

When the Naked Encounters the Sacred: The Two Paradigms of the Prohibition to Recite Holy Words in the Presence of *'Ervah*

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According to an oft quoted talmudic passage (*b. Ber. 24a*), a woman's skin, thigh, hair and voice are all considered nakedness (*'ervah*). Our article will use this brief *sugya* as a springboard for an in-depth analysis of the halakhic prohibition to recite holy words in the presence of nakedness, as understood in talmudic and rabbinic times.

Our investigation will be divided into two parts. The first part will consist of a diachronic analysis showing that the same prohibition has been conceptualized in two distinct ways ("paradigms"), as well as two slightly less important subvariants, in the relevant sources. Identifying correctly the paradigm employed in a specific passage dealing with prayer and human nudity is essential in order to accurately comprehend the significance of the text.

Philological tools, inasmuch as they shed useful light on the topic, will be employed in this part of the investigation, but the first and foremost focus will be *conceptual*: our contention is that each paradigm embodies a fundamentally different vision of the offense generated by being naked in the presence of the sacred, as reflected by the halakhic norms applicable in each situation.

The objective of the second part of the article will be to frame the unfolding evolution of the interdiction within two ongoing, important scholarly discussions on rabbinic thought. While these two discussions intersect in

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various respects, they nevertheless rely on largely different sets of interpretive lenses and critical tools and therefore need to be formally distinguished. The first strand of scholarship seeks to delineate the broader contextual and comparative contours of the rabbinic discourse on the human body, gender, sex and sexuality, the self, etc. It underscores the commonalities exhibited with Greco-Roman, Western Christian, and/or Sasanian traditions and views the rabbinic assumptions about sexuality and the body as culturally informed by, and connected to, the neighboring cultures' own attitudes to these questions. The second avenue of research, on the other hand, focuses on processes of internalization which it considers to be characteristic of a new discourse of subjectivity in late antique religious sensibilities.

As we will demonstrate, the analysis of the prohibition to pray in the presence of nakedness may serve as a test case for the conceptual frameworks developed by these scholars. While largely confirming their theoretical relevance and hermeneutical fruitfulness, the article will nevertheless suggest that the evolution of the prohibition to recite holy words in the presence of *'ervah* evinces oddities that have been insufficiently addressed until now.

Part 1: Diachronic Analysis of the Prohibition

A preliminary presentation of the *sugya* from *b. Berakhot* 24a will lead us to examine some of its most immediate difficulties.¹

- 1 Since the relevant passage is relatively short, I quote it here in full. The English translation is generally taken from the 1961 edition of the Soncino Babylonian Talmud, with a few minor emendations wherever I felt that a more literal rendition was necessary. Since I am primarily interested in the macro-level, I have only footnoted the variants, as found in the Soncino Printing (1484) and in MSS Munich 95, Oxford Opp. Add. Fol. 23, Florence II-I-7, and Paris 671 (from the *Henkind Talmud Text Databank*), when I found them to be particularly relevant. For a synoptic table of the variants, see Aaron Amit, "The Origin, Meaning, and Development of the *Ervah* Sugya in Bavli *Berakhot* 24a," *Okimta* 3 (2015): 11–25 (19–20) (Hebrew). Also relevant is Amit's classification of the extant manuscripts on tractate *Berakhot* into two major families: according to him, the witnesses of the "Florence/Print branch" have better preserved the original order of the amoraic statements than those of the "Paris/Munich branch" (p. 20; and see references to his previous publications on 20 n. 27 as well as on 12 n. 5).

1. Female Body Parts Defined as Nakedness: A First Introduction

א"ר יצחק טפח באשה ערוה למאי² אילימא לאסתכולי בה³ והא א"ר ששת למה מנה הכתוב⁴ תכשיטין⁵ שבחויין⁶ עם תכשיטין שבפנים⁷ לומר לך כל המסתכל⁸ באצבע קטנה של אשה כאילו מסתכל במקום התורף⁹ אלא באשתו ולק"ש¹⁰.

R. Isaac said: A handbreadth [exposed] in a woman constitutes nakedness. In which way? Shall I say, if one gazes at it? But has not R. Sheshet [already] said: Why did Scripture enumerate the ornaments worn outside the clothes with those worn inside? To tell you that if one gazes at the little finger of a woman, it is as if he gazed at her secret place? No, it means, in one's own wife, and when he recites the Shema.

אמר רב חסדא¹¹ שוק¹² באשה ערוה שנאמר (ישעיהו מז, ב) גלי שוק עברי נהרות וכתוב (ישעיהו מז, ג) תגל ערותך וגם תראה חרפתך¹³ אמר שמואל קול באשה ערוה שנא' (שיר השירים ב, יד) כי קולך ערב ומראך נאוה אמר רב ששת שער באשה ערוה שנא' (שיר השירים ד, א) שערך כעדר העזים.

Rav Ḥisda said: A woman's leg is nakedness, as it says: "Uncover the leg, pass through the rivers" (Isa 47:2), and it says afterwards:

2 MS Munich: הלכתא.

3 MS Oxford: ביה.

4 MS Oxford: הב'ה.

5 MS Oxford adds here: לאשה.

6 MS Oxford adds here examples from the biblical text: אצעדה וצמיד טבעת.

7 MS Oxford adds here examples from the biblical text: עגיל וכומז. The version in MS Paris is similar but more expansive: אצעדה וצמיד טבעת עגיל וכומז עגיל זה דפוס: של דדים כומז זה מקום של כומז זמה.

8 MS Munich adds here: אפי'.

9 MSS Florence and Munich: התורפה.

10 MS Munich initially attempts to prohibit learning Torah in the presence of nudity and reads here: אלא באשתו ובדברי תורה לישנא אחרינא לא קשיא הא באשתו ובק"ש.

11 In MSS Munich and Paris the tradental composition differs, and Rav Sheshet's ruling is mentioned before Rav Ḥisda's and Shemuel's rulings; however, as noted above, the order preserved in MS Florence and the print likely better reflects the original composition of the passage.

12 MS Oxford: שוב. This is likely to be a scribal error.

13 MS Munich adds here: מה גלויין האמור שם ערוה אף גלויין האמור כאן ערוה.

“Thy nakedness shall be uncovered, yea, thy shame shall be seen” (Isa 47:3). Shemuel said: A woman’s voice is nakedness, as it says: “For sweet is thy voice and thy countenance is comely” (Song of Songs 2:14). R. Sheshet said: A woman’s hair is nakedness, as it says: “Thy hair is like a flock of goats” (Song of Songs 4:1).

Thus, the *sugya* lists a number of amoraic rulings which all employ the term *‘ervah*, presumably to assimilate rhetorically certain parts of the female body to (her) genitalia: a handbreadth (*tefah*) of exposed skin, the thigh/leg (*shoq*), the voice (*qol*),¹⁴ and the hair (*se ‘ar*). Additionally, a later editorial comment applies these teachings (or, possibly, only the first *memra*)¹⁵ to the specific context of the recitation of the *Shema*.

This brief textual passage forms part of the Bavli’s discussion on the third chapter of *Berakhot*, which enumerates some of the conditions to be met for the recitation of the *Shema*. Most relevant for our study is the general requirement not to be naked at the moment of *qeri’at Shema*, presented by the Mishnah in the scenario of a person descending to immerse, fully unclothed,

- 14 There are other talmudic passages which deal with *qol be-ishah* but from a different standpoint: if the scriptural link in *b. Ber.* 24a suggests a woman singing, in *b. Qidd.* 70a the reference seems to be a woman speaking to a man; see also *b. Soṭah* 48a (mixed choral singing) and *y. Hal.* 2:1 (woman speaking). According to Aaron Amit, “Give My Regards to Yalta: Is *Kol Ishah* (A Woman’s Voice) Mentioned in Kiddushin 70a–b,” *Sidra* 30 (2015): 121–31 (Hebrew), the concept appeared initially in our *sugya*, and was only later included in tractate *Qiddushin*, with the consequence of potentially prohibiting a man from listening to a woman’s speech.
- 15 The two readings of the *sugya* can be defended, as reflected in the diverging positions taken by the traditional medieval commentators: one school of thought explained the *entire* passage in the context of the recitation of the *Shema* (Cf. Behag *siman* 1, p. 44; Rosh *Berakhot* 3:37; Ra’avyah and R. Hai Gaon, both quoted in the Mordekhai’s commentary on *Berakhot* 24a; R. Eliezer of Metz in *Sefer Yere’im* 392, and many others), while another group distinguished between the first *memra* (handbreadth of skin) and the other three (leg, voice, and hair), and suggested that only the first amoraic teaching should be read in connection to the *Shema* (cf. Maimonides, *Mishneh Torah*, Hil. *Issurei Bi’ah* 21:2; *Teshuvot ha-Ge’onim* [*Sha’arei Teshuvah*], *siman* 29; *Sefer ha-Eshkol*, Hil. *‘Avodah Zarah* p. 192a; with some minor differences between them). Finally, the outlier position of the Rif must be noted: he skipped the passage entirely, possibly because he considered it to be aggadic and not halakhic in nature (see his *Halakhot*, printed at the back of the Talmud in the standard Vilna edition, p. 15a).

just prior to the rising of the sun (according to one opinion, the ideal time for the recitation of the Shema).¹⁶ Similarly, the talmudic discussion immediately prior to our passage from *b. Ber. 24a*¹⁷ tackles the permissibility of reciting the *Shema* while laying naked in bed with one's wife or other hypothetical bedmates.¹⁸

Thus, the general thrust of this small textual passage, as it stands finally redacted in the Bavli, seems relatively unambiguous: a Jewish male is forbidden to accomplish the biblical commandment of reciting the *Shema* while looking at some areas of the female anatomy (her exposed skin, at the very least) understood by the rabbis to constitute nakedness.¹⁹

Nowhere else does the Bavli rule that certain zones of the female body are halakhically considered 'ervah, but one parallel passage does exist in the Yerushalmi.²⁰ There, however, the context is the rabbinic commandment of reciting the blessing on setting aside the *hallah* portion of the dough,²¹ and the Yerushalmi only mentions Shemuel's teaching on the female voice but omits the other three amoraic teachings on a woman's skin, thigh, and hair. Still, minor differences notwithstanding, both Talmudim introduce the concept of

16 See *m. Ber. 3:5*. Other conditions listed in the same source include the absence of foul water, "steeping water," excrement, etc.

