the ceremony and a celebratory meal, she will enter her husband’s home and the marriage will be consummated. The mishnah uses the state of the young woman’s head as she is being carried to the marriage ceremony as a means of ascertaining whether or not she was a virgin bride at her wedding. This has financial ramifications for the paying out of her marriage contract since the *ketubah* of a virgin was worth more than that of a non-virgin.

It is difficult, however, to determine the definition of the word *p’ra* in this mishnah. Is her hair loosened or her head uncovered? It appears that the mishnah is describing the social norms of a wedding ceremony at that time, where a virgin bride’s hair was loosened (Rashi) and toasted wheat was distributed. While this information cannot help further determine the contours of the practice among married women, it does serve to clarify what was commonplace in mishnaic times: virgins (women who had never married) and non-virgins (married or previously married women) could be identified in society by the state of their hair or head covering. Presumably after the ceremony, the woman would now be expected to go out into society with a covered head in the manner of *Dat Yehudit*. The Babylonian Talmud continues to discuss other differences between the customs at the weddings of virgins and non-virgins but does not further clarify the practice of covering or uncovering hair, despite its explicit mention in the mishnah.

Finally, the mishnah in Bava Kamma relates an interesting story that directly describes the practice of head covering by married women.

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| Mishnah Bava Kamma 8:6  One who shouts at his fellow, he gives him a sela (twenty *zuz*). Rabbi Yehudah in the name of Rabbi Yose the Galilean says: “A *maneh* [one hundred *zuz*].” One who slaps his fellow, he gives him two hundred *zuz*; with the back of the hand, he gives him four hundred *zuz*. If he split his ear, plucked his hair, spit [at him] and his spit touched him, stripped his cloak from him, or uncovered the head of a woman in the street, he gives him four hundred *zuz*. [This is the principle]: it is all according to the person's honor. … (And) there was an incident of someone uncovering the head of a woman in the street. She came before Rabbi Akiva, and he required him to give her four hundred *zuz*. He said to him, "Rabbi, give me time." So he gave him time.  [The man] watched her stand at the entrance of her courtyard, broke a pitcher in front of her, and in it was *issar* [eight *prutot*] of oil. She uncovered her head and scooped [the oil], and rubbed her hands on her head. He placed witnesses against her and he came before Rabbi Akiva. He said to him, "Rabbi, to her I gave four hundred *zuz*?!" He replied, "You haven't proved anything." One who harms himself, even though he is not permitted to do so, is exempt. Others who harm him are liable. | משנה בבא קמא פרק ח  **ו** התוקע לחברו, נותן לו סלע; רבי יהודה אומר משום רבי יוסי הגלילי, מנה. סטרו, נותן לו מאתיים זוז. לאחר ידו, נותן לו ארבע מאות זוז. צרם באוזנו, תלש בשערו, רקק והגיע בו הרוק, העביר טליתו ממנו, ופרע ראשה של אישה--נותן ארבע מאות זוז. הכול לפי כבודו.  ...  מעשה באחד שפרע ראשה של אישה, ובאת לפני רבי עקיבה, וחייבו ליתן לה ארבע מאות זוז. אמר לו, רבי, תן לי זמן, ונתן לו.  שימרה עומדת על פתח חצרה, ושיבר את הפך לפניה, ובו איסר שמן; וגלתה את ראשה, והייתה מטפחת ומנחת על ראשה. והעמיד לה עדים, ובא לפני רבי עקיבה; אמר לו, רבי, לזו אני נותן ארבע מאות זוז. אמר לו, לא אמרת כלום: שהחובל בעצמו--אף על פי שאינו רשאי, פטור; ואחרים שחבלו בו, חייבין. הקוצץ את נטיעותיו--אף על פי שאינו רשאי, פטור; ואחרים שקצצו את נטיעותיו, חייבין. |

The mishnah brings a story of a man who bares a married woman’s head in public. This is an aggressive act that serves to humiliate her. If we connect this act to the *sotah* ritual, it takes on even greater overtones, as the man performs what appears to be vigilante justice by outing her as a possibly adulterous woman who should be divorced by her husband without *ketubah*. Instead of valorizing him, Rabbi Akiva obligates him to pay her 400 hundred *zuz*, an astronomical sum of money. In protest, the man, who remains suspicious of the woman, breaks a bottle of oil in front of her to prove his case to Rabbi Akiva. Without hesitation, she uncovers her head and rubs the oil into her hair. She has exposed her head in public, corroborating the man’s point.

One of the most interesting parts of the story is that the woman is not censured although she is at least violating *Dat Yehudit*, which, according to the Babylonian Talmud, is a violation of biblical law.

At the end of the mishnah, Rabbi Akiva rebukes the man and compares the woman’s action to one who harms oneself. While this is not permitted, it is not cause for dismissing one’s right to compensation in the event that they were wronged by another party. This source in Bava Kamma is, perhaps, the clearest indication of the shift, regarding hair, from the biblical definition of *p’ra* meaning dishevel or unloosen to the Rabbinic definition of uncover. The Tanna uses the words *pr’a* and *g’la* (reveal/uncover) interchangeably to describe the same act.

