

## Women's Issues

### Women and Megillah Reading

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Three factors enter into a Halachic decision. The first is the optimal or "pure" Halachah, that which is determined from the sources alone.

The second is the *metziut*, "reality," the situation on the ground.

To bridge any gap between the two comes the third element, *hora'ah*, literally "ruling." This employs many principles Halachah itself provides, such as the difference between ruling *lechatchilah*, "initially" and *bedieved*, "after the fact." Or, *shaat hadchak*, "pressing circumstances." Or, the obligation to keep quiet, in certain cases, when one knows one won't be listened to, or when the ruling is likely to be misunderstood or misused. Women's reading the Purim megillah for other women, an issue of some recent controversy,<sup>[1]</sup> will serve to illustrate some of the complexities of both Halachah and *hora'ah*.

Three Halachic approaches are found in the *rishonim* on the question of the obligation of women to read the megillah on Purim:

- 1) Men and women are equally obligated in *kriat hamegillah* and, therefore, either sex can read for the other.
- 2) Men are obligated to read the megillah but women are only obligated to *hear* it read; a lesser obligation. Therefore, a woman cannot read for men, following the Halachic principle that only one equally obligated by a mitzvah can perform that mitzvah for others and thereby discharge their obligation.<sup>[2]</sup>
- 3) Men and women are equally obligated to read the megillah but, *nevertheless*, a woman may not read for men.

These *shitot* (halachic positions) can be referred to as **A**, **B** and **C**.

*Shitah A*, that men and women are equal and interchangeable as regards the reading of the of the megillah, is that of Rashi,<sup>[3]</sup> Rambam<sup>[4]</sup> and many other

early authorities.<sup>[5]</sup> It is based on the statement in *Megillah* (4a), "R. Yehoshua b. Levi said, women are obligated in *kriat hamegillah*, because they too were part of the same miracle." Similarly, in *Erchin* (3a), "◆ All are qualified to read the megillah'...[this comes] to include women."

*Shitah B* is based on the *Tosefta Megillah* (2:4), according to which women, in regard to the megillah reading, are not interchangeable with men: "All are obligated to read the megillah, *kohanim*, Levites and Israelites...[but] women are exempt and do not enable the many [=men] to fulfill their obligation." While view A rejects or amends this *Tosefta* as contradicting the Gemara, B reconciles the two sources: the Gemara refers to the obligation of women to *hear* the reading of the megillah, while the *Tosefta* exempts them from *reading* the megillah. Since men have the mitzvah of reading but women do not, men cannot fulfill their mitzvah by having a woman read it to them.

This is the opinion of the Gaonic work *Halachot Gedolot* as found in our editions:

Women, slaves and minors are exempt from reading the megillah but are obligated to hear it (*chayavim b'mashma*). Why? Because they were all endangered by[Haman's plan] "to destroy, kill and wipe out [the Jewish people]" (Esther 3:13); since they were all endangered, they are all obligated to hear it.<sup>[6]</sup>

This opinion of *Halachot Gedolot* is cited by the *Tosafot* in *Erchin* (3a)<sup>[7]</sup> and by Raviah,<sup>[8]</sup> Mordechai<sup>[9]</sup> and many other *rishonim*.<sup>[10]</sup>

C, on the other hand, while accepting the view of A that men and women are equally obligated to read the megillah, nevertheless follows B in prohibiting women from reading it for men. It interprets the *Tosefta* as prohibiting such reading on extraneous grounds. According to *Sefer Mitzvot Gadol*,

Even though women are obligated in the reading of the megillah, they do not discharge males from their obligation....Megillah is different in that it is like the reading of the Torah; therefore, she doesn't discharge a man from his obligation.<sup>[11]</sup>

Just as women can, in principle, be called up to the reading of the Torah in a men's *minyan* but this was forbidden in practice,<sup>[12]</sup> so, too, they may not read the megillah for men.

