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The Hamodia Advertisement Forbidding Sheitels: A Re-Analysis and Response

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Recently, an advertisement appeared in the HaModia (pre-Sukkos edition, pages 44 and 45 of the Community Section) that essentially stated that it has been determined without a shadow of a doubt that all Indian hair is forbidden – that tonsuring is *takroves Avodah Zarah*. The article stated that in order to wear a sheitel there must be supervision from the very cutting of the hair until the final shipping of the sheitel. The article further states that as of now such strict supervision is nearly non-existent.

It was signed by leading Roshei Yeshiva – Rav Elya Ber Wachtfogel, Rav Malkiel Kotler, Rav Yaakov Shraga Horowitz (Beis Meir), Rav Yisroel Tzvi Neuman and from Eretz Yisroel Rav Sarel Rosenberg, Rav Azriel Auerbach, Rav Moshe Shternbuch, Rav Yitzchok Zilberstein Rav Moshe Mordechai Karp, and Rav Nochum Eisenstein.

The advertisement has made the rounds of several publications. There have been, however, a number of protests to the fact that it was published in the first place regarding a matter that impacts the Torah observant community so significantly.

Some Gedolei HaPoskim have told this author, “look at the Gedolei Torah whose names are absent from this letter, and it is not because they were not approached to sign it. Such a wide-sweeping prohibitory declaration must not only be carefully researched by people who will look at the matter in an unbiased manner. It must further be presented to the Poskim, of whom we drink of their waters daily.”

Why then did the Poskim who expressed their animadversions not come out against the letter? It seems that it on account of their profound level of Kavod haTorah not wanting to come out against the revered Roshei Yeshiva whose names appear therein. This author is presenting a different view while trying not to chas v’shalom be disrespectful. I have also personally seen the genuine and sheer tzidkus and ahavas Yisroel of many of those who have signed on the letter and have drunk of their depth of Torah knowledge. So that readers will not be overwhelmed, this article has been kept to about 3800 words. Here goes.

WHY THERE IS BASIS TO BE LENIENT

Although the leniency for sheitels is, in fact, rather shaky these days because of the Avodah Zarah problem, respectfully, it is this author’s contention as well as that of numerous Rabbonim and Poskim that there is enough halachic basis to be lenient.

Here is why:

Tonsuring, the halachic issue under discussion, is when women cut off all of their hair in a temple for religious purposes. A few years ago, from Jews across the world stopped wearing sheitels with hair that could have come from these temples. Eventually, the issue settled with many of the wig manufacturers obtaining supervision from Rabbis stating that the source of the hair was permitted.

The issue had cropped up again. It also came up some three years ago, and there is a growing movement in both Eretz Yisroel and in some American communities to forbid it again.

WHAT DO THOSE WHO FORBID IT HOLD?

Many Rabbonim are convinced that it is highly likely that virtually all hair in sheitels, no matter the origin – contain Indian temple hair that is Takroves Avodah Zarah – from which it is forbidden to benefit. The issue of Takreves Avodah Zarah, offerings given on the worship of idols are discussed in Shulchan Aruch Yore Deah 139:6. It is based on the Gemorah in Avodah Zarah 59b.

Those who forbid it believe that Indian temple hair is so ubiquitous, that it has found its way into almost every geographical location where sheitels are made. The hair is stripped of its pigment in a near month-long process and supposedly sold to other markets to augment their stocks of hair. [This latter point, however, is disputed by other industry experts that this author has interviewed.] According to the latest available trade data (2023), Indian Hair comprises 93% of the world market.

Over a decade ago, a letter, signed by a number of Israel-based Rabbonim, was posted in shuls across the New York area. The letter was signed by Rav Chaim Meir HaLevi Vosner, the Rav and Av Beis Din of Zichron Meir; Rav Sriel Rosenberg a Raavad in Bnei Brak; Rav Yehudah Silman, an Av Beis Din in Bnei Brak; Rav Shimon Bodni, Chaver, Moetzes Chochmei haTorah, and Rav Moshe Mordechai Karp of Modiin.

The letter states that no hechsher on sheitels are effective because it is impossible to truly know the origin of the hair and that temple hair comprises the overwhelming majority of hair for human hair wigs.