17 However, the transition from one topic to the next on *b. Ber. 24a* seems less than smooth. See Amit's rigorous philological analysis in "Origin, Meaning, and Development of the *Ervah* Sugya," which shows that our textual passage was initially a Babylonian *sugya* on *m. Hal. 2:3*. Then, owing to the absence of a commentary on tractate *Hallah* in the Bavli, a later editor inserted the reworked passage, somewhat artificially, in the related context of the recitation of the *Shema*.

18 On the widespread tendency, before the early modern age, to share one's bed overnight, see A. Roger Ekirch, *At Day's Close: Night in Times Past* (New York: Norton, 2005), especially 279–84.

19 As duly noted by Rachel Neis, *The Sense of Sight in Rabbinic Culture: Jewish Ways of Seeing in Late Antiquity* (Cambridge: Cambridge University Press, 2013), 118–20 and Howard Eilberg-Schwartz, "The Nakedness of a Woman's Voice, the Pleasure in a Man's Mouth – an Oral History of Ancient Judaism," in *Off with Her Head! The Denial of Women's Identity in Myth, Religion, and Culture*, ed. Howard Eilberg-Schwartz and Wendy Doniger (Berkeley: University of California Press, 1995), 167.

20 *Y. Hal. 2:1* (58c).

21 See Neis, *Sense of Sight*, 118–20, as well as Amit, "Origin, Meaning, and Development of the *Ervah* Sugya," 15–16.

female ‘*ervah* in the context of the prohibition to recite “holy words” (whether the biblical *Shema* or rabbinic blessings) in the presence of a scene of nudity.

2. Three Questions on *B. Berakhot* 24a

But this initial reading of the *sugya* raises a number of interrogations. As noted earlier in passing, the prohibition to recite holy words in the presence of nakedness is hardly an amoraic innovation; it is already enunciated in numerous tannaitic texts, which similarly forbid the utterance of a blessing or the *Shema*²² when confronted with nudity.

For instance, a fully naked person may not set aside her *terumah* because she cannot recite the prescribed blessing in her state of undress.²³ Conversely, nakedness is not an issue when taking *demai*, a rabbinically prescribed tithe of the agricultural produce set aside in certain cases of doubt, precisely because no blessing needs to be recited in this situation.²⁴ The Tosefta even gives a description of the proper religious conduct in public baths, where people are often naked and praying is fraught with difficulties.²⁵

Bearing in mind the antiquity of the original prohibition, how are we to understand the significance of our passage? Should we infer that the *sugya* from *b. Ber.* 24a amounts to a simple extension of the content of ‘*ervah*, now creatively understood to include certain non-genital areas of the female body, all things remaining otherwise equal in the prohibition’s *modus operandi*?

Hardly. In our opinion, the female variety of ‘*ervah* introduced by the *sugya* marks a small revolution in the way the prohibition to recite “holy words in the presence of nakedness” actually operates. To better assess the significance of the *sugya* from *b. Ber.* 24a, we will now raise a triple set of questions, each one shedding light from a different perspective on our passage.

The first interrogation is also the most obvious: to what extent is the prohibition actually **dependent on** the presence of **a woman**? On the one hand, *b. Ber.* 24a links the rule specifically to the female body: her exposed

22 The recitation of the silent prayer (‘*Amidah*) is also part of the discussion, but the latter is conceptually a separate case, as it is subject to even stricter rules; on this point, see Uri Ehrlich, *The Nonverbal Language of Prayer: A New Approach to Jewish Liturgy*, trans. Dena Rodan (Tübingen: Mohr Siebeck, 2004), 221–31.

23 *M. Ter.* 1:6 and *t. Ter.* 3:1.

24 *M. Demai* 1:4.

25 *T. Ber.* 2:20.

skin, legs, hair, and voice. No similar teachings exist with respect to the male body, and as a result a man's legs, hair, etc., are never considered nakedness. On the other hand, all tannaitic sources,²⁶ without *any* exception, clearly apply the prohibition in ways not especially associated with the female body. And a similar situation exists in more recent strata of the talmudic literature: an 'ervah situation arises, even though no woman is present on the scene, when one man is naked in front of another;²⁷ or when a person is alone and partially clothed but "his heart sees his nakedness," i.e., there is no proper separation between the upper and lower parts of the body;²⁸ and so forth. How can we explain that all other forms of 'ervah are androgynous while the variants discussed on *b. Ber. 24a* are specifically female?

Second, the **scope of the prohibition** seems to vary greatly. Taking a broad interpretation, the *sugya* in *b. Ber. 24a* suggests that even very innocuous sights, like a handbreadth of exposed skin, is enough nakedness to impede the recitation of the *Shema*. But many other older teachings are far less prudish, wherein the most minimal coverage of the genital area suffices to permit setting aside the *terumah* and reciting its accompanying blessing.²⁹ In the most extreme case, an entirely naked woman is authorized to set aside the *hallah* and to recite the appropriate blessing, provided she sits down and hides her genitals.³⁰ The contrast between the few inches of exposed skin (forbidden) and the entirely unclothed but sitting female (permitted) could not be starker.

26 Such tannaitic sources include *m. Ter. 1:6*; *m. Demai 1:4*; *m. Ber. 3:5*; *t. Ber. 2:14–16, 21*; *m. Ḥal. 2:3*; and *t. Ter. 3:1*. Note that *m. Ḥal. 2:3* differentiates between female nudity and male nudity since the anatomical differences between the two sexes impact the law (female genitalia can be covered by sitting down, male genitalia cannot), but the presence of a woman remains entirely incidental to the application of the prohibition. To these, one should add a couple of *baraitot* quoted in the Talmud: *b. Ber. 24b*, on the practical dilemma of a person naked in bed who is too cold to stick his head out of his garment to recite the *Shema*; *b. Ber. 25b*, which discusses whether one may recite the *Shema* when naked in clear or sullied waters; and *b. Sukkah 10b*, which analyzes whether one may stand naked in one's house, stick one's head outside, and recite the *Shema*.

27 See *b. Ber. 25b*.

28 *B. Ber. 24b* and *25b*; see below for an analysis of these teachings.

29 *T. Ter. 3:2* mentions straw, hay, and "anything else" (*u-bekhol davar*); and even (clear!) water suffices for *m. Ber. 3:5*.

30 *M. Ḥal. 2:3*.

Third, the **criterion** employed by the amoraic rulings on *b. Ber.* 24a seems rather vague. Whether we assume that the sages' motivation was to rhetorically assert that certain parts of the female anatomy are as sexual as her genitalia, to discourage men from looking lustfully after them, or to prohibit the recitation of the *Shema* when these areas are exposed makes no difference here. The question remains: why not include other limbs in the discussion? For instance, are we to infer, from the Gemara's failure to mention them, that the breasts do not constitute 'ervah? The list of body parts, as it stands, seems partial to the point of arbitrariness; moreover, it is not at all obvious why the mere sound of a female voice should constitute 'ervah.

A closer examination of the concept of *ervah*, which underlies the prohibition to recite holy words in the presence of nakedness, will help clarify these initial difficulties.

3. Two Divergent Visions of Nakedness

I would like to suggest, at this intermediate stage of the inquiry, that the sources articulate two different visions of 'ervah, the first objective/anatomical and the second subjective/mental: from an objective point of view, nakedness is minimally understood as genitalia, male or female; from a subjective point of view, nakedness is understood to refer to any part of the female body that is sexually arousing for a typical male.

This initial distinction partially dissolves the tensions noted above. Thus, the answer to the first question—when is the prohibition woman-dependent?—depends on the definition of 'ervah. Under the objective definition, the only criterion is the exposure of the genitals: an 'ervah situation exists as soon as any given individual, male or female, is completely naked, even though that person may be utterly alone; the presence of a woman is entirely incidental to the application of the rule. The subjective definition, on the other hand, implies the necessary presence of a (relatively) unclad female representing a potential trigger for the male's sexual excitement.

The same goes for the second question above: if the scope of the prohibition seems to vary significantly, it is because one vision of 'ervah is minimalist while the other one is maximalist: under the objective definition, even limbs of a seemingly sexual nature, like a woman's breasts, are *not* considered 'ervah³¹; only the genitals, defined in strict anatomical terms, actually qualify. The

31 *M. Hal.* 2:3 clearly proves this point.

second definition, however, is inherently more expansive and dynamic; it relies on the erotic potential, in the thought of the rabbis at least, of completely innocuous female body parts.

