

## How Severe is the Prohibition of Yichud With a Non-Jewish Man or Woman?

### **Rabbi Yosef Jacobovits**

**Question:** How serious is the prohibition of *yichud* between a Jewish man and non-Jewish woman?

**Answer:** Generally, when a Jewish man is secluded with a non-Jewish woman, the prohibition of *yichud* is a *d'rabanan*; however, if the woman is married to a non-Jewish husband, it is more severe and may be *d'ohraysa*. (Note: When we speak about marriage between two non-Jews, it doesn't necessarily mean a legal marriage. Any committed relationship between a non-Jewish man and woman would be considered "marriage" in this regard.)

If a non-Jewish man and woman are in a committed relationship, it is forbidden for either of them to be unfaithful with any other person. If a Jewish man would have relations with the non-Jew's wife, he would be transgressing this *d'ohraysa* prohibition. Although this transgression does not bear the death penalty, it is prohibited by a *mitzvas asei* in the Torah [among other prohibitions]. Some Poskim say that this also means that there would be an *issur d'ohraysa* of *yichud* with this lady. Others disagree and say that *yichud d'ohraysa* only applies to an "*ervah*" who bears the death penalty.

Since this is a *machlokes haPoskim*, and there are practical differences between a potential *Yichud d'ohraysa* and a *Yichud d'rabanan*, everyone should ask their own *shailoh* if this is relevant to them.

**Question:** What about a Jewish woman being alone with a non-Jewish man?

**Answer:** It is forbidden *d'ohraysa* for a married Jewish woman to have relations with a non-Jewish man and this prohibition bears the death penalty. For this reason, the Vilna Gaon clearly says that *yichud d'ohraysa* does apply between a Jewish woman and a non-Jewish man.