
Women Reading Megillah: A Halakhic Analysis

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It is only relatively recently in Jewish history that the question of women reading megillah for groups of women or men has become one of “*halakha l’ma’aseh*” (practical law) on a large scale. However, all the classic sources, from the Talmud on, have relevant things to say about this question, whether they originally intended these as theoretical discussions or to explicate a different issue than the one we are discussing. While there is much that has been written on the subject, this article will present a brief overview of the sources and the various sub-questions that arise in the context of women reading megillah. Please reference the bibliography below for more on this subject.

Obligation to Read Megillat Esther

The Babylonian Talmud, Tractate Megillah 2b, derives the obligation to read Megillat Esther (the Book of Esther) on Purim from a verse in the scroll itself. As the story of Esther takes place well after the historical period of the five books of Moses, this obligation is considered Rabbinic in origin. Since it is derived from a canonized text, however, there are those who assign a stronger status to this mitzvah (“*divrei kabbala*”) than to other purely Rabbinic commandments. Indeed, in Megillah 14a it refers to the reading of the megillah as an innovation of the prophets. However precisely we categorize the commandment, rabbinic mitzvot are always approached with the same seriousness as biblical law and the reading of the megillah is no exception,

Women’s Obligation to Read the Megillah

The question of women’s obligation in the reading of the megillah is addressed in Megillah 4a where R. Yehoshua ben Levi unequivocally states that “women are obligated in the reading of the megillah since they too were part of the same miracle.” Before analyzing the meaning of R. Yehoshua ben Levi’s reasoning, one needs to ask why any reasoning is necessary. Women are obligated in the vast majority of mitzvot— why assume any differently about megillah? The answer, of course, is that the one formal category of mitzvot from which women are exempt are positive time-bound commandments (although there are exceptions). Women are generally obligated in negative laws and non-time-bound positive laws and generally exempt from positive time-bound laws, both biblical and rabbinic. The reading of the megillah, tied as it is to the specific night and morning of Purim, is a time-bound positive commandment and without the reasoning of “they too were part of the same miracle” women may have been exempted from it.

What does “they too were part of the same miracle” mean? Rashbam and the Tosafot disagree as to the exact meaning of R. Yehoshua ben Levi’s reasoning. Rashbam understands it to mean that the principle part of the miracle came about due to a woman (on Purim, due to Esther and on Pesach and

Hanukah – where R. Yehoshua ben Levi similarly obligates women in various mitzvot based on the same logic – due to the righteous women of the generation in the case of Pesach, and Judith on Hanukah). The Tosafot reject Rashbam’s explanation and state that R. Yehoshua ben Levi meant that women too were saved from the various threats and were therefore obligated by the Rabbis to celebrate the redemption, They point out that, linguistically, R. Yehoshua ben Levi clearly means to include women with the men (“they too were part...”) and not to highlight the women specifically.

Whereas Tosafot’s statement better reflects the literal meaning of R. Yehoshua ben Levi, it could be that Rashbam’s explanation is necessary as well to understand why we specifically apply R. Yehoshua ben Levi’s reasoning to the three mitzvot of Purim, Pesach and Hanukah and not to other mitzvot (such as the recitation of hallel on holidays and sitting in the sukkah in memory of God’s protection in the desert) from which women are exempt.

Two other sources in the Babylonian Talmud reinforce the ruling from Tractate Megillah regarding women’s obligation in the reading of Megillat Esther, The mishna in Megillah 19b reads: “All are fit to read the megillah with the exception of one who is deaf, one who is mentally deficient and a minor” (each of these exceptions needs to be explicated and much has been written on the subject), The gemara in Tractate Arachin 2b-3a asks about the word “all” since when a mishna emphasizes that all have a particular halakha, we assume that this is in order to correct an assumption that one would have otherwise had, The gemara reads: “ What does ‘all’ come to include? To include women, in accordance with R. Yehoshua ben Levi, As R. Yehoshua ben Levi states ‘women are obligated in the reading of the megillah since they too were part of the same miracle’.” As we said above, we would have thought that women are exempt from megillah since it is a positive time-bound commandment, and, therefore, the mishna needed to emphasize that women are obligated.