To summarize: While the biblical word *p’ra* most likely meant to dishevel, by the Rabbinic era the priest is described as uncovering the woman’s head in all of the Tannaitic texts describing the *sotah* ritual. In some sources, it is followed by dishevelment of the hair. The Tosefta in tractate Sotah reinforces this understanding of the two-part ritual by mentioning a specific garment — a *kipah* — that the priest removes from her head before disheveling her hair for greater humiliation. The mishnah in Ketubot, describes virgin brides as going to their marriage canopy with loosened or uncovered hair, indicating that virgins and non-virgins were distinguished in society by the way they kept their hair.[[18]](#footnote-24) The story in Bava Kamma about a man who bares a married woman’s head in public illustrates the humiliation and unspoken accusation of such an act, and clarifies that the Rabbinic understanding of *p’ra* is to uncover rather than loosen, when talking about a married woman’s head.

**The Babylonian Talmud**

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| One who goes out with her head uncovered.  Going out with her head uncovered is forbidden by biblical law as it is written: “And he shall uncover the head of the woman” (Numbers 5:18). And the school of Rabbi Yishmael taught: It is a warning to the daughters of Israel not to go out with their head uncovered.  According to biblical law, a basket [*kalata*], is sufficient. However, according to *Dat Yehudit,* covering her head with just a basket – is also prohibited.   Rabbi Asi said that Rabbi Yohanan said: When there is a basket on her head, it is not considered uncovered! Rabbi Zeira discussed it: Where? If we say in the marketplace, this is a violation of Dat Yehudit. And if we say in her courtyard, if so, no daughter of our father Abraham will remain with her husband.   Abaye said, and some say that Rav Kahana said: Going from one courtyard to another courtyard via an alleyway [is forbidden]. | מס' כתובות דף עב עמ' א  ?  !: ",".  , .,.  :.:?,... |

Let us now analyze the section of the Babylonian Talmud in Ketubot that we excerpted above.



**Analysis**

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| And what is *Dat Yehudit*? One who goes out with her head uncovered.  Going out with her head uncovered is forbidden by biblical law as it is written: “And he shall uncover the head of the woman” (Numbers 5:18). | ואיזוהי דת יהודית? יוצאה וראשה פרוע:  ראשה פרוע דאורייתא היא! דכתיב: "ופרע את ראש האשה." |

These two lines are from the mishnah in Ketubot that was analyzed in the previous section. The first example the mishnah brings of violating *Dat Yehudit* is a woman who goes out with her head uncovered. The Babylonian Talmud reacts to this example in the mishnah with an unprecedented statement—that having an uncovered head is forbidden by biblical law, based on the passage in Numbers regarding the *sotah*. This directly contradicts the mishnah that defines an uncovered head as *Dat Yehudit* rather than *Dat Moshe* whose examples are all linked to biblical commandments. This logical leap will be one of the major textual components for speculation and interpretation of this topic over the next two millennia, as Rabbinic authorities debate the biblical origin of the prohibition.

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| And the school of Rabbi Yishmael taught: It is a warning to the daughters of Israel not to go out with their heads uncovered. | ותנא דבי רבי ישמעאל: אזהרה לבנות ישראל שלא יצאו בפרוע ראש. |



There are several notable changes here in the Babylonian Talmud’s retelling of the Sifrei source cited earlier in the chapter. The Talmud has already declaratively stated that head covering is of biblical origin based on the verse in Numbers. It then brings the Sifrei as precedent for this proof. The author of the Sifrei, however, did not cite the verse in Numbers as a prooftext, but rather a verse from 2 Samuel that referred to King David’s daughter, Tamar, placing ashes on her head after being raped.

The most likely reason that the Talmud would leave out the prooftext from Samuel is because an allusion to a book of the Prophets becomes superfluous if there is a biblical verse that can serve as the source of a Torah imperative. None of this is particularly unusual in the interpretive world of the Babylonian Talmud. The purpose of our analysis is an attempt to peel back layers of interpretation in order to understand how the practice of hair covering evolved.

**The Basket on Her Head**



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| Rav Yehudah said in the name of Samuel, with a basket. According to biblical law, a basket [*kalata*], is sufficient. However, according to *Dat Yehudit,* covering her head with just a basket – is also prohibited. | אמר רב יהודה בשם שמואל בקלתה.  דאורייתא קלתה שפיר דמי,  דת יהודית - אפילו קלתה נמי אסור. |

As suggested in the textual analysis above, there appears to be a contradiction between the Talmudic statement that a married woman’s uncovered hair violates a biblical prohibition and the mishnah’s classification of the practice as *Dat Yehudit.* The Talmud resolves this conflict by proposing that the mishnah assumed that women who went out were at least wearing a *kalata*, meaning a work basket, on their heads (as Arab women can be seen doing to this day), thereby fulfilling the mandatory minimum requirement for head covering according to biblical law.

Thus, according to Talmudic reasoning, the mishnah had no need to raise the issue of the biblical requirement, because it was obvious that all women would be wearing at least a basket. Following this logic, the mishnah refers only to the unique practice of Jewish women, defined as *Dat Yehudit,* to wear a secondary head covering.

In his commentary the Talmud, Rashi explains that the *kalata* was literally a basket with a receptacle on the bottom that was attached to her head and a receptacle on top to hold small accessories such as needles. It certainly would not have covered all of her head or most of her hair.

The *kalata* also appears in Tannaitic sources in connection to the Jewish divorce document known as a *get*. The Mishnah and a few other relevant Talmudic sources,[[19]](#footnote-25) discuss the validity of a man divorcing his wife by throwing the *get* into her lap or into her work basket, rather than placing it in her hand. Since the work basket is considered an extension of herself, it is understood that the act is equivalent to handing it to her directly. It is this basket that the Talmud is referencing in the context of the discussion of head covering.