Finally, regarding the third question (i.e., the criterion for establishing the amoraic list of rulings), I suggest that the teachings mentioned in *b. Ber.* 24a were retained because each sheds light on the *limits of heterosexual stimulation*, a critical question under the emergent subjective definition of ‘*ervah*. From this perspective, the list no longer seems arbitrary or partial. The omission of the breasts, for instance, is easily explained—their natural erotic potential is so obvious that it hardly needs to be pointed out under the subjective definition³² (whereas under the objective definition, breasts did *not* constitute ‘*ervah* at all). The ruling on the female voice, on the other hand, is included since it clarifies what constitutes marginal heterosexual stimulation.³³ In other words, one key factor in the redaction of this passage was the need for a precise delineation of the augmented prohibition’s outer boundaries.³⁴

32 For a study of the idealized female body, and the eroticization of the breasts, in Middle Persian and rabbinic cultures, see Shai Secunda, “The Construction, Composition, and Idealization of the Female Body in Rabbinic Literature and Parallel Iranian Texts: Three Excurses,” *Nashim* 23 (2012): 60–86, esp. 70–78.

33 We will soon have more to say on the logical reasoning which legitimized the extension of ‘*ervah* to the female voice, thus creating an “auditory nakedness.” In the meantime, note that the sexual appeal of the female voice has also been analyzed from several other perspectives. Thus, Kosman and Golan approached this question from a Lacanian/psychoanalytic point of view and claimed that the rejection of the woman’s voice because of its sexual quality is a formal defense of male anxiety from the potentially threatening disintegration of law and order (see Admiel Kosman and Ruth Golan, “‘A Woman’s Voice is ‘*Erva*’: The Female’s Voice and Silence – Between the Talmudic Sages and Psychoanalysis,” in *Saints and Role Models in Judaism and Christianity*, ed. Marcel Poorthuis and Joshua Schwartz [Leiden: Brill, 2004], 357–75). Others, however, have rejected the Freudian psychoanalytic approach as too reductionist; thus, Eilberg-Schwartz suggested that the eroticization of the female mouth must be understood as part of a larger cultural process that treats the male mouth as an organ of reproduction and dissemination. When Jewish masculinity is not about the phallus but about the mouth, which is the organ of the dissemination of God’s word, connecting the female mouth to the vagina is a way to reinforce “phallogocentrism.” See Eilberg-Schwartz, “Nakedness of a Woman’s Voice,” 165–84.

34 This point should not be misconstrued as positing the existence of a universal *eros* in the thought of the rabbis. Indeed, it is quite possible that the amoraic apodictic statements were originally at odds with each other. However, I do

Thus understood, the passage from *b. Ber.* 24a does not simply extend the reach of traditional ‘*ervah*, but rather reconceptualizes its very idea: initially, the sources from the Mishnah and the Tosefta understood ‘*ervah* as a purely objective, anatomical concept, limited exclusively to genitalia, male or female. A few centuries later, *b. Ber.* 24a introduced an alternative vision of ‘*ervah*, understood this time as a subjective, psychological concept, and encompassing all female body parts that a typical male finds sexually arousing.³⁵

But the definition of ‘*ervah* is just the tip of the iceberg. As the distinction between objective and subjective ‘*ervah* resolves our three earlier interrogations, we must examine how this evolution affects the larger picture of the Jewish law. To this end, we now turn to analyze two paradigms, each one based on a different understanding of ‘*ervah*, of the prohibition “to say holy words in the presence of nakedness.”

4. One Prohibition, Two Paradigms

On the face of it, the rule prohibiting the recitation of holy words in the presence of nakedness simply remained in place (i.e., “it is forbidden to pray while in the presence of an ‘*ervah*”); behind this façade, however, the introduction of specifically female forms of ‘*ervah* completely revolutionized how the rule operates. To better measure the depth of the change, we will contrast the two operating paradigms on the basis of the following three parameters.

First, the number of **ritual actors**: under the objective definition of ‘*ervah*, the presence of two human beings is entirely unnecessary: one entirely

believe that each statement taken individually, and the entire list as compiled by the redactor of the *sugya*, responds to the question of what must be viewed as *marginal heterosexual stimulation*.

35 Some authors have noted that the term ‘*ervah* is not easily translatable into English. Thus, David Brodsky hesitated whether to render ‘*ervah* by “vagina” or by “nakedness” (*A Bride Without a Blessing: A Study in the Redaction and Content of Massekhet Kallah and Its Gemara* [Tübingen: Mohr Siebeck, 2006], 46–47 n. 47). The realization that the definition of ‘*ervah* has evolved historically resolves this issue as well. Thus, in the sources relying on the first paradigm, the best solution is probably to translate ‘*ervah* by “sex organs” (since the term was used in connection with both female and male genitalia). In the sources relying on the second paradigm, one could arguably use the expression “sexual stimulus.” Alternatively, and for the sake of simplicity, one may use the broader term “nakedness” for all sources (and specify explicitly a more precise meaning whenever the need arises). We have adopted this latter approach in this article.

naked actor, male or female, is perfectly sufficient to trigger the application of the rule;³⁶ under the subjective definition of *'ervah*, on the other hand, the presence of two ritual actors, one of them female and the other one male, becomes a necessity.

Second, the **nature of the offense** and its solution: under the objective paradigm, the problem rendering impossible the recitation of holy words consists in the problematic encounter of the naked and the sacred, together in an unseparated physical space. Visual perception plays no role in this equation:³⁷ it is the concomitant *presence* of the two conflicting elements, together in one shared place, which triggers the application of the rule.³⁸ The corresponding solution consists in the carving out of two distinct spaces, the domain of the naked and the domain of the sacred, either by covering the genitals³⁹ or by introducing any kind of partition separating between the sex organs and the sacred.⁴⁰

Under the subjective paradigm, however, the problematic encounter is not geographically located, but rather situated *within the mind* of the would-be male reciter, who is forbidden to utter a prayer so long as his senses are assailed by a source of sexual stimulation. *Sensory perception* is the key factor in this novel halakhic impediment to the recitation of the *Shema*. And, while

- 36 As evidenced by the overwhelming majority of the sources quoted above, which discuss scenarios where one person is naked and alone: *m. Ter.* 1:6; *m. Demai* 1:4; *m. Ber.* 3:5; *t. Ber.* 2:14–15; *m. Hal.* 2:3; and *t. Ter.* 3:1.
- 37 As shown by *m. Ber.* 3:5, which permits (*bedi'avad*, but still permits) the recitation of the *Shema* when a person is immersed in clear water, even though the genitals are clearly visible. The parallels with other offenses listed in the same mishnaic source (excrement, urine, ...) also underscore that the problem is a function of *physical proximity*.
- 38 See the *baraita* quoted in *b. Sukkah* 10b, which raises the possibility that a naked person would move her head out of the window and recite the *Shema*. In such a scenario, the sex organs remain exposed, and the text presumably examines whether the “sacred” and the “naked” are now located in different domains, the first outside and the second inside, thus arguably avoiding a violation of the prohibition. Such an option is ultimately rejected, presumably owing to the organic unity of the body, but the source still illustrates that the concern, under this paradigm, is *presence*.
- 39 See *t. Ter.* 3:1 and *t. Ber.* 2:14, which consider that straw, hay, and even “anything else” represent perfectly sufficient coverage of the sex organs.
- 40 For examples of partitions (as distinguished from coverage of the genitals), see *m. Ber.* 3:5; *t. Ber.* 2:15; as well as the *baraita* quoted on *b. Ber.* 24b.

the sight of an unclad woman is the most common trigger for sexual arousal, other sensory stimuli can arguably accomplish the same result. This logic, which does not differentiate between visual and auditory stimulations, goes a long way to explain how Shemuel could rely on the sexual innuendo perceived in the female voice to extend the boundaries of 'ervah beyond a woman's actual physical body, thus creating, as it were, a paradoxical construct: the disembodied nakedness.⁴¹

The Talmud remains silent on the possible solutions, but later authorities, picking up on the *sensory* nature of the offense, make a number of corresponding suggestions: close the eyes, look the other way, or remove the source of erotic stimulation from sight by covering it up.⁴² Another factor playing a role in this logical construct is habituation: a male who is constantly exposed to a given stimulus eventually stops being aroused, and in such a situation the *Shema* may be recited.⁴³

Third, the *ratio legis*: under the objective paradigm, praying in the presence of an 'ervah is prohibited because it is considered disrespectful to be naked *in the same physical space as the Divine*.⁴⁴ This idea has long roots: already

41 This opens the door to other possible forms of disembodied nakedness—for instance, a woman's odor. The Talmud notes in several instances that some perfumes can be sexually enticing (cf. *b. B. Qam.* 16b, in the name of R. Shemuel bar Nahmani; *b. Šabb.* 62b, in the name of Rava son of R. 'Ilay). While no talmudic sage ruled that a woman's odor prohibits the recitation of the *Shema*, the sixteenth-century *Shulḥan 'Arukh* does mention a prohibition against smelling a forbidden woman's perfume (*Even ha-'Ezer* 21:1).

42 See for instance *Pisqei Riaz*, *Berakhot* 3:3:6 (close the eyes); Maimonides, *Mishneh Torah*, *Hil. Qeri'at Shema* 3:16 (turn the face); see also the twentieth-century *Mishnah Berurah* 75:1, and the corresponding commentary in the *Bi'ur Halakhah*, for a discussion on closing the eyes and turning the face in the writings of several prominent Aharonim. The sources are too numerous to be listed exhaustively.