That Kol Koreh, believe it or not, quotes a person named “Vince Selva” of the “Indo Asian Human Hair International Inc.” company who makes a number of claims about temple hair. The Kol Koreh also lists 25 alleged “Facts” about the human hair industry

WHAT IS THEIR REAL INTENT?

This author was present with Rav Yisroel Belsky zt”l when he both researched the issue and when he discussed the issue of Avodah Zarah with the Poskim in Eretz Yisroel. Dayan Dunner’s research was that the Indian women were actually giving their hair as an offering to “the gods” and that the hair was, therefore, considered Takroves Avodah Zarah – something that the Torah forbids. The research of others, including that of Rav Belsky zt”l was that the women were offering to shave their hair as a sign of devotion and that the hair was not an offering per se. According to their understanding, the hair is not an offering and is therefore permitted.

This author’s own research at the time and recently once again, speaking both to representatives of India at the Indian consulate, and others also indicated that it was not an offering per se. Rav Belsky zatzal discussed other reasons for permitting it in his Sefer Shulchan HaLevi page 438 where letters back and forth with Rav Elyashiv zatzal are printed.

THERE ARE TWO REASONS

Subsequent research done by this author revealed that there are indeed Hindu pilgrim women who offer their hair for both reasons. Some offer their hair as a sign of surrendering one’s ego. Others offer their hair in payment of a debt. Punari Aruni, a Hindu pilgrim in her 40’s, appears in the documentary “Hair India” and she is definitely from the surrendering ego camp.

[Please forgive the discussion of Avodah Zarah, but it is being mentioned to gain a fuller understanding of the underlying kashrus issues as per the guidelines of Poskim.] According to Hindu lore, Vishnu, “the Preserver of the World”, took out a loan in order to pay for his wedding. Vishnu’s loan was so large, however, that it would take him thousands of years to pay off his debt. Now many devout Hindus help pay off Vishnu’s debt by offering their hair. [Someone wryly noted that the concept of making large chasunahs is what created the sheitel problem in the first place.]

SOME HINDUS ARE TRULY OFFERING TAKROVES AVODAH ZARAH

Those Hindus that believe in this lore and donate their hair on this account would be producing takroves avodah zarah.

Another version has it that the avodah zarah “god Vishnu” was hit on the head with an axe which caused him to lose a section of his hair. The female angel “Neela Devi” then offered him a lock of her hair as a replacement. Vishnu was so moved that from that point on, he granted wishes to anyone who offered their own hair in devotion. This version can be interpreted in both ways discussed above.

WE SHOULD BE STRINGENT ON EXTENSIONS

It is this author’s view that hair extensions are actually a significant halachic problem and should be avoided. The company “Great Lengths” which produces high end extensions are manufactured exclusively from temple hair. As far as wigs themselves, however, the origin is more nuanced.

THAT WHICH IS SOLD IS NOT TAKROVES AZ AND IS PERMITTED

There are also hair exporters that have agents approaching men in India who pay money so that their wives will sell their hair. The exporters offer the Indian men \$10 for their wives’ head of hair, according to a January 2014 article on the subject by Katie Rucke. According to a director at Tirumala Venkateswara Temple the largest of some 28 temples in India that export hair, the temple does not pay the pilgrims any money for their hair and they use the money obtained from selling it to meet the educational, medical and nutritional needs of the desperately poor. The temple offers some 30,000 daily meals for the poor.

WHAT PERCENTAGE ARE TRUE OFFERINGS AS AN AVODAH ZARAH GIFT?

There are a number of issues that need to be addressed. The first issue is what percentage of the women are actually offering their hair as a gift to their gods? Some women most assuredly are offering it as a gift and it would thus be considered takroves avodah zarah.

Tirumala Venkateswara, for example, attracts tens of thousands of pilgrims each day, making it the temple with the most hair donations in India. The temple features 18 shaving halls, but there are so many people waiting to donate their hair that women and young girls can wait for up to five hours to donate.

At the temple, some 650 barbers sit in lines on the concrete floor and tie the women’s hair into ponytails before cutting it off. Once the large portions of hair are removed, the barbers use a razor to shave each pilgrim’s head, before dousing their head with water to wash away any blood.

