Is it Permissible for Men and Women to Sit Next to Each Other on an Airplane?

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It was announced last week that El Al, Israel's national carrier, will remove any passenger who refuses to sit next to another passenger for any reason. The announcement comes following an incident just days prior, when a flight from New York to Israel was delayed by more than an hour after four religious men refused to sit in their assigned seats next to women. The story ‘went viral,’ and in response, a large tech company threatened to boycott the airline, prompting El Al's decision.

In June 2017, just one year ago, a Jerusalem court ruled that airline employees cannot ask women to change seats after Renee Rabinowitz, a woman in her 80's, sued El Al for making her change her seat on a 2015 flight from Newark to Tel Aviv.

Those of us who travel frequently are quite familiar with the following scene: Delayed departures as the cabin crew attempts to accommodate male passengers who refuse to sit next to women, claiming Jewish Law does not allow for it.

But is it permissible for a man to sit next to a woman according to Jewish Law?

It is prohibited for a man to touch a woman who is forbidden to him. In the context of forbidden relationships, the Torah instructs: “…Do not come close to uncovering Ervah” (Vayikra 18:6). Acording to the Rambam, it is a Torah prohibition to “come close” through affectionate touching (Hilchot Issurei Bi’ah 21:1; Sefer Hamitzvot, Lo Ta’aseh no. 353). The Ramban disagrees, and concludes that this prohibition is Rabbinic; a "fence around the Torah" to prevent sin (Commentary to Sefer Hamitzvot, ad loc.).

However, the type of touching that is prohibited is limited to touching out of affection or desire, which provides gratification (Rambam, Hilchot Issurei Bi’ah 21:1. See also Shach, Yoreh De'ah 157:10). Unintentional or incidental contact is not prohibited.

Asked if one may travel on a crowded subway or bus during rush hour, when men and women are pressed up against one another and physical contact is unavoidable, Rav Moshe Feinstein ruled it is indeed permissible as "this is not the way of desire and affection" (Igrot Moshe, Even Ha-Ezer 2:14). Rav Moshe continues and advises those concerned that the unavoidable contact may lead them to impure thoughts to fill their minds with Torah thoughts instead.

Similar rulings are found in the responsa of Rav Ovadia Hedaya (Yaskil Avdi, Even Ha-Ezer 5:23) and Rav Menashe Klein (Mishneh Halachot 4:186). In a 2011 interview, when asked about Mehadrin bus lines, Rav Avraham Yosef, Chief Rabbi of Holon, called the separate-seating buses "unnecessary."