# Is the Basket Enough?

Samuel vs. Rabbi Yohanan - Babylonia vs. Israel



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| Rav Yehudah said in the name of Samuel, with a basket. According to biblical law, a basket [*kalata*], is sufficient. However, according to *Dat Yehudit,* covering her head with just a basket – is also prohibited.  Rabbi Asi said that Rabbi Yohanan said: With her basket, there is no uncovered head! | אמר רב יהודה בשם שמואל בקלתה.  דאורייתא קלתה שפיר דמי,  דת יהודית - אפילו קלתה נמי אסור.  אמר רבי אסי אמר ר' יוחנן, קלתה אין בה משום פרוע ראש. |

Returning to the Talmudic discussion, there emerges an argument about *kalata* between two Amoraim (circa 250 CE): Rav Yehudah in the name of Samuel and Rav Asi in the name of Rabbi Yohanan.[[20]](#footnote-26) Samuel, who is a first-generation Babylonian Amora, is quoted by his trusted student Rav Yehudah as stating that a *kalata* alone is perceived as bared head according to the standards of *Dat Yehudit,* even though it fulfills the biblical requirement. In contrast, Rabbi Yohanan, who lived in Israel at the same time as Rav Yehudah in Babylonia, states that a woman who goes out with *kalata* does not have a bared head and cannot be said to be in direct violation of *Dat Yehudit*.

Rabbi Yohanan’s statement suggests that a *kalata* is sufficient to fulfill the requirement of head covering, which could easily be understood as his commentary to the mishnah. In other words, Rabbi Yohanan is not reflecting the Talmud’s position that there is a biblical obligation, rather he is interpreting *Dat Yehudit* as the head covering requirement, in line with the plain reading of the mishnah. In this regard, a *kalata* is enough. Samuel disagrees, ruling that a *kalata* is the equivalent of a bared head and that to fulfill *Dat Yehudit*, a second head covering is absolutely necessary, as per the mishnah according to the Talmudic interpretation.

The parallel discussion in the Jerusalem Talmud brings an almost identical statement in the name of Rabbi Yohanan who rules that going out with a single headdress is not in violation of a prohibition against going out with a bared head.

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| Jerusalem Talmud Ketubot 7:6  With her head uncovered.  They meant in the courtyard, even more so in the alleyway.  Rabbi Hiyya said in the name of Rabbi Yohanan, one who goes out with a headdress (*kapaltin*) is not considered to be going out with a bared head.  This is said about the courtyard but to the alleyway, it is as if she is going out with a bared head.  There is a courtyard that is like an alleyway and an alleyway that is like a courtyard.  A courtyard that many pass through is like an alleyway.  And an alleyway that many do not pass through is like a courtyard. | תלמוד ירושלמי (וילנא) מס' כתובות פרק ז הל' ו  וראשה פרוע.  לחצר אמרו, קל וחומר למבוי.  רבי חייה בשם רבי יוחנן: היוצאה בקפלטין שלה אין בה משום ראשה פרוע.  הדא דתימא לחצר, אבל למבוי יש בה משום יוצאה וראשה פרוע.  יש חצר שהוא כמבוי ויש מבוי שהוא כחצר.  חצר שהרבים בוקעין בתוכה הרי הוא כמבוי ומבוי שאין הרבים בוקעין בתוכו הרי הוא כחצר. |

This passage supports the suggestion that Rabbi Yohanan does not regard head covering as biblically required, since the Jerusalem Talmud does not assert that it is and does not cite the verse from Numbers as prooftext. The Jerusalem Talmud is trying to define the *Dat Yehudit* requirement as per the straightforward reading of the mishnah. Rabbi Yohanan is quoted in the name of another Amora, Rabbi Hiyya, as stating that a *kapaltin* or headdress (rather than *kalata*) is not considered a bare head. Read on its own, this statement suggests that Rabbi Yohanan required only the *kapaltin* (or *kalata*) to fulfill *Dat Yehuidt* without any allusion to a biblical requirement.

Like the Babylonian Talmud, the Jerusalem Talmud rejects the possibility of such a minimal head covering and restricts the *kapaltin* (and R. Yohanan’s position) to sparsely populated courtyards and alleyways. In this way, Rabbi Yohanan’s statement is relevant only under very limited circumstances rather than reflecting a broad halakhic position to be applied at all times. It skips over the marketplace, which, apparently, is deemed too public, and questions only the requirement for head covering in courtyards and alleyways that many pass through. *Dat Yehudit*, then, is not uniform in its requirement. The determining factors will involve the type of space that a woman moves through. According to the Jerusalem Talmud, *Dat Yehudit* requires a single head covering in unpopulated spaces and a double head covering in public and other populated areas.

Returning now to the final lines of text in the Babylonian Talmud, it becomes clear that an additional layer is added to the discourse regarding the question of the biblical requirement.



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| Rabbi Zeira discussed it: Where?  If we say in the marketplace, this is a violation of *Dat Yehudit*. And if you say rather that he means she appears this way in her own courtyard, if so, you have not allowed any daughter of our father Abraham to remain with her husband.  Abaye said, and some say that Rav Kahana said: From one courtyard to another courtyard or via an alleyway. | הוי בה רבי זירא, היכא?  אילימא בשוק, דת יהודית היא!  ואלא בחצר.  אם כן, לא הנחת בת לאברהם אבינו שיושבת תחת בעלה!  אמר אביי, ואיתימא רב כהנא: מחצר לחצר ודרך מבוי. |

As in the Jerusalem Talmud, the Babylonian Talmud reframes Rabbi Yohanan’s statement to mean that a *kalata* is enough in semi-private space, so that it not be in direct contradiction with Rav Yehudah’s statement in the name of Samuel or with the opening statement in the Talmud that there is a biblical requirement which then requires a second *Dat Yehudit* requirement so as to synthesize with the Mishnah.

