

May One Build a Window Facing His Neighbor's Window?

Rav Shmuel Honigwachs

Question: Am I allowed to build a new house or an extension on an existing house that will have a window directly facing my neighbor's window, giving me a line of sight straight into his house?

What if this window is already existing? Do I have to close it?

Answer: In the previous segments, we discussed windows that face a neighbor's yard. Those cases were all relevant to *bain odom l'chaveiro*, meaning that the neighbor certainly has the right to grant permission to make the window. Furthermore, the common custom comes into play when dealing with *bain odom l'chavero*, and it could be argued that the accepted *minhag* is not to force someone to close off an existing window. Regarding a case where a window faces into someone else's house, however, the Poskim note that this is more problematic. We know that Bilaam praised the Jewish tents in the desert by noting that their openings do not face each other. The Gemara cites this as a source to prohibit windows of houses to face each other, and even granting permission would not permit it. Furthermore, even a common custom to have such windows would not suffice to permit them. This leads us to question why people do not seem so concerned about this problem, and the common practice seems to be not to seal off windows that face other people's windows. The Poskim struggle with this question and suggest that perhaps the situation today is different because houses have window shades, which can be closed for privacy. In the times of the *chachomim*, shades were not common and a person would be forced to do private things in view of the open window, which would present a serious breach of *tznius*. Today, however, perhaps this concern is not as severe because we can close our window shades. This may be a reason why the common practice has become not to seal up a window that faces a neighbor's window.

Having said this, it would still seem that if such a window does not yet exist, making a new one would not be the proper thing to do.