For those that are curious, on average, each woman donates about 10 oz of hair, which goes for about \$350. The article continues, “Baskets filled with hair are collected every six hours and stored in a vast warehouse where it is piled knee deep.

It’s estimated that each year India exports an estimated 2,000 tons of temple hair a year. The best – or longest – hair will sell for about \$580 per pound. The hair is sold in yearly auctions that take place in March or April. One ton of hair is equal to donations from about 3,000 women. Since the shaving ceremony and sale of hair is not limited to one “holy site”, and 85 percent of the people in India are Hindu, those companies that export India’s human hair don’t foresee a shortage of temple hair anytime soon.”

GENERAL SF EK SFAIKAH

In this author’s view, and those of Poskim that were consulted – the wigs with a hechsher are permitted through a halachic mechanism known as “Sfek Sfaikah – a double doubt.” We use this concept of Sf ek Sfaikah throughout Shulchan Aruch. For example, we use it in Yoreh De’ah 122:6 to permit the pot of an aino Yehudi in his home when it was used accidentally.

THE SF EK SFAIKAH HERE

So what is the Sf ek Sfaikah here? Firstly, there is a doubt as to whether it is actually an offering. If someone were to cut off his or her thumb to show his or her dedication to their idol, it does not mean that the thumb was given as an actual offering. Body parts may be different.

Secondly, it is unclear whether the hair made in other countries actually ever came from India and some of the hair comes from comb and brush remnant. This certainly grounds enough for a halachic safaik. It should be known that not all the hair is sold to wig manufacturers and much of the volume is sold to stuff mattresses, create oil filters, or further extracted for the amino acids – so notwithstanding the volume of hair that is sold – it does not mean that all wigs throughout the world contain the hair. [The impetus for forbidding the entire issue is thus lessened with this information.]

Thirdly, there is a strong possibility that in regard to including it in a sf ek sfaikah – that the halacha is that its sale makes it no longer considered a Takroves Avodah Zarah on account of bitul – negation. In other words, the reason we are generally stringent is because it is a serious matter – Avodah Zarah, but for the purposes of inclusion in a sf ek sfaikah – we would be more lenient in this case and it would be permitted.

Indeed, this is what Rav Yoseph Teumim holds in his Pri Magadim (Siman 586). This is based on the Gemorah in Zvachim 74a where the Gemorah does not rule like Shmuel (in his stringency of not applying a sf ek sfaikah regarding a takroves avodah zarah). The Beis Shlomo OC 30 is also lenient in this matter of implementing a sf ek sfaikah to permit a possible Takroves Avodah Zarah. This case is even better because there are actually at least three halachically includable doubts here.

There is also the issue of remy hair versus non-remy hair.

CONCLUSION

It is this author’s view that the now fourth campaign of this controversy is only just beginning. It is important that the matter be brought up again before the Gedolei HaPoskim in America because that is

where American women are living. It is likely that they will permit it based upon the triple doubts raised here or upon similar grounds. It is this author's view, however, that any hair marked "ethical" may be more problematic because they do come from a temple. Also, any extension sold in hair salons may be problematic as well (but perhaps could be permitted based upon just a double doubt.)

When this author spoke to Rav Karp about the letter a few years ago and questioned the source of the "due diligence" behind the information, he referred me to a few people who provided the information. This author stands behind the research he has done. However, we really do need to make an airtight system.

There are also a number of Poskim who have permitted Sheitels as they stand now, including Rav Moshe Heinemann shlita, Rav Shmuel Fuerst Shlita, and Rav Yosef Viener shlita (can be heard at <https://torahanytime.com/lectures/328878> at 15 minutes into the shiur. [Many of the Poskim do provide Tznius guidelines for sheitels.]

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This author is presenting the view of Rav Moshe Heinemann shlita with minor headings inserted to facilitate greater comprehension. It appears in the fantastic series entitled Ma Nomar On Kishuf (3:16) where the following 16th question is posed:

Q16. What issues of Avodah Zarah were presented about sheitels? What was the conclusion?