A slightly different explanation is brought by *Sefer haKolbo* and *Orchot Chayim* in the name of an earlier *rishon*: "The author of *Aseret haDibrot*<sup>[13]</sup> wrote that when reading [the megillah] women do not enable men to fulfill their obligation; the reason is *kol b'ishah ervah*,"<sup>[14]</sup> i.e., while technically permissible, it is immodest for women to read the megillah for men.

It is important for our discussion to note that *Halachot Gedolot*, even though identified above as position B, is apparently seen by a number of *rishonim* as subscribing rather to opinion C. The *Tur* writes in his name, "Even though women are obligated in *mikra megillah*, they do not enable males to fulfill their obligation."<sup>[15]</sup> This is the same language as used by *Sefer Mitzvot Gadol*, i.e., women are equally obligated, but nevertheless may not read for men.

Proof that such an opinion is indeed attributed to *Halachot Gedolot* can be found in *Tosfot haRoshto Sukkah* (38a):<sup>[16]</sup>

...Or else [the reason why women cannot say *birkat hamazon* for men is that] it is dishonorable (*zila beho milta*) for men to have women enable them to fulfill their obligation, just like megillah where women are obligated [but] *Halachot Gedolot* said that women do not enable the many to fulfill their obligation.

Were the view ascribed here to *Halachot Gedolot* that of B, that the mitzvah of megillah for women is less than and different from that of men, there would be no cause to compare it with *zila beho milta* in *birkat hamazon* ♦ in fact, just the opposite, since *Tosfot haRosh* is arguing that women's inability to say *birkat hamazon* for men is *not* proof that her obligation is less than theirs!

As a rule, *Tosfot haRosh* restates and occasionally amplifies the views of the regular *Tosafot*,<sup>[17]</sup> who in *Sukkah* (38a) write in similar fashion:

...Or else [women cannot say *birkat hamazon* for men] because it is dishonorable for the many (*zila beho milta*), for it is [like] megillah in which women are obligated [but] *Halachot Gedolot* explained that women do not enable the many to fulfill their obligation in megillah.

*Tosfot haRosh*, then, is proof that the phrase "women do not enable the many" in the *Tosafot* in *Sukkah* refers to women reading for men, and that the view attributed to *Halachot Gedolot* by this *Tosafot* is C and not B.<sup>[18]</sup> Further indication of this is found in *Sefer haAgudah* in *Sukkah*: "Ri explained that women do not enable men to fulfill their obligation of megillah, even though they and men are equally obligated (*chayavot ka'anashim*)," i.e., opinion C.

"Ri" is the preeminent Tosafist R. Isaac of Dampierre, and there is no doubt that *Sefer haAgudah* in *Sukkah* is summarizing the discussion of the *Tosafot* on the spot in *Sukkah*.

Why is this important for our question of women reading the megillah for other women? Because the 18<sup>th</sup> century authority R. Netaniel Weil, in his commentary on the Rosh called *Korban Netanel*, mistakenly assumed that the opinion attributed to *Halachot Gedolot* by the *Tosafot* in *Sukkah* is B, that women are less obligated than are men. He proceeded to interpret the *Tosafot* as ruling that a woman may read the megillah only for herself but not for a group of other women:

That which the *Tosafot* in *Sukkah* 38a wrote, "...Or else [women cannot say *birkat hamazon* for men] because it is dishonorable for the many, for it is [like] megillah in which women are obligated [but] *Halachot Gedolot* explained that women do not enable the many to fulfill their obligation in megillah," that is to say that a woman may not enable many *women* to fulfill their obligation, because it is dishonorable for them [to have the megillah read to them by a women]. But as far as reading for men, *even without this reason they cannot do so*, not even one woman for one man, because they are not obligated [to read].[\[19\]](#)

His view is cited by the *Mishnah Berurah*,[\[20\]](#) the normally authoritative commentary on the *Shulchan Aruch Orach Chayim*. In this case, however, neither the *Korban Netanel* nor the *Mishnah Berurah* knew of the *Tosafot haRosh* on *Sukkah*, which was not yet in print.[\[21\]](#) Had they seen it, they would not have written as they did.