As is often seen in the Talmud, it is preferable to find a resolution to two seemingly conflicting statements, rather than present them as opposing positions. The biblical requirement can be fulfilled with a single head covering. This single head covering can be worn in alleyways and when walking from courtyard to courtyard, fulfilling the *Dat Yehudit* requirement for these less populated areas. Public space, however, requires a double head covering. The conclusion up until this point is as follows: A basket fulfills the biblical requirement for a covered head in all spaces. It also fulfills the *Dat Yehudit* requirement in less populated areas like alleyways and between courtyards. However, in the marketplace, *Dat Yehudit* requires an additional head covering beyond the basket.

Her own courtyard or private outdoor space is now addressed. Should she be obligated to wear the *kalata* in her courtyard? The Talmud retorts, “If so, you have not allowed any daughter of our father Abraham to remain with her husband!”[[21]](#footnote-27) The Babylonian Talmud reasons that if a basket (or its equivalent) were to be required, women would not comply with such a requirement in their courtyards. Thus, no woman would remain married since the penalty for a bared head is divorce without a *ketubah*.[[22]](#footnote-28) In this respect, the Babylonian Talmud is actually more lenient than the Jerusalem Talmud, since the Jerusalem Talmud does not seem to allow an uncovered head in the courtyard if anyone passes through, while the Babylonian Talmud seemingly does not restrict her even in the presence of others.[[23]](#footnote-30)

# Types of Head Covering

We have analyzed the obligation of hair covering for married women and under what circumstances it is to be applied. An inquiry into the types of head coverings and hair ornaments mentioned in Rabbinic texts will be helpful in trying to ascertain what women were wearing and how this might concretize some of the theoretical discussion presented above.

The *kipah*, which is a head covering worn by men and women, appears among a list of articles of clothing a married woman is entitled to receive upon getting married.



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| Mishnah Ketubot 5:8  …And he must provide her with a bed, a mattress, and a reed mat. He must also give her a *kipah* for her head, a girdle for her loins, and shoes every festival, and clothing [valued] at fifty *zuz* [a specific unit of money] every year… | משנה מסכת כתובות פרק ה  **ח** …ונותן לה מטה מפץ ומחצלת. ונותן לה כפה לראשה וחגור למתניה ומנעלים ממועד למועד וכלים של חמשים זוז משנה לשנה. |

It appears that “a *kipah* for her head,” is an essential garment, along with a belt and shoes. Neither the mishnah nor the Talmud discuss the appropriate size of this *kipah*,[[24]](#footnote-31) nor are any other head coverings mentioned on the list. As cited above in Tosefta Sotah 7:3, the priest removes the *kipah* from her head before disheveling her hair, suggesting that at minimum, a married woman would be wearing this head covering when out in public.

# Going Out on Shabbat



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| Mishnah Shabbat Chapter 6:1, 5  1 With what may a woman go out and with what may she not go out? A woman may not go out with wool ribbons, nor with flax ribbons, nor with straps on her head…Nor [may she go out] with a frontlet [on her forehead], nor with bangles if they are not fastened to her cap; nor with a cap [under the headdress] into the public domain…  5 A woman may go out with braids of hair whether of her own [hair], or of another woman, or of an animal. [She may go out] with a frontlet [on her forehead], or with bangles if they are sewn [to the cap]; with a *kabul* [under the headdress] or with a wig into the courtyard…. | **משנה מסכת שבת פרק ו**  **א** במה אישה יוצאה, ובמה אינה יוצאה?  לא תצא אישה לא בחוטי צמר, ולא בחוטי פשתן, ולא ברצועות, שבראשה...ולא בטוטפת, ולא בסנבוטין, בזמן שאינן תפורין, ולא בכבול ברשות הרבים...  **ה** יוצאה אישה בחוטי שיער, בין משלה ובין משל חברתה ובין משל בהמה, בטוטפת ובסנבוטין בזמן שהן תפורין; ובכבול ובפיאה נוכרית בחצר... |

In tractate Shabbat, the mishnah brings descriptions of hair ornaments that cannot be worn in the public domain on Shabbat (Mishna 1), and ornaments that can be worn in the public domain (Mishna 5). The discussion is focused on concern for objects that can be easily removed, since a woman may remove her jewelry and carry it more than four cubitsin a public space (*reshut harabim*) which would violate a biblical prohibition. For this reason, women are not allowed to wear such ornaments, even into their courtyards. In contrast, mishnah 5 brings examples of hair ornaments that are tied tightly and can be worn in public spaces. The distinction seems to be between loosely tied ornaments and those that are tied or attached tightly and cannot be easily removed.[[25]](#footnote-32) The importance of these *mishnayot* for our topic is that it gives detailed descriptions of what sort of hair ornaments and head coverings women were wearing at the time of the mishnah. This may help illuminate some of the broader discussion on the topic of head coverings in the Rabbinic period.

Finally, at the end of mishnah 5, ornaments are mentioned that can be worn out “into the courtyard,” which is a private space, that cannot be worn in a public space. This is curious because the restriction on carrying in the courtyard is a rabbinic ordinance established to prevent the biblical transgression of carrying in public spaces. Why are these two ornaments treated as an exception in allowing them only into the courtyard while restricting them from a public space?