Rav Heinemann answered: In India, they have some religion where they go up a mountain to serve their Avodah Zarah, but before they are able to serve their Avodah Zarah they need to cut off their hair. Also, after childbirth the mother has her hair cut by the priest.

The question is, "why they are cutting off their hair before serving the Avodah Zarah?"

- Some say the hair is cut as an honor to the Avodah Zarah, therefore it becomes takruvas Avodah Zarah which is forbidden to derive any benefit from.[2]
- Others say that the hair is considered impure and must be cut before presenting themselves to their Avodah Zarah.

Many of the Poskim believed the hair is cut off because it is considered impure, so it's not takruvas Avodah Zarah – on the contrary, they don't want their hair to have anything to do with the Avodah Zarah. They asked Rav Elyashiv who should be trusted, and Rav Elyashiv said he would send someone he trusts to find out about the reason why these people cut their hair. This shliach of Rav Elyashiv asked the barber, "What is your intention when you cut your hair – for Avodah Zarah or removing it before worshipping the Avodah Zarah?" The barbers said, "Our intention is to make money. We don't have any other intention." I believe that was a true answer.

These barbers work around 16 hours a day to cut off the hair of the women. So this shliach asked the people what their intention is when they receive a haircut. Some people said it was done as an honor to the Avodah Zarah. However, just because they said it, it's not so simple to say that means the hair was cut as part of worshipping the Avodah Zarah or removing the hair in order to worship the Avodah Zarah.

At that time, when Rav Elyashiv listened carefully to what his shliach said, he felt the hair should be considered takruvas Avodah Zarah and is forbidden. Therefore, a lot of people wanted to fulfill **וְלֹא־תִהְיֶה אֵלֶיךָ תְּהִירָם וְהָרָם** and burned their sheitels.

However, the argument continues because some say you can't trust what these people said their intention is when receiving a haircut since they want to tell you what they think you want to hear, so they may have thought it would be considered more choshuv if the hair was cut for Avodah Zarah, while the experts of Indian culture say that is not really their intention.

It could be the people having their hair cut don't even know what the intention should be, and it doesn't matter anyway because the important intention to know is that of the barbers – and they just wanted to make a parnasa. There is an opinion that since the haircutting does not take place in front of the Avodah Zarah, nor is the hair offered as a sacrifice to the Avodah Zarah, the hair is not forbidden to be used.[3]

TWO TYPES OF HAIR

There are two types of hair in India: Remy hair and non-Remy hair.

REMY-HAIR

Remy hair means that the hair on the sheitel is all in one direction. When these women get their haircut, they sell the hair and make sure to mark which direction the hair was cut because hair has very small scales, just like fish have scales. When you make a sheitel, all the hair must be placed in the same direction so that the side which is stuck into the head should come out of the sheitel as well.

Otherwise, when you comb the hair it will go against the scales, which will make the hair frizzle up. That hair which is carefully marked is expensive.

NON-REMY HAIR

On the other hand, the other type of hair, non-Remy hair, is called comb-hair because when the women comb out their hair some of the hair stays in the comb. People go to the villages to buy that hair which is in the comb, but it's not worth one-tenth of the other hair. Since it is impossible to know which direction this hair should go in the sheitel, they need to put the comb-hair into sulfuric acid to chemically burn off all the scales.

However, once the hair is put into acid then it becomes brittle and snaps after a while – it doesn't last as long as the Remy hair. The Remy hair might last three to five times as long as the non-Remy hair since the sulfuric acid eats into the hair. The bottom line is that if you have a sheitel which sells for \$300-400, it is not from Remy hair. In Eretz Yisroel, most people buy sheitels for \$300-400 and have no question about it.

On the other hand, the sheitels which are very expensive use Remy hair, and that is the type Rav Elyashiv says is forbidden because of takruvas Avodah Zarah. However, that is only if the hair comes from India, but if the hair comes from Italy, France, or other European countries then those sheitels don't have this question at all.