43 For instance, since men constantly see the faces, hands, and feet of women, those areas are no longer considered sexually arousing; see Meiri's commentary, *Beit ha-Behirah*, *Ber.* 24a; *Hiddushei ha-Rashba* on *Ber.* 24a; see also the commentary of the Mordekhai, ch. 3 par. 90; and the limits set by *Mishnah Berurah* 75:2. Here too the sources are many, and a full treatment of habituation as a factor in the laws of the recitation of the *Shema* is beyond the scope of this article. Note that habituation plays no role in the objective paradigm, where the frequency of a situation does not make the problem less severe.

44 This point is elaborated homiletically in *t. Ber.* 2:14. Other tannaitic sources underscore that the essential problem of being naked does not reside in the erotic potential of the situation, but that nudity is perceived to be undignified

in the written Torah, the priests were prohibited from publicly displaying their sexual organs; they were enjoined to wear linen breeches to cover their nudity when “they approach the altar to officiate in the sanctuary,”⁴⁵ i.e., when performing a holy activity. Similarly, Michael Satlow has documented other tannaitic rules based on the same rationale (i.e., avoiding displays that are disrespectful to the Divine): someone relieving himself should turn away and avoid facing the Temple; a person with a Tetragrammaton tattooed on his flesh should not wash nor immerse for fear of standing naked in front of the holy Name; a priest may not function at the altar while wearing a tunic which gives the illusion that he is naked;⁴⁶ and more.⁴⁷ Anthropological research also concurs: Howard Eilberg-Schwartz has noted that even the most anthropomorphic biblical texts do not present the Godhead as possessing biological functions like copulation or defecation, for a simple reason: because of their perceived animalistic nature, these actions were seen as incompatible with the ancient Hebrew idea of the Divine.⁴⁸

However, under the subjective paradigm introduced by *b. Ber. 24a*, the prohibition’s *ratio legis* is different: the would-be reciter is forbidden to pray when he experiences unclean thoughts because he is *personally disqualified*. As a result of this new rationale of *personal unworthiness*, anything perceived

by itself; thus, “one who shames his fellow who is naked is not comparable to one who shames his fellow who is clothed” (*t. B. Qam. 9:12*).

45 Exod 28:42–43.

46 See *t. Yoma 1:22*.

47 Michael L. Satlow, “Jewish Constructions of Nakedness in Late Antiquity,” *JBL* 116 (1997): 429–54 (432–38).

However, I must disagree with Satlow’s claim that female nakedness, unlike male nakedness, was not seen as an offense against God (“Jewish Constructions,” 440–44). As far as I can see, the sources draw no distinction between men and women in this respect. In fact, the *only* source dealing unequivocally with the question (*m. Hal. 2:3*) certainly considers female nakedness to be offensive in a ritual context. *No* source has been found that authorizes a naked woman to perform a holy activity. Granted, this is not enough to draw a definitive conclusion, but the picture is consistent, and the relative textual paucity can easily be explained by pointing out, with Daniel Boyarin (*Carnal Israel: Reading Sex in Talmudic Culture* [Berkeley: University of California Press, 1993]), 25–30), that rabbinic literature is androcentric (it is written by and for men).

48 Howard Eilberg-Schwartz, *The Savage in Judaism: An Anthropology of Israelite Religion and Ancient Judaism* (Bloomington, IN: Indiana University Press, 1990), 217.

as sexually provocative can henceforth bar the male beholder from reciting the *Shema*—even something as seemingly innocuous (and ubiquitous) as a woman’s leg, hair, voice, or unclothed skin.

To recapitulate our findings so far: the “objective paradigm” of the tannaitic prohibition to recite holy words is consistently predicated on the traditional definition of ‘*ervah*, understood anatomically as the genitals (male or female); it necessitates only one ritual actor (female or male), and its essential concern resides in the offensive encounter of the sacred and the naked, both present in the same physical space. But the “subjective paradigm” introduced by *b. Ber.* 24a is based on a new definition of ‘*ervah*, understood psychologically as any area of the female anatomy which a male observer finds erotically titillating; it necessitates two ritual actors (one female and one male), and its essential concern resides in a man’s disqualifying lewd thoughts, taken for the first time as a halakhic impediment to the recitation of the *Shema*.

These insights are summarized synoptically in the following table.

	Objective (old) prohibition of ‘<i>ervah</i>	Subjective (new) prohibition of ‘<i>ervah</i>
Halakhic norm	Prohibition to pray	Prohibition to pray
Number of ritual actors	One (female or male)	Two (one male observer, one observed female)
Description of the offense	Presence (Problematic encounter of the Naked and the Sacred, together in an unseparated physical space)	Sexual stimulation (Problematic sexual stimulation of the male who is therefore forbidden to recite holy words)
Solutions	Separation / partition	Discontinuation of sexual stimulation
<i>Ratio legis</i>	Lack of fitness of the space	Lack of fitness of the reciter

These two *modi operandi* are both internally consistent and at odds with each other, to the point where one could arguably claim that two *different* prohibitions are now grouped together, somewhat deceptively, under the same umbrella heading.⁴⁹

49 Some traditional scholars have noticed the existence of two conflicting paradigms and sought to reconcile them; to this end, they have explored two different approaches. One suggestion was to distinguish between a biblical ‘*ervah* and a rabbinic ‘*ervah*—the Torah prohibition would cover only the genitals and would

5. The Subjective Paradigm: Broader Historical Perspectives

Before moving on to examine two other groups of sources pertaining to the prohibition to recite holy words, let us pause for a moment of critical self-reflection: is the analysis possibly overextended? After all, the entire existence of the subjective paradigm rests, so far, upon one single textual passage (*b. Ber.* 24a), possibly even upon the lone stammatitic comment applying R. Yitshaq's teaching on the handbreadth of skin to the recitation of the *Shema*. Given this alarming paucity of sources, should we not exert a bit of caution before putting forward grand theories?

If the analysis were indeed limited to the Talmud, the point of criticism would be well-founded. But the subjective paradigm of the prohibition is fleshed out more fully in post-talmudic literature. Later generations of halakhists discuss intensively, sometimes even contentiously, the numerous questions raised by the emergence of the new *modus operandi*: which zones of the female body are so erotically charged that they must be defined as 'ervah';⁵⁰ which, on the contrary, are not especially arousing, and therefore

not be linked to sexual thoughts while the rabbinic prohibition would extend to non-genital but provocative parts of the body (this is a position defended explicitly by several modern commentators: Menashe Klein, *Sefer Mishneh Halakhot* [Brooklyn: Mekhon Mishneh Halakhot Gedolot, 1960], 7:13; Benzion Lichtman, *Bnei Tzion* [Jerusalem, 1946], 2:75; Yehuda Henkin, *Understanding Tzniut: Modern Controversies in the Jewish Community* [Jerusalem: Urim, 2008], 14–15). Alternatively, and perhaps more simply, a distinction could be made between two different situations: the objective definition would represent the baseline and would always be applicable, and the subjective definition would represent additional requirements applicable only when a man stands in the visual presence of a woman (see Rashba's novella to *b. Ber.* 24a, s.v. *Amar Rav Hisda*). Both solutions seek to harmonize tensions by applying two definitions cumulatively: 'ervah as a non-evolutive two-layered—objective and subjective—legal concept. They differ, however, in their reasons for distinguishing between these definitions: the first biblical/rabbinic approach considers the difference to be religious/juridical, while the second solution sees it as purely casuistic/situational. None of these solutions account for the vastly different working mechanisms of the two prohibitions, nor for the temporal gulf separating their appearance in the halakhic literature.

50 The midrashic text "*Pitron Torah*," probably written in the late ninth century or early tenth century, takes note of the seductive potential of women's eyes and faces and considers them to be nakedness (עין באשה ערוה, ראיית פנים באשה ערוה); see Ephraim Elimelekh Urbach, *Sefer Pitron Torah* (Jerusalem: Magnes, 1978), *Parashat Qedoshim*, p. 72.

never prevent the recitation of the *Shema*,⁵¹ which areas *originally* had the status of ‘*ervah*’ but are now so frequently exposed that the male observer no longer experiences disqualifying lustful thoughts and may therefore recite the *Shema* in their presence;⁵² whether it is preferable to avert the gaze or to close the eyes to avoid being sexually stimulated by an ‘*ervah*’;⁵³ etc.

Much more ink is spilled on these questions, but even this brief survey, which does not exhaust the available material, evidences that the existence of the subjective paradigm of the prohibition to recite holy words is a tangible reality in the post-talmudic halakhic literature, and that its various ramifications are systematically explored.

As can be readily seen, the medieval sources frequently employ elements of language taken from *b. Ber. 24a* (most significantly the template “באשה ערוה” to signify female forms of nakedness); moreover, the prooftexts used in *b. Ber. 24a*, like the verses from Song of Songs, are revisited to support later

Similarly, for R. Elazar of Worms (early 13th century), a male should not recite the *Shema* when facing a woman’s exposed upper arms (*zero’a*), which are ‘*ervah*’ (*Sefer ha-Rokeah*, *Hil. Tefillah* 324 and *Hil. Berakhot* 345). In the twentieth century, R. Menashe Klein even rules that a woman’s neck, teeth, and “everything else mentioned in *Shir ha-Shirim*,” are considered ‘*ervah*’ (see his *Mishneh Halakhot* 7:244). R. Klein has some medieval sources to bolster his claim, like Rabbi Yehuda he-Ḥasid’s *Sefer Ḥasidim* 110 and Rabbenu Yonah’s *Sefer ha-Yir’ah siman* 73, but these were written in a non-halakhic context. See also R. Shmuel ha-Levy Wosner, *Shevet ha-Levi* 5:197 and 7:10, who does not reach a definitive conclusion.