It can thus be stated categorically that there is no opinion in the Talmud or *rishonim* that prohibits a woman from reading the megillah for herself or for any number of other women.[\[22\]](#) Moreover, as opposed to many innovations in women's prayer groups which, even if not explicitly forbidden, are at the least not anticipated by any authority, women's megillah readings are a clearly implied Halachic option.

Nonetheless, there are a number of possible reasons why women should attend the regular megillah readings by men in the synagogue, all things being equal. These include: the preference (*hidur*) of having as many participants as possible in one large public reading rather than fragmented into smaller ones;[\[23\]](#) the initial obligation to read the megillah in the presence of ten men[\[24\]](#) or ten women,[\[25\]](#) which is often possible only at the synagogue

reading; questions as to the proper blessing to be recited;[\[26\]](#) and the general desirability of performing a mitzvah sooner rather than later.[\[27\]](#)

All things are often not equal, however:

1) It is often impossible to hear properly from the *ezrat nashim*. The inaudibility of even one word from the megillah reading means that the listener has not fulfilled her obligation.[\[28\]](#)

2) Women, and particularly mothers, are often unable to come to the synagogue at the specified times.

For these and other reasons there has emerged a widespread practice to have a second megillah reading for women, and in such circumstances it is entirely proper for a woman or women to read the megillah. Even women who have already heard the megillah read and have thus discharged their own obligation can read for other women in the second reading.[\[29\]](#) In fact, when the alternative is to have a teenage boy read the megillah for a group of learned women, it may be close to being *zila beho milta*[\[30\]](#) for the women not to read the megillah themselves.

Notes

1. In February, 1997 the Queens, NY *Vaad Harabbonim* included women's megillah readings in a list of prohibited activities. Shortly afterwards, a women's megillah reading scheduled at Yeshiva University's Stern College for Women was cancelled by the administration.

2. Mishnah in *Rosh haShanah* 29a; Rambam, *Hilchot Shofar* 2:2; *Shulchan Aruch, Orach Chayim* 589:1.

3. BT *Erchin* 3a, s.v. *l'atuyei nashim*.

4. *Hilchot Megillah* 1:1.

5. *Sefer haMeorot*, Riaz in *Shaltei haGiborim*, Ritva, Meiri and *Nimukei Yosef*, all on BT *Megillah* 4a; *Or Zarua*, pt. 2, no. 368. This is also, apparently, the opinion of Rashba (ed. Dimitrovski) to *Megillah* 4a, who rejects the *Tosefta*. These *rishonim* together with Rashi state explicitly that women can read for men. Others imply as much by quoting R. Yehoshua b. Levi or mentioning women's obligation to read the megillah, without qualification: see



equally to the blessings made when a man reads the megillah a second time for women. Cf. Resp. *Teshuvot veHanhagot*, I, *Orach Chayim*, no. 403.

11. *Smag, Hilchot Megillah*. This comparison to reading the Torah is also found in *Sefer haEshkol* and in R. Avraham Min haHar on BT *Megillah* 19b.

12. BT *Megillah* 23a.

13. Not found in our editions of *Sefer haTur*.

14. *Sefer haKolbo*, chap. 45, and *Orchot Chayim, Hilchot Megillah* par. 2; the interpretation is also mentioned in *Sefer haEshkol*. On whether a woman's reading the Torah with cantillation constitutes *kol b'ishah*, see my Resp. *Bnei Banim*, II, no. 10, pp. 38-39.