Hair experts told me that the European hair is much finer than Indian hair, though now people are saying even the European hair comes from India too. However, that's not what I heard from the hair experts, so I really don't know what's going on over here. One day we will get down to the bottom of it,

so I tell people not to burn their sheitels yet until more research is done. I think you can rely on those who can tell the difference between Indian hair and European hair. It's no longer a question of a d'oraysa when you have a birur to tell the difference. In fact, there are sheitels with hechsherim on them because of this whole tumult, so if someone says this sheitel has no issue then you can rely on עד באיסורים and that is definitely an advantage.[4]

[1] See Mah Namar Shidduchim (6:7)

[2] Shulchan Aruch YD (139:1) - אליל אסורה בהנאה היא ותשמישה ונויה ותקרובתה בין של עובד כוכבים בין - של ישראל אלא דשל עובד כוכבים אסורה מיד ושל ישראל אינה אסורה עד שתיעבד ותשמישה ונויה בין של עובד כוכבים בין של ישראל אינם אסורים עד שישתמשו בהם ותקרובתה משהביאו לפניו ועשה ממנו תקרובת נאסר

[3] See Shulchan Aruch YD (139:3) - איזהו נוי ואיזהו תקרובת נוי כגון שמדליק לפניו נרות או שטח לפניו בגדי' - וכלים נאים לנוי ותקרובת כל שכיוצא בו קרב על גבי מזבח כמו כל מיני מאכל כגון בשר שמנים וסלתות מים ומלח אם הניחו לפניו לשם תקרובת נאסר מיד אבל דבר שאין מקריבין ממנו בפנים אינו נאסר אלא א"כ עשה ממנו כעין זביחה או כעין זריקה המשתברת והוא דרך לעובדה באותו דבר אע"פ שאין דרך לעובדה בזה הענין כיצד אליל שעובדים אותה שמקשקשים לפניו במקל ושיבר מקל לפניו נאסר מפני ששבירת המקל דומה לזביחה אבל אם אין עובדים אותה במקל כלל ושיבר מקל לפניו אינו חייב ולא נאסר ואם עבדה בקשקוש מקלו והוא דרך עבודתה חייב ולא נאסר וכן בכל דבר שעובדה כדרך עבודתה בין אם הוא דרך כבוד או דרך בזיון ואינו כעין פנים חייב ולא נאסר אבל אם לא עבדה במקל כדרך עבודתו אלא זרקו לפניו אינו חייב ולא נאסר

[4] Shulchan Aruch YD (127:3) - עד אחד נאמן באיסורים להתיר אבל לא להחמיר: הגה מיהו יש אומרים דבדבר - דאיכא לברורי כגון שאומר לו אחד בא ואראך עובד כוכבים מנסך יינך צריך לחוש לדבריו וכל דבר שלא אתחזק לא להתיר ולא לאיסור עד אחד נאמן עליו אפילו לאסרו וכל היכא דאתחזק דבר באיסור כגון טבל או חתיכת בשר שאינה מנוקרת אין העד נאמן עליו להתירו אלא א"כ בידו לתקנו ואם היו בכאן ב' חתיכות אחת של איסור ואחת של היתר נאמן העד לומר זה היתר וזה איסור ואדם נאמן על שלו אפי' היכא דאתחזק איסורא ועי' לעיל סי' קי"ט דין החשוד על הדבר אם מעיד עליו. ועי' לקמן סימן קפ"ה מי שאומר פלוני חכם הכשיר לי זה והחכם כופר. ועי' באבן העזר סימן קנ"ב אם אמרין לגבי עדות שהפה שאסר הוא הפה שהתיר ואשה נאמנת בדבר איסור לומר תקנתיו ודוקא בודאי איסור כגון ניקור בשר וכדומה לו אבל בספק שמא אין כאן איסור כגון שצריכה לברר דגים טמאים מטהורים או איסור שיש בו צדדים להקל אין אשה נאמנת דאשה דעתה קלה להקל קטן אין לו דין עד להיות נאמן באיסורין מ"מ בקטן חריף ובקי בדבר ואיכא רגלים לדבריו יש להחמיר אם מעיד על דבר איסור ואם מעיד על איסור דרבנן להקל ולא אתחזק איסורא כגון בדיקת חמץ נאמן דהמנוהו רבנן בדרבנן אבל אם אתחזק איסורא אינו נאמן כלל.