The Talmud (Shabbat 64b) explains that despite concern for possible carrying in public spaces, exceptions were made to allow women to wear the wig and *kabul* into the courtyard in order to ensure her attractiveness to her husband.[[26]](#footnote-33)

This passage implies that if a woman is not permitted to wear her *kabul* or wig, she will go bareheaded into the courtyard. The concern in tractate Shabbat is not for a bare head or violating modesty laws. Rather, it seems that bareheaded women are in danger of appearing less attractive to their husbands and thus, exceptions were made for the wig and *kabul*. While a woman might be allowed to go into her courtyard without a head covering, it was considered unattractive and disfiguring enough that a rabbinic Shabbat restriction intended to prevent carrying was waived in order to allow her to dress her head/hair according to styles of fashion.

Ze’ev Safrai, in his commentary to the *mishnayot* in Shabbat and Ketubot, integrates the different Rabbinic sources that have been presented in this section:

Jewish women covered their heads with a cap or net onto which were woven or attached hair ornaments. The hair was not fully covered, but the net or cap was obligatory to fulfill the requirements of *Dat Yehudit* according to the mishnah.[[27]](#footnote-35) The kipah in Mishnah Ketubot seems to be the same as the *kabul* in Mishnah Shabbat which is also the *sachusa* mentioned in the Jerusalem Talmud or the *sabcha* in the Tosefta and was a cap according to Rashi or a hairnet according to Jastrow/Safrai. There is no reference to *Dat Yehudit* or the biblical requirement to cover hair in the Talmudic discussion around hair ornaments worn on Shabbat.[[28]](#footnote-36) These sources about *kipah* and hair ornaments seem to reinforce the mishnah’s attitude toward hair covering which is in line with modesty customs and the accepted hair accessories of the time, rather than a biblical requirement.

# Can *Aggada* Help Clarify the Meaning Behind Practical *Halakhah*?

Before concluding this section, there are a number of aggadic sources worth noting that relate to the practice of women and hair covering. Given that both were written in the Land of Israel during the Talmudic period, they might clarify, to some degree, the position that has emerged in the mishnah as well as the difference of opinion between Rabbi Yohanan, who allowed a basket to fulfill the Mishnaic requirement of *Dat Yehudit* and that of Rabbi Yehudah in the name of Samuel and the Babylonian Talmud who required a double head covering because of biblical law together with *Dat Yehudit.*

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| Tractate Nedarim 30b  MISHNAH: One who takes a vow not to derive benefit from those that have dark heads [*sheḥorei harosh*] is prohibited from deriving benefit from those that are bald, although they have no hair at all, and from the elderly who have white hair. This is because the term is not to be understood in its simple meaning but rather in a broader manner. But he is permitted to derive benefit from women and from children, because only men are called: Those with dark heads.  GEMARA: What is the reason that the term dark heads does not exclude those that are bald? Because it does not say: From those with hair.  The mishnah states: But he is permitted to derive benefit from women and from children because only men are called: Those with dark heads. The Gemara explains: What is the reason for this? Men sometimes cover their heads and sometimes uncover their heads. But women’s heads are always covered, and children’s heads are always uncovered. | מס' נדרים דף ל עמ' ב  **משנה** הנודר משחורי הראש אסור בקרחין ובעלי שיבות ומותר בנשים ובקטנים שאין נקראין שחורי הראש אלא אנשים.  **גמרא** מאי טעמא? מדלא קאמר מבעלי שער.  ומותר בנשים ובקטנים שאין נקראין שחורי הראש אלא אנשים. מאי טעמא? אנשים זימנין דמיכסו רישייהו וזימנין דמגלו רישייהו. אבל נשים לעולם מיכסו וקטנים לעולם מיגלו. |

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| בראשית רבה (וילנא) פרשה יז  … ומפני מה האיש יוצא ראשו מגולה והאשה ראשה מכוסה? אמר להן לאחד שעבר עבירה והוא מתבייש מבני אדם, לפיכך יוצאת וראשה מכוסה.  ומפני מה הן מהלכות אצל המת תחלה אמר להם על ידי שגרמו מיתה לעולם, לפיכך הן מהלכות אצל המת תחלה...  ומפני מה ניתן לה מצות נדה? על ידי ששפכה דמו של אדם הראשון לפיכך ניתן לה מצות נדה.  ומפני מה ניתן לה מצות חלה? על ידי שקלקלה את אדם הראשון שהיה גמר חלתו של עולם, לפיכך ניתן לה מצות חלה.  ומפני מה ניתן לה מצות נר שבת? אמר להן על ידי שכבתה נשמתו של אדם הראשון לפיכך ניתן לה מצות נר שבת. | Genesis Rabbah Parasha 17  Why does a man go out bareheaded while a woman goes out with her head covered?  He said to them: She is like one who has done wrong and is ashamed before people, therefore she goes out with her head covered.  Why do women walk in front of the corpse at a funeral? He said to them: Because they brought death into the world, therefore they walk in front of the corpse…  Why was the precept of menstruation given to her? Because she shed the blood of Adam by causing his death, therefore was the precept of menstruation given to her.  And why was the precept of dough given to her?  Because she corrupted Adam who was the dough of the world, therefore was the precept of dough given to her.  And why was the precept of the Sabbath lights given to her?  Because she extinguished the soul of Adam, therefore was the precept of the Sabbath lights given to her. |

Genesis Rabbah, written during the fifth century CE, reflects on gender differences between men and women in its interpretation of Creation as well as Original Sin. The first part of the midrash (only partially excerpted) describes biological and social differences. It then brings a different type of interpretation based on character: Women cover their heads out of shame because they brought sin into the world, which is a major theme in this passage. Three biblical *mitzvot* were given to women because of Eve: *niddah*, *hallah* and lighting candles. All three come to atone for Eve having corrupted Adam. Head covering is not included in this triad, although the midrash has mentioned it earlier as a form of penance. In other words, head covering does not seem to fit into the paradigm of women’s biblically based *mitzvot* that atone for Eve’s sin, although it is mentioned in the passage as a form of penance. Clearly the midrash is aware that women are covering their heads.