If women may not read the megillah for men only because of extraneous reasons, then a man read to by a woman has *bedieved* fulfilled his obligation, and this is indeed the opinion of R. Avraham Min haHar cited in note 11 above. Also, see Rabbi D. Auerbach, *Halichot Beitah*, p. 339 par. 12, regarding *kol b'ishah*. However, *Sefer haEshkol* both quotes *Halachot Gedolot* that women are obligated only to hear the megillah and at the same time gives thereasons of similarity to Torah readings and *kol b'ishah*. According to this, the similarity to Torah readings and *kol b'isha* are not extraneous but are the reasons why *chaza"l* freed women of the obligation to read the megillah in the first place, to *prevent* them from reading for men ("*l'hachi tiknu shelo totzi anashim*"), and thus a man read to by a woman has not fulfilled his obligation even *bedieved*. This resolves the conceptual difficulty in distinguishing between the obligations of men and women in spite of their all having been "part of the same miracle"; cf. *Aruch haShulchan, Orach Chayim* 689, par. 5 and *Sefer Bnei Tzion* (Lichtman), vol. 4, 271:2 (3), pp. 120b-121a.

15. *Tur, Orach Chayim* 689, and cf. Meiri, *loc. cit.*

16. *S. v. b'emet amru*.

17. There is thus no contradiction between *Tosfot haRosh's* restatement here of *Tosafot's* version of *Halachot Gedolot* and his quoting a different version in his own *Psakim*, cited in note 10 above; and see *Bnei Banim*, I, p. 93.

18. That *Tosafot* in *Erchin* 3a cite *Halachot Gedolot* as B is no proof that they do so in *Sukkah*. *Tosafot* in different tractates are often by different authors.

19. *Korban Netanel* on *Megillah*, chap. 1, par. ❖.

20. *Orach Chayim* 689, in *Shaar haTziyun* 15. The *Aruch haShulchan*, *ad loc.*, however, ignores the *Korban Netanel*, and in 271, par. 5 understands the *Tosafot* in *Sukkah* as referring to women reading for men. On the relative authority of the *Mishnah Berurah* and *Aruch haShulchan*, see *Bnei Banim*, I, p. 22, note and II, no. 5.

21. *Korban Netanel* was printed in 1766, *Mishnah Berurah* in 1883, and *Tosafot haRosh* to *Sukkah* in 1903.

22. There is a possible extra-Talmudic opinion to this effect attributed to the *Midrash Neelam* or *Zohar Chadash* on the book of Ruth. *Magen Avraham* on *Orach Chayim* 689, Par. 6, paraphrases it as "a woman should not read [the megillah even] for herself, but hear it from men." However, *Biur haGra* quotes the language of the *Zohar Chadash* differently, and writes: "...that which is written in *Erchin*, ❖ All are qualified etc. to include women,' means to enable [other] women to fulfill their obligation, and such is also written in the *Zohar Chadash*, Ruth 78b: ❖ Women are obligated in *mikra megillah*, but do not read to others [=men], but are required to hear it from the one who makes the blessings.' " The language of the *Zohar Chadash* is unclear, and the connecting phrase used by the Gra "and such is also written" (*v'chen katuv*) indicates that he brings the *Zohar Chadash* in support of his preceding statement that "❖ to include women' means to enable [other] women to fulfill their obligation" and not in contradiction.

23. "*B'rov am hadrat melech*" (Proverbs 14:28), "with many people [comes] splendor for the king [G-d]." Technically this may not apply to women, however; see *Halichot Beitah*, *Petach haBayit*, chap. 25. Also, "*b'rov am hadrat melech*" applies equally to other prayers and blessings, and in communities which ignore it the year round in favor of small *minyanim* etc., it should not be selectively applied to women on Purim.

24. *Shulchan Aruch*, *Orach Chayim* 680:18.

25. Consensus of *achronim*, see *Halichot Beitah*, chap. 24, par. 17 and note 27.

26. See note 10 above.



27. "*Z'rizim makdimim l'mitzvot*" (BT *Pesachim* 4a), "the industrious perform the *mitzvot* early."

28. Unless the listener said the missed words out loud herself.

29. Consensus of *achronim* on women's *areivut*, see *Halichot Beitah, Petach haBayit*, chap. 17.

30. See *Bnei Banim*, II, no. 10, p. 36-38 on the meaning of *kevod hatzibur*.