Rashi, in his commentary to Arachin 3a s.v. “*l’atuyei nashim*” (to include women), teaches that women “are obligated in megillah and are fit to read it and [therefore can] fulfill the obligation for men”, Rashi bases his opinion on the accepted criteria for fulfilling the obligation of others in mitzvot, If two individuals are both obligated in a commandment and the obligation is of the same origin (i.e. both biblically obligated or both rabbinically obligated) then one may fulfill the mitzvah for the other. Thus, since women and men share the same rabbinic obligation regarding the mitzvah of megillah on Purim, it would follow that women could fulfill not only their own obligations in the mitzvah, but men’s as well, While there is general discussion in the rabbinic sources whether Jewish society finds it appropriate for women to fulfill men’s obligation, there is consensus that once a man and woman have identical obligations there is no technical inability for the woman to fulfill the mitzvah for the man.

The issue, however, becomes more complicated with the introduction of a tosefta from Megillah 2:4 which reads, partially, as follows: “all are obligated in the reading of the megillah...[follows a long list of those who are obligated from which women are absent] and [therefore] can fulfill the obligation of others...women and slaves and minors are exempt and [therefore] cannot fulfill the obligation of others.” This tosefta reflects the accepted idea that one may only fulfill the obligation of others if one is obligated in the same manner (i.e. the obligation is of the same origin, either both biblically or rabbinically obligated). However, it clearly contradicts the accepted opinion of the

Babylonian Talmud that women are, indeed, obligated in the reading of the megillah and, by extension, that they can read the megillah for men and thereby fulfill the men's obligation as well.

How to understand these contradictory sources seems to be, at first, relatively easy, The Tosefta is a collection of tannaitic material that was not codified as part of the Mishna, This particular tosefta was also not brought by the talmudic sages as part of the discussion of women and megillah reading, When faced with a clear trend in the Babylonian Talmud (which the halakha, in general, follows) about a particular halakha, the contradiction from a tosefta is not seen as significant, For example, the Meiri (Megillah 4a) writes explicitly about our case "we should not push away the laid out [opinion of the] Talmud which is in our possession because of a braita (referring, here to this tosefta)...rather, we should rely on our known rule that one who is obligated in a mitzvah may fulfill others' obligation."

The Tosafot, however, whose tendency is always to attempt to reconcile contradictory sources instead of declaring one wrong, pursue a different approach based on an earlier ruling of the Ba'al Halachot Gedolot. The Halachot Gedolot rules that a woman may read megillah for another woman but not for a man. This is based on a crucial distinction the BHG makes between women's exemption from reading the megillah (according to the tosefta) and their obligation to hear the megillah read. Thus, he rules that a woman may read megillah for another woman (whose obligation to hear the megillah is the same) but not for a man (whose obligation to read the megillah differs). The Tosafot in Megillah 4a, s.v. "*nashim*" (women) and Arachin 3a, s.v. "*l'atuyei nashim*" (to include women) then suggest a rereading of the sources as follows:

- 1) When R. Yehoshua ben Levi states that "women are obligated in the reading of the megillah" it should be understood as an obligation to hear the megillah being read,
- 2) When the tosefta states that women are exempt from megillah it should be understood as exempt from reading although still obligated in hearing,
- 3) Since hearing the megillah is a lesser level of obligation than the obligation to read the megillah, the ruling of the tosefta that "women can not fulfill the obligation of others" (i.e. men) is understood,
- 4) When the gemara in Arachin emphasizes that women are fit to read the megillah, it means to correct a possible misimpression that if women are exempt from reading, maybe they may not even read for themselves. So the gemara emphasizes that a woman may read, despite being exempt from reading, in order to fulfill her obligation to hear the megillah.

However, despite the opinion of the Tosafot, the Shulchan Aruch, Orach Chayyim 689:1-2 rules as follows:

"All are obligated in its [i.e. the megillah's] reading: men, and women, and converts, and freed slaves. And we educate the minors to read it, [Both] one who reads and one who hears from a reader fulfills his obligation as long as he hears from one who is obligated in the reading. Therefore, if the reader was deaf or a minor or mentally deficient he who hears from him does not fulfill his obligation. And there are those that say that women do not fulfill the obligation for men."

The Rema adds “and there are those that say that if a woman reads for herself she recites the blessing of “to hear megillah” [and not the standard blessing of “to read megillah”] since she is not obligated to read.”