- 51 See Meiri’s commentary, *Beit ha-Behirah*, *Ber. 24a*; *Hiddushei ha-Rashba* on *Ber. 24a*; Mordekhai’s commentary, ch. 3 par. 90 – all discussed above.
- 52 Beyond the sources quoted above, see Ben Ish Hai’s ruling (*Halakhot, Parashat Bo*, p. 86 letter *tet*) that a woman’s breasts are *not* considered ‘*ervah*’ during breastfeeding, since it is socially acceptable for a woman to publicly uncover her chest for this purpose; *Mishnah Berurah* (75:3), on the other hand, rules stringently on the same issue. This line of argumentation is also used, in the nineteenth century, by the Lithuanian authority R. Yeḥiel Mikhel Epstein, who permits reciting the *Shema* when facing the exposed hair of a married woman, since hair covering was so uncommon in his day that the sight of hair would not cause *hirhur* (see *Arukh ha-Shulḥan, Oraḥ Ḥayyim* 75:7). Similar positions are also defended by R. Ḥayyim Berlin (*Shu”t Nishmat Ḥayyim* [Jerusalem: Yeshivat Volozhin, 2008], 1:78–79), R. Yosef Ḥayyim of Baghdad (*Sefer Ḥuqqei Nashim*, ch. 17) and others; for more sources, see Mayer Schiller, “The Obligation of Married Women to Cover Their Hair,” *Journal of Halacha and Contemporary Society* 30 (1995): 81–108 (106–7).
- 53 See *Pisqei Riaz, Berakhot* 3:3:6; Maimonides, *Mishneh Torah, Hil. Qeri’at Shema* 3:16; *Mishnah Berurah* 75:1; all discussed above.

rulings; the logical underpinnings of the passage, like the sensory nature of the offense, are explored and taken to their natural conclusions. Finally, many of these sources are taken from commentaries on *b. Ber. 24a* or from its corresponding sections in the great Codes.⁵⁴ Where, then, does this subjective paradigm originate from, if not from our passage from *b. Ber. 24a*?

In short: the subjective paradigm of the prohibition blossomed over time, thanks to the creativity of medieval and modern halakhic authorities; but its first buds were already clearly present in the Talmud.

6. Alternative Versions of the Objective Paradigm

There can hardly be a question that the brunt of the halakhic system's creativity was carried, in later centuries, by the subjective paradigm, which proved itself to be remarkably dynamic and expansive. At the same time, it would be erroneous to believe that the development of the objective paradigm was simply abandoned.

For one, the tannaitic sources written under the objective paradigm still existed, and the later sages resorted to them when a detail of their practical application was unclear or when two sources contradicted each other.⁵⁵ And the ancient feeling of outrage at being naked in the presence of the sacred clearly persisted even in stammaitic times: for instance, the redactors of the Bavli refused to read literally Isaiah 20:2–3, which indicates that the prophet went naked before God, and chose to reinterpret the text to mean that Isaiah wore worn garments.⁵⁶

But more significant evolutions can be discerned in amoraic and post-amoraic sources, and the following paragraphs switch the focus to examine two later forms of the prohibition to recite holy words in the presence of nakedness, both of which redefine partially the operating parameters of the objective paradigm.

First, let us examine the following amoraic teaching: Rava ruled that a nakedness covered by something transparent (*'ervah be-'ashashit*: a nakedness in a lantern) prevents the onlooker from reciting the *Shema*, a position justified by invoking the wording of the verse from Deuteronomy 23:15, which

54 Most notably *Shulḥan Arukh, Oraḥ Ḥayyim* chapter 75.

55 Several examples can be found in *b. Ber. 24a*, where the amoraim discuss the halakhic status of pubic hair, the buttocks, and more.

56 *B. Yoma 77a*.

emphasizes the *visibility* of the nakedness.⁵⁷ Can this position be reconciled with either of the two paradigms analyzed previously? Clearly, this passage is far removed from the logic of the subjective paradigm, inasmuch as the offense does not reside in the sexual titillation of the male observer. We must rather suggest that Rava's ruling follows the logic of the objective paradigm, where the offense is constituted by the concomitant presence of the naked and the sacred in the same physical space.

However, if this is correct, one important caveat must be noted: the Talmud's explicit adoption of *visibility* (and its equally explicit rejection of *coverage*) as the defining parameter of the norm effectively reverses the hierarchy of values classically embodied in the objective paradigm. As we have seen, in the tannaitic sources, any kind of coverage of the genitalia effectively resolves the issue. However, in this later variant of the objective paradigm, the concept of *presence* is expanded to include a scenario where the nakedness is separated from the human reciter by a transparent partition.

Rava's divergence from the classic version of the objective paradigm is vividly illustrated in his overturning an explicit tannaitic rule: conceptually, the mishnaic case of a person whose genitalia are submerged in clear water⁵⁸ raises the very same issue as Rava's discussion of a "nakedness in a lantern" (i.e., an *'ervah* which is "covered" but still visible). But the rulings, evidently, are diametrically opposed, since Rava forbids that which the Mishnah had permitted.⁵⁹

Significantly, this alternative vision of the objective paradigm is also fleshed out in the post-talmudic halakhic literature. Thus, later authorities ruled that a transparent garment, even if only partially see-through, has the

57 B. Ber. 25b:

אמר רבא: צואה בעששית, מותר לקרות קריאת שמע כנגדה. ערוה בעששית, אסור לקרות קריאת שמע כנגדה. צואה בעששית מותר לקרות קריאת שמע כנגדה דצואה בכיסוי תליא מילתא, והא מיכסיא. ערוה בעששית אסור לקרות קריאת שמע כנגדה, "ולא יראה בכך ערות דבר" אמר רחמנא. והא קמיתחזיא.

58 M. Ber. 3:5.

59 Actually, as noted by R. Yaakov Emden in his *Mor u-Qtsi'ah* (ch. 75), there is a difference: the lantern is *only* partially see-through, whereas the water is completely transparent. But this distinction actually exacerbates the divergence between the two teachings: Rava ruled stringently in a situation *less* problematic than the case in which the Mishnah ruled leniently.

status of a “lantern” and qualifies as an ‘*ashashit*; as a result, an ‘*ervah*, when visible through a garment, prohibits the onlooker from reciting the Shema.⁶⁰

Similarly, taking Rava’s visibility criterion as the starting point of their reflection, several post-talmudic authorities have ruled that the exposed genitals of a minor represent an impediment to the recitation of the *Shema*;⁶¹ by doing so, they implicitly asserted that the *visibility* of the minor’s sexual organs effectively trumps their *immature physical development*, and overturned another tannaitic rule which viewed a minor’s unclothed genitalia as unproblematic under the objective paradigm.⁶² Other medieval authorities remained faithful to the classic definition of the objective paradigm and logically upheld the Tosefta’s ruling.⁶³

So far, the implications of Rava’s ruling have been presented as a partial recasting of the objective paradigm. But one could suggest that the contours of this alternative form of the objective paradigm are wider still: Rava’s ruling on a “nakedness in a lantern” is arguably part of a small group of teachings which share the following two elements of commonality: first, they take the text of Tanakh as their point of departure; second, and as a result, they partially redefine the reach of the objective paradigm.

Beyond the “nakedness in a lantern” and the visibility criterion derived from Deuteronomy 23:15,⁶⁴ a further illustration of the same phenomenon touches upon the status of a non-Jew’s nakedness. Thus, we find in the name of Rav Yehudah that a non-Jew’s nakedness is to be considered ‘*ervah*, and it

60 See *Halakhot Gedolot*, 44; *Magen Avraham* on *Shulhan Arukh*, introduction to *Orah Hayyim* 75; *Eliyahu Rabba* 75:1; R. Yaakov Emden, *Mor u-Qtsi’ah*, ch. 75.

61 See Maimonides, *Mishneh Torah*, *Hil. Qeri’at Shema* 3:16 (see the commentary of the *Kesef Mishneh*, who notes that Maimonides’ ruling on the minor’s genitalia is derived from Rava’s teaching on *b. Ber.* 25b); *Shulhan Arukh*, *Orah Hayyim* 75:4.

62 Cf. *t. Ber.* 2:16.

63 See *Pisqei Riaz*, *Ber.* 3:3:5; *Rosh*, *Ber.* 3:35; *Aguddah* 3:72; and Rama’s gloss on *Orah Hayyim* 75:4.

64 I have chosen to take at face value the Talmud’s citation of Deut 23:15 as the *reason* for Rava’s ruling on the ‘*ervah be-’ashashit*, but one could turn this relationship on its head and argue that the verse merely serves as an *asmakhta* for the norm. However, in this second reading, one must admit that the visibility criterion then took a life of its own in the later medieval extrapolations (see-through garment, genitalia of a minor). While the truth cannot be proven either way, the merit of our first reading is to interpret *consistently* the relationship between the norm and the visibility criterion anchored in the verse.

is consequently forbidden to recite the *Shema* in its presence. The stammitic editor then comments that this ruling was necessary, lest one misinterpret the verse in Ezekiel 23:2 to signify that a naked non-Jew is the equivalent of a naked animal, and therefore religiously unproblematic; this is clearly false, the editor concludes, since another verse (Gen 9:23) uses the term ‘*ervah*’ in connection to a non-Jew (Noah).⁶⁵

In other words, the Talmud states that a naked non-Jew is considered ‘*ervah*’ because *the Torah defines it so*. Needless to say, this position clashes with the logic of the subjective paradigm predicated on erotic titillation,⁶⁶ but it also diverges, admittedly more subtly and without modifying any earlier norm, from the classic logic of the objective paradigm, inasmuch as the tannaitic sources always relied on an *instinctive* sense of shame at being naked in the presence of the divine, and never on verses as prooftexts.⁶⁷

To this small group of Torah-based rulings, one may want to add the creative piece of exegesis, advanced by both Talmudim, which pegs the centuries-old prohibition to recite holy words in the presence of nakedness to the verse from Deuteronomy 23:15 (“...וְלֹא יִרְאֶה בְּךָ עֶרְוַת דָּבָר...”). By playing on the word *davar* (דבר) in order to read it as *dibbur* (דיבור), the verse is for the first time understood in post-amoraic sources to signify that the *Shema* or blessings may not be recited when human genitalia (ערוה) are exposed.⁶⁸

To recapitulate: there exists a group of talmudic sources in which local questions regarding the application of the objective paradigm are analyzed on the basis of Torah verses; in this alternative approach, the operating parameters of the objective paradigm are sometimes modified, and tannaitic

65 *B. Ber.* 25b and *b. Šabb.* 150a.