The second source, found in Avot of Rabbi Natan, is very similar to the source in Genesis Rabbah.

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| Avot of Rabbi Natan Version B, Chapter 9  Clause One:  Why does woman cover her head and man not cover his head? A parable: To what may this be compared? To a woman who disgraced herself and because she disgraced herself, she is ashamed in the presence of people. In the same way, Eve disgraced herself and caused her daughters to cover their heads.  Clause Two:  For three sins women die in childbirth, for not being careful with *niddah*, *hallah* and lighting of candles.  Why was the *mitzvah* of *niddah* given to the woman and not the man? For Adam was the blood of the Holy One Blessed be He. Chava came and spilled his blood, therefore, the *mitzvah* of *niddah* was given to her to atone for the spilled blood.  For what reason was *hallah* given to the woman as a *mitzvah* and not the man? For Adam was the pure bread of the Holy One Blessed be He and she caused it to be impure so the *mitzvah* of *hallah* was given to her to atone for the *hallah* she had caused to be impure.  For what reason was the *mitzvah* of candle lighting given to the woman and not the man? For Adam was the candle of the Holy Blessed be He and would shine a light to illuminate God’s presence for all of those in the world and she extinguished it. Therefore was the *mitzvah* of candle lighting incumbent upon her to atone for the flame she extinguished…  From here the sages said for three transgressions women die during childbirth for not being careful with *niddah*, *hallah* and lighting Shabbat candles. | אבות דרבי נתן פרק ט, נוסח ב  מפני מה האשה מכסה את ראשה ואין האיש מכסה את ראשו. משלו למה הדבר דומה? לאשה שקלקלה מעשיה והיא מתביישת מן הבריות שקלקלה. כך קלקלה חוה וגרמה לבנותיה שיכסו את ראשיהן.  על שלש עבירות נשים מתות בשעת לידתן על שאינן זהירות לא בנדה ולא בחלה ולא בהדלקת הנר.  מפני מה מסרו מצות נדה לאשה ולא מסרו אותה לאיש? אלא שהיה אדם הראשון דמו של הקדוש ברוך הוא באת חוה ושפכתו. לפיכך מסרו [לה] מצות נדה כדי שיתכפר על הדם ששפכה.  מפני מה מסרו מצות חלה לאשה ולא לאיש? אלא שהיה (הקדוש ברוך הוא) [אדה"ר] חלתו של הקדוש ברוך הוא טהורה וטמאתו לפיכך מסרו לה מצות חלה כדי שיתכפר על החלה שטמאתו.  מפני מה מסרו מצות הנר לאשה ולא לאיש? אלא שהיה אדה"ר נרו של הקדוש ברוך הוא היה מאיר בו לכל באי עולם וכיבתו לפיכך מסרו לה מצות הנר ונתחייבה [בנר] כדי שיתכפר על הנר שכיבתה.  אדם דמו של עולם היה בשביל שגרמה לו (לישראל) לשפך לפיכך נתחייבה בנדה. אדם חלתו של עולם היה בשביל שגרמה [לו] שיטמא לפיכך נתחייבה בחלה. אדם נרו של עולם היה בשביל שגרמה לו שיכבה לפיכך נתחייבה בהדלקת הנר. מכאן אמרו חכמים על שלש עבירות נשים מתות בשעת לידתן על שאינן זהירות לא בנדה לא בחלה ולא בהדלקת הנר: |

Head covering appears in the first section of the midrash. As in Genesis Rabbah, the reason for women’s head covering is associated with bearing the shame of Eve’s sin that obligated her daughters to cover their heads. The second section opens with the famous passage quoted in the second chapter of Mishnah Shabbat, about women dying in childbirth for neglecting three biblical *mitzvot* “given to women”— *niddah*, *hallah* and lighting candles. Women were given these *mitzvot* by God to atone for the sin that forever changed the relationship between Man and God.

These aggadic texts from the Amoraic period place women’s head covering in a category separate from the other *mitzvot* classified as women’s *mitzvot*. While these are aggadic rather than halakhic sources, they may help to shed light on the Mishnaic definition of head covering as *Dat Yehudit* rather than a biblical obligation.

# Conclusions:

How did women cover their hair in Talmudic times?

Two central positions on the topic emerge from the Rabbinic texts. The earlier Tannaitic sources, particularly the mishnah, Tosefta and one opinion in the Sifrei, regard hair covering as a practice incumbent on the daughters of Israel and classified, in the mishnah uniquely, as *Dat Yehudit*. These sources do not seem to regard it as a biblical obligation, yet it is, nonetheless, incumbent upon married women. Uncovering the head in the marketplace was associated with promiscuous behavior, which is why a married woman who went about with an uncovered head could be divorced without receiving her *ketubah*. Sources in Shabbat, Bava Kamma and Nedarim also indicate that women covered their heads, but there is no indication of how much of the head or hair was covered. From the description of hair ornaments and the *kipah*, it seems that women were not covering all of their hair.