66 And for this reason, I must respectfully disagree with Neis (*Sense of Sight*, 125–26), for whom this passage implies that gentile nakedness is constructed by the Bavli as hypersexual and even as animalistically eroticized, as opposed to the more restrained rabbinic sexuality: as mentioned, the concern of this brief passage is not the avoidance of erotic fantasies. And, in any event, equating the nakedness of non-Jews to that of animals is only envisioned rhetorically, as indicated by the couple of expressions “מהו דתימא ... קמ”ל”; the animalistic identification is explicitly rejected at the end of the reasoning.

67 One non-halakhic commentator has questioned why the genitals of a non-Jew should *not* be considered ‘*ervah*’ in the first place. See Barukh ha-Levi Epstein’s *Torah Temimah* on Gen 9:23, n. 20.

68 See *b. Šabb.*, 23a and 150a; *b. B. Mešī’a* 114b; *y. Ter.* 1:4; *Sifre Deut.* § 258.

norms, developed under the classic definition of the objective paradigm, can be overturned as a result.

7. His Heart Sees His Nakedness

The second variant of the objective paradigm is referred to by the expression "ליבו רואה את הערוה" (lit., "his heart sees his nakedness"). This phrase appears only in the Bavli and never in the Yerushalmi or in any other rabbinic text in antiquity.⁶⁹ Even in the Bavli, the interdiction of *libbo ro'eh* was not unanimously recognized as valid, and the Gemara even suggested solving some disputes between the sages by positing that they argued precisely on this point: one rabbi would hold by the principle of "his heart sees his nakedness," and his disputant would not. Moreover, according to the Talmud's conclusion, other parts of the human body may "see" one's sex organs without cause for alarm.⁷⁰

What the principle of "his heart sees his nakedness" implies is as follows: even though a person cannot physically see his genitals with his eyes, the recitation of the *Shema* and other blessings is still forbidden failing an actual separation between them and the heart. Thus, someone wearing a long tunic as his sole garment would, under the principle of *libbo ro'eh*, still not be able to pronounce holy words, unless he further separates his sex organs from his heart by means of a belt, for instance.

The principle of *libbo ro'eh* is clearly predicated, in all its occurrences in the talmudic sources, on the objective paradigm of the prohibition: it is from the genitals, male or female, that the heart must be separated, not from any other organ (leg, skin, or hair). There is no sexual innuendo: it is rather the physical, unseparated proximity of the heart and the genitals that is cause for alarm.⁷¹

69 In fact, this principle is mentioned altogether five times in the entire Talmud Bavli, all in *b. Ber.* 24–25. The first scholar to explicitly demonstrate the innovation of *libbo ro'eh* in the Talmud Bavli was Saul Lieberman, *Tosefta ki-feshuta* (Jerusalem: Jewish Theological Seminary of America, 1992), *Berakhot* p. 22 line 46 and p. 23, line 48, n. 16. However, as Lieberman himself pointed out, the same idea was already implicitly hinted at in the writings of earlier thinkers; see, e.g., Louis Ginzberg, *Perushim ve-Ḥiddushim ba-Yerushalmi* (New York: Ktav, 1941–61), 2:283–84, who already refused to interpret a difficult passage in the Yerushalmi on the basis of the principle of *libbo ro'eh*.

70 *B. Ber.* 25b: "His heel may see his nakedness, since the Torah was not given to angels."

71 Here, too, I must part ways with Neis, *Sense of Sight*, 117 and 125, who describes *libbo ro'eh* as a way for the rabbis to "trouble the production of gender" and to

With these observations, I have now finished mapping out the prohibition of “holy words in the presence of nakedness” and its various incarnations in talmudic sources. This first part has evidenced the existence of two different paradigms (the first objective and the second subjective), to which one must add two subvariants of the objective paradigm. This classification is exhaustive, inasmuch as no relevant teaching has been left out, and internally consistent. In the second part of this article, I would like to suggest an explanatory framework for the changes observed in the conceptualization of the prohibition.

Part 2: Accounting for the Evolution of the Prohibition

Christine Hayes made an important contribution to the field of rabbinics when she critiqued the simple use of external historical facts without taking into account hermeneutics to account for legal change.⁷² Informed by her critique, the second part of this paper will successively tackle both tracks—first the external, then the internal—and then examine how these approaches may be combined to illuminate the evolution of the prohibition to recite holy words in the presence of *‘ervah*.

8. The External Track: Historical Context

An impressive body of scholarship, associated notably with the names of Daniel Boyarin,⁷³ Michael Satlow,⁷⁴ David Biale,⁷⁵ Charlotte Fonrobert,⁷⁶ Ishay

“ocularize” the entirety of the male body (viz., the rabbis attributed a sense of vision to male body parts other than the eyes). In my view, *libbo ro’eh* is a Babylonian extension of the objective paradigm; as such, it is predicated on a logic of *bizzayon* and not of *hirhur*: the problem resides in the concomitant *proximity* of the heart and the genitalia, and such an issue could only be solved by means of a separation or coverage. Gender plays no role in this construct, and neither does vision, except as a rhetorical artifact.

72 Christine Hayes, *Between the Babylonian and the Palestinian Talmuds: Accounting for Halakhic Difference in Selected Sugyot from Tractate Avodah Zara* (Oxford: Oxford University Press, 1997), 3–24.

73 Boyarin, *Carnal Israel*.

74 Michael Satlow, *Tasting the Dish: Rabbinic Rhetorics of Sexuality*, BJS 303 (Atlanta: Scholars Press, 1995); idem, “Jewish Constructions of Nakedness.”

75 David Biale, *Eros and the Jews: From Biblical Israel to Contemporary America* (New York: BasicBooks, 1992).

76 Charlotte Elisheva Fonrobert, *Menstrual Purity: Rabbinic and Christian Reconstructions*

Rosen-Zvi,⁷⁷ Mira Balberg,⁷⁸ Yishai Kiel,⁷⁹ Ron Naiweld,⁸⁰ Rachel Neis⁸¹ and others,⁸² proposes to analyze the rabbinic perceptions of the body, gender, sexuality, and more, as emerging from complex processes of negotiation with the neighboring cultures' own positions. As we seek to account for the changes observed in the first part of this article, our goal is now to verify whether, and to what extent, such an historical framework proves pertinent.

First, the subjective paradigm of the prohibition, predicated on sexual distraction. The explicit connection between vision and sexual desire in Jewish sources has been frequently noted by scholars: very aware of the erotic potential of female nakedness, the rabbis frequently exhorted men not to look at undressed women lest they be led into sexual misconduct.⁸³ Neis remarked judiciously that in this respect, the rabbis were really no different from their neighbors:

By the time we can speak of the early rabbis, somewhere in the first or second century CE, a panoply of cultural traditions and practices circulated in the Near East whereby sight, desire, and sexuality were precariously entangled. Across ancient

of Biblical Gender (Stanford: Stanford University Press, 2000); eadem, "Regulating the Human Body: Rabbinic Legal Discourse and the Making of Jewish Gender," in *The Cambridge Companion for the Talmud and Rabbinic Literature*, ed. Charlotte Elisheva Fonrobert and Martin S. Jaffee (Cambridge: Cambridge University Press, 2007), 270–94.

77 Ishay Rosen-Zvi, *Demonic Desires: "Yetzer Hara" and the Problem of Evil in Late Antiquity* (Philadelphia: University of Pennsylvania Press, 2011).

78 Mira Balberg, *Purity, Body and Self in Early Rabbinic Literature* (Berkeley: University of California Press, 2014).

79 Yishai Kiel, *Sexuality in the Babylonian Talmud: Christian and Sasanian Contexts in Late Antiquity* (New York: Cambridge University Press, 2016).

80 Ron Naiweld, "Purity of Body, Purity of Self: "Hirhur" in Rabbinic Literature," *Judaïsme ancien* 2 (2014): 209–35.

81 Neis, *Sense of Sight*.

82 Recent relevant publications include Noah Benjamin Bickart, "Overturning the Table: The Hidden Meaning of a Talmudic Metaphor for Coitus," *Journal of the History of Sexuality* 25 (2016): 489–507; and David Brodsky, "Thought is Akin to Action: The Importance of Thought in Zoroastrianism and the Development of a Babylonian Rabbinic Motif," in *Irano-Judaica VII*, ed. Julia Rubanovich and Geoffrey Herman (Jerusalem: Ben Zvi Institute, 2019), 145–96.

83 See for instance Satlow, "Jewish Constructions of Nakedness," 440–41.

sources, from Mesopotamia to Israel to Greece, we find nearly all looking, whether setting one's eyes upon a person's form or body or the exchange of a glance, could both express and arouse desire, lust or love. Such notions, and a variety of practices built thereon persisted into late antiquity and well beyond (...). In antiquity Greek-speaking novelists and Latin poets capitalized on them; Jewish and Christian sources attempted to police and regulate them.⁸⁴

Indeed, women were often represented as the enticing objects of male gaze in Greek,⁸⁵ Roman,⁸⁶ early Christian,⁸⁷ and Iranian⁸⁸ sources. To be sure, the specific artistic and legal constructions of visual desire varied significantly from one culture to the next (or even within the same culture), but the existence of a connection between visual perception and sexual desire seems to have been universally acknowledged.

84 Neis, *Sense of Sight*, 113.

85 See for instance Nancy Sorkin Rabinowitz, "Women as Subject and Object of the Gaze in Tragedy," *Helios* 40 (2013): 195–221; Françoise Frontisi-Ducroux, "Eros, Desire and the Gaze," in *Sexuality in Ancient Art*, ed. Nathalie Boymel Kampen (Cambridge: Cambridge University Press, 1996), 81–100; and Andrew Stewart, *Art, Desire and the Body in Ancient Greece* (Cambridge: Cambridge University Press, 1997).

86 See examples in Marguerite Johnson and Terry Ryan, *Sexuality in Greek and Roman Literature and Society: A Sourcebook* (London: Routledge, 2005), 39–60 and Amy Richlin, "Making Up a Woman: The Face of Roman Gender," in *Off with Her Head! The Denial of Women's Identity in Myth, Religion, and Culture*, ed. Howard Eilberg-Schwartz and Wendy Doniger (Berkeley: University of California Press, 1995), 185–214.

87 See Mary Rose D'Angelo, "Veils, Virgins and the Tongues of Men and Angels: Women's Heads in Early Christianity," in *Off with Her Head! The Denial of Women's Identity in Myth, Religion, and Culture*, ed. Howard Eilberg-Schwartz and Wendy Doniger (Berkeley: University of California Press, 1995), 131–64 and Bernard Prusak, "Woman Seductive Siren and Source of Sin? Pseudepigraphical Myths and Christian Origins," in *Religion and Sexism*, ed. Rosemary Radford Ruether (New York: Simon and Schuster, 1974), 89–116.

88 For one example from the Pahlavi tradition, see Kiel, *Sexuality in the Babylonian Talmud*, 53.

Another observation frequently made is that the erotic gaze was strongly gendered: men actively looked at women, women were passively looked at; the reverse was rarely acknowledged.⁸⁹

With respect to the specifically Babylonian concept of *libbo ro'eh*, a Zoroastrian context must also be considered. The study of Middle Persian literature shows that Zoroastrians used to walk around with a shirt (*sabig*) and a belt (*kustig*), which served to separate between the upper and the lower halves of the body. Failure to wear these items of clothing was likened to going about unclothed and was considered a forbidden exposure of genitalia.⁹⁰ This practice parallels exactly the requirement implied by *libbo ro'eh* to separate the heart from the sex organs.

These findings indeed seem to confirm, as previous scholarship has asserted, that the rabbinic perceptions of sexuality were situated at the crossroads of late antique culture. The rise of the subjective paradigm of the prohibition, as well as of the "*libbo ro'eh*" subvariant of the objective paradigm, were likely informed by the neighboring cultures' own attitudes to similar questions. While for the rabbis these concerns became embodied in the halakhic realm, these developments express parallel sensitivities that ran cross-culturally.

Still, questions remain. The possible Zoroastrian context does not seem to adequately explain why the Bavli entertained, for instance, that a failure to separate between the heels and the genitals could lead to a legal prohibition to recite the Shema.⁹¹ More significantly, I am unaware of any contextual explanation that would account for the emergence of Rava's visibility criterion within the objective paradigm of the prohibition.

89 See Neis, *Sense of Sight*, 116, and Rabinowitz, *Women as Subject and Object*, 195.

90 See Yaakov Elman, "Middle Persian Culture and Babylonian Sages: Accommodation and Resistance in the Shaping of Rabbinic Legal Tradition," in *The Cambridge Companion for the Talmud and Rabbinic Literature*, ed. Charlotte Elisheva Fonrobert and Martin S. Jaffee (Cambridge: Cambridge University Press, 2007), 165–97 (181–82); Shaul Shaked, "No Talking During a Meal—Zoroastrian Themes in the Babylonian Talmud," in *The Talmud in Its Iranian Context*, ed. Carol Bakhos and M. Rahim Shayegan (Tübingen: Mohr Siebeck, 2010), 161–77.

91 As explained above, the Talmud eventually *rejects* such a notion but, to use talmudic jargon, how do we understand the הוּא אִמְיָנָא? What was the original concern? If the Persian belt was worn, as local mores mandated, what conceivable reason was there to even suppose that the exposure of the heels to the genitals was problematic in the context of the recitation of the *Shema*?

Furthermore, nudity was not shunned in Greco-Roman religious ceremonies. For instance, the goddess Aphrodite was occasionally represented naked (the famous Knidian Aphrodite, which was apparently set up in an open-air temple, comes to mind), and the statue of the Moschophoros (Calf-Bearer), a remnant of the Acropolis of Athens which is thought to have been a votive offering to the goddess Athena, was draped in a cloth that tellingly left his genitals exposed.⁹² Granted, this liberal attitude toward the expression of nudity in spaces of divine worship reflected, in all likelihood, the Greco-Roman perception of gods and goddesses as having both sexual organs and sexual partners, whereas the Jewish God was always understood as entirely asexual.⁹³ Even so, it remains noteworthy that the objective paradigm of the prohibition continued unabated, free from any influence from the different sociocultural sensitivities of the world around.

Clearly, then, the external reality of the world in which the rabbis lived and thought represents one important piece of the puzzle, but it remains by itself insufficient to account for the entirety of the diachronic trajectory of the halakhic prohibition to pray when facing a nakedness. It is therefore time to shift gears and to evaluate the insights provided by the study of inner-halakhic developments.

9. The Internal Track: Subjectivization of the Concept of *'Ervah*

Several scholars have noted the emergence, in late rabbinic literature, of a new “discourse of subjectivity.” This new discourse manifested itself in the field of *aggadah*, with a new focus on the inner world, the struggles and motivations, of the characters described in rabbinic narratology; but also in halakhah, with the parallel appearance of new legal categories, such as intention (כוונה), thought (מחשבה), will (רצון), the “sake of Heaven” (לשם שמים), and more.⁹⁴

92 See Mireille M. Lee, *Body, Dress and Identity in Ancient Greece* (Cambridge: Cambridge University Press, 2015), 186–90. Some Jewish sources attest unambiguously of this encounter with the Greek notion of nudity, even in a semi-religious context; see for instance *m. 'Avod. Zar.* 3:4.

93 See *ad. n.* 48 above.

94 See Ishay Rosen-Zvi, “Bilhah the Temptress: ‘The Testament of Reuben’ and ‘The Birth of Sexuality,’” *JQR* 96 (2006): 65–94; *idem*, *Demonic Desires*, 62–63, 132–34; Joshua Levinson, *The Twice Told Tale: A Poetics of the Exegetical Narrative in Rabbinic Midrash* (Jerusalem: Magnes, 2005), 127–33 (Hebrew); *idem*, “From Narrative Practice to Cultural Poetics: Literary Anthropology and the Rabbinic

This insight certainly looks promising for our own research: a case can easily be made that the diachronic study of the prohibition to recite holy words in the presence of *'ervah* provides yet another illustration of the general trend toward more subjectivism. On a broad level, the move from the earlier objective paradigm, predicated upon an external/anatomical vision of *'ervah*, to the later subjective paradigm, in which nakedness is understood as an internal/psychological reality, fits in well with the general picture drawn by previous scholars.

However, as demonstrated by Rosen-Zvi in his study of the evil impulse (*yetser*), closer scrutiny shows the reality to be more complex. Rosen-Zvi's textual analysis evidences that the *yetser* was originally conceived as a demonic figure with reified characteristics, a quasi-physical entity viewed as almost part of the human body, and that it is only in late strata of the Bavli that the *yetser* became identified with sexual attraction. But the objective conception of the *yetser* as an external demonic creature subsisted, in an attenuated form at least, and was never entirely replaced by the internal conception of the *yetser* as the "evil inclination" dwelling in a human being's heart. Thus, the human oscillation between sinfulness and righteousness turned into an intricate battle between the individual and demon-like entities that are located inside the body but are not completely a part of it, and sexual attraction became as much a psychological phenomenon as a temptation originating in external forces.⁹⁵

Our own textual analysis complicates even further the rise of the new "discourse of subjectivity" noted by earlier scholarship. Thus, just as in the process of "internalization" of the evil impulse, the late antique emergence of the subjective paradigm of the prohibition never fully displaced the objective paradigm already evident in tannaitic sources. But there is more: where the

Sense of Self," in *Homer and the Bible in the Eyes of Ancient Interpreters*, ed. Maren Niehoff (Leiden: Brill, 2012), 345–67; Eilberg-Schwartz, *Savage in Judaism*, 195–234; Reuven Kiperwasser, "Matters of the Heart – the Metamorphosis of the Monolithic in the Bible to the Fragmented in Rabbinic Thought," in *Judaism and Emotion: Texts, Performance, Experience*, ed. Sarah Ross, Gabriel Levy, and Soham Al-Suadi (New York: Peter Lang, 2013), 43–59; Ephraim Elimelech Urbach, *Ha-Halakhah, Mekoroteha ve-Hitpathutah* (Jerusalem: Yad la-Talmud, 1984), 124. For a different approach based on the dual concepts of nominalism and realism, see Christine E. Hayes, *What's Divine About Divine Law? Early Perspectives* (Princeton: Princeton University Press, 2015), 195–245.