The second position emerges from the Babylonian Talmud, which is the only Talmudic-era source in which it is stated unequivocally that women’s head covering involves a biblical obligation. Given the centrality of the Babylonian Talmud, its conclusion has had an enormous impact on all post-Talmudic halakhic discourse and is seen by many as authoritative in a way that the earlier sources are not.

Finally, in all of these sources about head covering there are no references to a woman’s hair being *ervah*. This reinforces the ambiguity around the legal implications of the “*ervah* statements” in Berakhot, specifically Rav Sheshet who says that the hair of a woman is *ervah*. The interplay between *Dat Yehudit* and *ervah* will be the focus of the next chapter.







































































































1. Sefaria translates as follows A woman **who violates** the **precepts of [Moses](/topics/moses),** i.e., *halakha*, **or** the precepts of **Jewish** women, i.e., custom. This translation of Dat Yehudit is based on the interpretation of Rishonim. Soncino translates: a wife who transgresses the law of Moshe or [one who transgresses] Jewish practice. [↑](#footnote-ref-1)
2. See Bavli Pesahim 50b-51a. [↑](#footnote-ref-3)
3. The *ketubah* is the Jewish marriage document of ancient origin in which a man promises to support his wife during marriage and, in the case of death or divorce, commits to repaying her dowry together with a fixed sum of money to ensure her of financial support when she loses the protection of a husband. The *ketubah* continues to be part of the marriage ceremony and is signed and given to the wife under the *huppah*, the Jewish bridal canopy, although it does not play as central a financial role today as it did in previous times. [↑](#footnote-ref-5)
4. *Responsa* of the Rosh 32:8 quoted in Ellinson, Getsel, *A Modest Way*, p. 130. [↑](#footnote-ref-7)
5. Tosefta Ketubot 7:6. The Tosefta does not distinguish between the first category of *Dat Moshe* as presented in the mishnah in which the woman deceives the man into transgression and the second category of *Dat Yehudit* in which she behaves in an unseemly manner. They are simply described as *Dat Moshe* and Israel, suggesting that neither are purely biblical or Rabbinic law. The Babylonian Talmud retains the *Dat Moshe/Dat Yehudit* terminology in line with the mishnah and ignores the Tosefta’s usage of *Dat Moshe* and Israel, as do all subsequent post-rabbinic discussions on this topic. [↑](#footnote-ref-9)
6. This source is quoted in the Bavli Gittin 90a, concluding with the man’s responsibility to divorce his wife for *ervat davar* or some sort of nakedness that is suggestive of adultery. [↑](#footnote-ref-11)
7. Numbers 5:11-31. [↑](#footnote-ref-12)
8. Shapira, Amnon, “Peri’at Rosh HaIsha MaHe?” Beit Mikra 45b (5760), pp. 177-184. Shapira studied the two letter roots of *p’ra* in the Bible and concluded that all of them mean to confuse/let loose/scatter/dishevel. The verb *p’ra* appears six times in the context of head/hair. Out of the six verses, three are associated with the hair of the priests, one refers to the leper, one to the nazarite and only the verse cited above refers to a woman’s head. The other verses are: Leviticus 10:6, 21:10, 13:45, Numbers 6:5 and Ezekiel 44:20. [↑](#footnote-ref-14)
9. Septuagint Numbers 5:18; Philo, *The Special Laws* iii, 57; Josephus, *Antiquities* Book 3, Chapter 11:6. [↑](#footnote-ref-15)
10. Mishnah Shabbat 19:2. [↑](#footnote-ref-16)
11. Kahane, Menahem, **Midrash Sifrei** and commentary to this verse. [↑](#footnote-ref-17)
12. See footnote 8 for citations. [↑](#footnote-ref-18)
13. Tur Even HaEzer, 21. [↑](#footnote-ref-19)
14. Shulchan Aruch Even HaEzer, 21:2 [↑](#footnote-ref-20)
15. The rabbis of the Talmud debate whether the ritual was actually ever carried out. For an academic analysis, see Rosen-Zvi, Ishay, *The Mishnaic Sotah Ritual*, Brill 2012. [↑](#footnote-ref-21)
16. Jastrow p. 348. [↑](#footnote-ref-22)
17. While Sefaria and Schottenstein translate it as uncovered, based on the Babylonian Talmud’s usage of *p’ra*, Jastrow chooses to translate is as loosened. Rashi too explains that her hair would fall on her shoulders. [↑](#footnote-ref-23)
18. Earlier I had suggested that the uncovered head of a married woman was a sign of promiscuity. Here there is indication that virgins were allowed to uncover their heads in contrast to non-virgins, a category that could include divorced and widowed women as well as promiscuous or sexually violated women. Furthermore, the virgin in this mishnah is actually a legally married woman who is prohibited to all men except her betrothed. Was she allow to circulate freely in the marketplace without a head covering that would identify her as betrothed? It is certainly difficult to suggest a cohesive explanation for the role hair or head covering played in the ancient world. Nonetheless, a review of the different sources strongly suggests practices of modesty that consistentlyserves to identify married women in public spaces. [↑](#footnote-ref-24)
19. Bavli Gittin 77a, Bava Metzia 9b, Bava Batra 85b. [↑](#footnote-ref-25)
20. The version of the Talmud presented in this chapter is based on the most reliable Talmudic manuscript, which differs slightly from the printed Vilna edition in which the statement in the name of Rav Yehudah in the name of Samuel appears anonymously. Rav Yehudah in the name of Samuel appears throughout the entire *sugya* on *Dat Yehudit*, defining each of the examples of the Mishnah according to Samuel’s opinion. It is thus reasonable to suppose that he would offer a definition of the uncovered head, as well. [↑](#footnote-ref-26)
21. This expression, “If so, you have not allowed any daughter of our father Abraham to remain with her husband,” appears in one other source in the Talmud. Tractate Gittin 89a discusses a woman’s behavior in the marketplace, although it does not define it as *Dat Yehudit*. A series of behaviors in the marketplace are just cause for divorce according to Rabbi Meir because they are considered licentious. Examples include eating, walking with an extended neck (arrogantly) or nursing one’s child. Rabbi Akiva cites only the instance of women spinning in the moonlight, gossiping about someone’s indiscretions with men. Rabbi Yohanan ben Nuri replies that if so, you will not allow any daughter of our father Abraham to remain with her husband, for all women will end up under suspicion if such gossip is to be believed. This supports the reading of Rashi and Tosafot in our *sugya* that women will not comply if they have to wear a basket in their own courtyard and much divorce will then ensue because they will be violating *Dat Yehudit.* [↑](#footnote-ref-27)
22. According to Rashi and Tosafot’s understanding of this passage. See their commentary to Ketubot 72b. [↑](#footnote-ref-28)
23. The Ritva on Ketubot 72b, based on Rashi, suggests that a woman could go with a bared head, if only a small number of people are in the vicinity. “But if in a courtyard, if so, you have not left a single daughter of our patriarch Abraham who could live with her husband!—Rashi of blessed memory explained it so—that in a courtyard there is a prohibition of uncovered hair. The meaning of his explanation is that since, according to this suggestion, R. Yohanan’s ruling that when a woman goes with a basket on her head, she is not considered to be of uncovered head applies [in a courtyard, we infer that without a work-basket there would be a prohibition against uncovering hair] even in a courtyard—if so, you have not left a single daughter of our patriarch Abraham who could live with her husband, since most Jewish women go with their heads entirely uncovered in their own courtyards, as no one is there to see. The Talmud concludes that R. Yohanan was referring to one who goes from one courtyard to another by way of an alley. Thus there are three rules with regard to this law: In a courtyard, even without a work-basket, there is no prohibition against uncovering hair; in the marketplace, going even with a work-basket is a violation of *Dat Yehudit*; and in an alley, it is permissible to go with a work-basket but not without one....” [↑](#footnote-ref-30)
24. The *kipah* is mentioned in passing in Ketubot 75a. The mishnah states that if a man vows not to marry a woman with blemishes and she is found to have blemishes, the *kiddushin* is annulled. The Talmud discusses the blemishes in question and one of the examples is a mole on her forehead. A question is raised: If the mole is on her forehead, surely he saw it and was reconciled to it! The Talmud answers that it was hidden under the *kipah* on her head so that it is sometimes visible and sometimes not. In this source, it is suggested that the *kipah* was something worn by a woman even before marriage and sometimes covered the forehead and sometimes did not. Neither here, nor in the source above, is any size or definition given to the *kipah*.