95 Rosen-Zvi, *Demonic Desires*, 63–64 and 132–34.

external demonic vision of the *yetser* merely subsisted in a weaker form, the objective paradigm of the prohibition to recite holy words retained enough vitality to sustain two later developments, i.e., Rava's visibility criterion and the Babylonian variant called "*libbo ro'eh*." Furthermore, another specific element in the subjectivization of 'ervah consists in its temporal dimensions: while our study has identified early indications of the subjective paradigm in a handful of amoraic apodictic statements, it has concluded that the paradigm blossomed over time, thanks to the creativity of medieval and modern halakhic authorities. Arguably, the process of internalization of 'ervah was not concluded until all the implications of the subjective paradigm were systematically explored, centuries after the process began.

In a nutshell: the late antique rabbinic "discourse of subjectivity" serves as a useful prism through which the trajectory of the prohibition to recite holy words in the presence of 'ervah can be better understood. The analysis confirms the conclusions reached by earlier scholarship regarding the general move from objectivism to subjectivism, but it also evidences the existence of specific elements unique to the process of internalization of 'ervah. In the end, both objective and subjective orientations are present within the same legal institution, their precise reaches negotiated in the sources, as a hybrid and complex legal discourse emerges in the interdiction to recite holy words in the presence of nakedness.

10. External Sociocultural Context and Inner-halakhic Hermeneutics: Toward a Possible Reconciliation?

The second part of this article has followed a double track and examined how both external historical facts and inner-halakhic hermeneutics can be mined to explain the evolution of the prohibition to recite holy words in the presence of 'ervah. As we near the end of our study, we would like to offer some tentative observations toward a possible reconciliation of these two approaches – acknowledging humbly that the transition from textual findings to historical reconstruction is never simple.

Let us momentarily broaden the temporal horizon and consider other illustrations of internalization processes, taken this time from later strata of halakhic literature. Elliott Horowitz has documented the evolution of the identity of Amalek, whom the Torah famously commands to blot out from the face of the Earth. Originally a flesh-and-blood, tangible, physical enemy that must be thoroughly annihilated, Amalek became a largely allegorized figure

in medieval Jewish thought, when his mention was creatively understood as a code word for the “evil inclination,” the mystical “primordial serpent,” or sometimes as a symbol of doubt; in other words, medieval Amalek had largely morphed into a reality of the inner world.⁹⁶ In a completely different context, Avi Sagi and Zvi Zohar have found that the “acceptance of the commandments” (*qabbalat ‘ol mitsvot*), one of the crucial steps in the process of conversion to Judaism, was originally conceived as a formal speech act entirely divorced from inner intent. It is only in responsa from the nineteenth and the twentieth centuries that this act of acceptance became a subjective ideological commitment to practice the *mitsvot*.⁹⁷

These findings are not limited to Judaism, and similar phenomena have been pointed out in other faiths. One good illustration may be found in the writings of Paul Tillich, who long ago noted that a vision of religion as essentially a subjective, internal disposition reflects a quintessentially Protestant form of spirituality, whereas a typically Catholic point of view perceives religion as objective and quantifiable, requiring correct and definable performance.⁹⁸

It would therefore appear that the processes of internalization are much broader than initially estimated. In our opinion, if the move toward subjectivism transcends the epochs and the cultures, it is because the possibility of such a move is built into the very fabric of the system. In fact, a shift toward the inner world may well be one of the major hermeneutical tools that a traditional system of values resorts to when the previous comprehension of a given concept is no longer tenable in the wake of a new reality. In other words, the potential for internalization may be understood as an expression of the resilience and conservatism of a religious system of thought. Confronted with a challenge to its long-held worldview, the traditional mind will often refuse to discard the empty husk of a given legal or conceptual category, and will rather choose to infuse it, creatively or apologetically—a judgment of values depending on the observer’s own standpoint on the issue—with new meaning.

96 Elliott Horowitz, *Reckless Rites: Purim and the Legacy of Jewish Violence* (Princeton: Princeton University Press, 2006), 107–46.

97 Avi Sagi and Zvi Zohar, *Transforming Identity: The Ritual Transformation from Gentile to Jew—Structure and Meaning* (New York: Continuum, 2007), 223–51.

98 Paul Tillich, *A History of Christian Thought* (New York: Touchstone, 1968), 228–30.

The disconnect between an age-old concept and contemporary realities may come in many forms and guises. Sometimes a given fact of existence simply ceases to be, as in the disappearance of the tribe of Amalek, which must then be replaced with an allegorical alternative. Sometimes the social underpinnings of a given legal disposition change abruptly, as in the reorganization of modern European Jewish communities along new lines of voluntary commitment to the commandments, which caused a shift in the halakhic norms regulating the process of conversion to Judaism. Sometimes a general dissatisfaction with the old forms of worship leads to a search for more sincere expressions of spirituality, as expressed in the doctrinal separation between Catholicism and Protestantism; and so on. Comparing how a religious system reacts, case by case, to the loss of relevance of one of its traditional categories of thought is likely to show considerable variation, as the particulars of each situation shape the strategies employed to face the challenge and their eventual outcome.

Applying this insight to the paradigms of the prohibition to recite holy words when facing nakedness leads to the suggestion that the evolution of the interdiction is ultimately best explained as the result of subtle patterns of interactions between the external sociocultural context of the talmudim and the contingencies of inner-halakhic legal development. Thus, I would like to suggest that the move toward more subjectivism ensured the apparent continuity of the halakhic system in a world where the entanglement of sight, desire, and sexuality was perceived to be increasingly problematic. Instead of being created *ex nihilo*, new norms were seamlessly built off older regulations.

Thus, the reception in the halakhic realm of the ubiquitous late-antique negative judgment of the erotic vision arguably resulted in the emergence of the subjective paradigm of the prohibition. In other words, it was the encounter between the rejection of visual *eros*, on the one hand, and the ancient regulations of nudity in the presence of the divine, on the other hand, which resulted in the subjective paradigm of the prohibition, predicated on a legal rationale of sexual distraction. In a similar fashion, the Babylonian principle of "*libbo ro'eh*" is the probable reflection in the halakhic field of Zoroastrian sensitivities prohibiting the physical proximity of the heart and the sex organs, and was ingeniously grafted onto the preexisting regulations by means of a metaphor according to which the heart can "see."

The two tracks (sociocultural context and legal hermeneutics) can therefore be perceived to represent the two sides of the same coin, and the

switch toward more subjectivism may be perceived as a practical defense mechanism of a resilient halakhic system challenged to adapt to evolving social sensitivities.

Summary and Broader Perspectives

Let us recapitulate succinctly our findings. As we have seen (part 1), the prohibition of reciting holy words in the presence of nakedness is expressed by two different paradigms (objective and subjective); additionally, we have identified two later subvariants of the objective paradigm: Rava's visibility criterion anchored in Deuteronomy 23:15 and the Babylonian principle of "*libbo ro'eh*."

The objective paradigm of the prohibition is concerned with the offensive encounter of the naked (understood in strict anatomic terms) and the sacred in the same physical space. The subjective paradigm, on the other hand, gives a psychological definition for '*ervah*' and insists that a male who is sexually aroused is unworthy of reciting the *Shema* or other blessings.

The results of the analysis have confirmed, to a large extent, the relevance of the theoretical models developed by other scholars in the field: the subjective paradigm and the "*libbo ro'eh*" subvariant of the objective paradigm were likely influenced by the neighboring cultures' own attitudes toward similar questions; similarly, the general evolution of the prohibition may be seen as a good illustration, some local specificities notwithstanding, of the late antique rise of a new rabbinic "discourse of subjectivity."

We have suggested that the two tracks (sociocultural context and legal hermeneutics) reflect two different but complementary aspects of the same phenomenon, and that the internalization processes may be read as an ingenious way for the resilient halakhic system to adjust to its shifting surroundings. Thus, it is arguably the encounter between the widespread rejection of visual *eros*, on the one hand, and the ancient regulations of nudity in the presence of the divine, on the other hand, which generated the subjective paradigm predicated on a legal rationale of personal unworthiness due to sexual stimulation. Similarly, the reception of Zoroastrian notions arguably led to the principle of "*libbo ro'eh*" being grafted, by means of metaphorical language, onto preexisting regulations.

As a final perspective, let us briefly broaden the temporal horizon once again. I believe that the conclusions of this article prove relevant to understand

some of the most modern manifestations of modesty (*tzeni 'ut*), and that the changing conceptions of *'ervah* may be critical for understanding the late-twentieth century appearance of dress regulations for Orthodox Jewish women. Further research, clearly, is necessary here. Let us say simply, in summary, that the rabbinic creativity invested over many centuries to deal with the complexities of the *sugya* resulted in an impressive accumulated body of commentaries, responsa, and other texts, which could eventually be built upon as raw material for the authors of the dress regulations for Orthodox women. Eventually, these authors transformed this rich material from a prohibition against reciting holy words in the presence of nakedness into a fully fleshed-out obligation for women to dress modestly. This revolution, which I hope to examine in the future, all began when later talmudic sages reinvented the millennium-old prohibition of juxtaposing the naked and the sacred.