    As with many Talmudic sources, it is hard to draw final conclusions regarding the *kipah* and the obligation of women to cover their heads. Pictures from Pompei, contemporaneous with the Mishnaic period, show women wearing a cap that sits on top of her head but does not cover her hair. It seems to be a net contained with the strictures of a cap. This fits the general implied meaning of *kipah* in the text. [↑](#footnote-ref-31)
25. In parallel, the mishnah mentions that the looser hair ornaments such as ribbons, or ornaments not tightly attached, could be worn into the *mikvah* while the woman immersed because their looseness did not preclude water from saturating the women’s hair completely. The more tightly tied ornaments could not be worn during immersion. [↑](#footnote-ref-32)
26. The concern that a woman not be unattractive to husband appears in a few other significant areas. One example, which appears immediately after our *sugya* in Shabbat 64b, is Rabbi Akiva’s concern regarding a woman who is a *niddah*, allowing her to adorn herself and put on makeup. While the rabbis are concerned lest her attractiveness lead to sinful interaction between the couple, Rabbi Akiva is concerned that she will become repulsive to her husband and he will divorce her. Another example is that a man can prevent his wife from vowing to become a *nazir* to avoid the end process when the *nazir* shaves the hair on his/her head as an offering to God. He can claim he does not want an ugly wife who will be repulsive to him. [↑](#footnote-ref-33)
27. Paintings from this period have been found that show non-Jewish women wearing hair ornaments that match those described in Tractate Shabbat. A golden hair net is seen holding back the hair of a woman in Pompeii. Bangles and frontlets appear in another fresco attached to a band or ribbon held in place at the top of her head. In all of the frescoes the woman’s hair is neatly combed and parted. In some frescoes the woman wears a cap. Whether Jewish women in the time of the mishnah wore a unique head covering is impossible to prove. Some rabbinic sources suggest that non-Jewish women, because of their immodesty, went out with completely uncovered hair. Others suggest that they wore a partial head covering while Jewish women wore an additional head covering. [↑](#footnote-ref-35)
28. There are a number of other sources that state that women cover their heads. These include a mishnah in tractate Nedarim brought below. Although the mishnah does not explicitly state that women cover their heads, the Talmud explains unequivocally that women indeed cover all of their hair. If a person takes a vow to refrain from deriving benefit from people with dark heads, it can only include men. It cannot include women since their hair would not be seen.



    [↑](#footnote-ref-36)