The accepted rule when the Shulchan Aruch states a halakha and then adds a different opinion with the heading “and there are those that say,” is that the Shulchan Aruch himself agrees with the initial opinion. Rav Ovadya Yosef (Shut Yehaveh Da’at 3:51), for example, states that this is the case here as well and, technically, a woman can read megillah, and even fulfill a man’s obligation in megillah. Other Sephardic decisors, (see article by Aaron Cohen referenced below, pp. 250-251, and footnotes 7-9) however, differentiate between the phraseology here and other places where we apply the accepted rule and say that the Shulchan Aruch does not allow for women to read for men. Certainly in Ashkenaz, the trend has been to be stringent regarding women reading for men both because the Tosafot are often instrumental in determining Ashkenazi halakha and since it seems that the Rema agrees with the opinion that women are obligated differently than men. Although the Rema explains the difference in obligation based on the Tosafot – i.e. men are obligated in reading and women only in hearing – there is actually a wide (and creative!) variety of explanations put forward by various acharonim (latter decisors) to explain why women cannot read for men, See Halichot Beitah (H.B.) chapter 24 footnote 23 for a presentation of the opinions and the practical halakhic differences between them).

Additionally, there are those who point to a comment in the Sha’ar HaTziyyun (a gloss of the Mishna Berura on his own work) to show that women should not even read for other women. The Sha’ar HaTziyyun writes “but for many women - a woman doesn’t read, for it is *’zila milta’* (a cheap thing)” meaning that it is not seemly – at least according to the mores of the times of the Mishna Berura – for women to gather for active female religious rituals. One could ask whether this is still true today when even in more strictly traditional circles women do gather for shiurim and women’s educational institutions conduct tefillah as a group.

More importantly, the source that the Sha’ar HaTziyyun quotes is a Tosafot in Tractate Sukkah 38a, s.v. “*b’emet* (in truth)”, where the Tosafot suggests that women should not read for men because it is not appropriate. The context in the gemara there is the question of the impropriety of allowing a mixed mezuman before grace after meals, not the reading of the megillah. And while it is clear that the Tosafot do not believe that women can ritually fulfill men’s obligations, that reasoning would not apply to an all-women setting, whether a women’s mezuman or megillah reading. The majority of modern poskim who object to women reading megillah, even for other women, do so for sociological and community-directional reasons, as opposed to strictly halakhic ones.

What Blessings are Recited?

In instances where a woman reads for herself or for other women, which blessing should she say? While, as stated, the trend in Ashkenaz was to disallow women to read megillah for men, it is not obvious that the reasoning is because women’s obligation is to hear as opposed to read. Many other reasonings have been suggested which, while not allowing for a woman to read for a man, would still have women make the standard blessing. Even if we posit that the stringency against women reading for men stemmed from the Tosafot’s ruling, as shown above, the Tosafot do not seem to reflect the simple meaning of the Talmud. While, we might be stringent out of respect for the

Tosafot and to ensure that a man does not risk fulfilling his obligation, it seems unlikely that we would change the blessing based on the Tosafot's rereading of the talmudic passages,

Even the Rema, who bases his opinion on the Tosafot's reasoning, couches his suggestion of a different blessing for women as "there are those who say." Additionally, no decisor prior to the Rema mentions the different phraseology (H.B. 24 footnote 10), and there is a prohibition in halakha to create blessings different from those that the Rabbis established. Lastly, it's unclear whether the norm was ever for women to recite the Rema's suggested blessing. While women's readings are too recent an innovation to allow for a statement about "norm", it certainly was the norm in many communities that when a man read for women in a second service after already fulfilling his obligation, he nonetheless recited the standard set of blessings. All of these factors have led many poskim to instruct women to read the regular blessing at women's readings, although there are those who follow the Rema.

The last issue remaining to discuss is the blessing that is recited following the reading of the megillah. Whereas the three blessings prior to reading ("*al mikra megillah*" "*she'asa nisim*" and "*shehecheyanu*") all relate to the reading proper and are recited by anyone reading megillah, the blessing which follows – "*harav et riveinu*" – is a function of the "*pirsumei nisa*" aspect of the reading (publicizing of the miracle). It is therefore not recited by an individual reading alone, but only in a public setting of ten or more. Classically, the creation of a "tzibbur" of ten only happens with the presence of ten men – a minyan – whereas ten or more women do not constitute a minyan and wouldn't say "*devarim shebekedusha*" such as kedusha and kaddish,

Interestingly, the Rema (Orach Chayyim 690:18) writes that we are "doubtful if women can be counted among the [necessary quorum of] ten [required for megillah reading]." This means that the Rema entertains the possibility of women and men together constituting a quorum despite the fact that halakha usually frowns on mixed halakhic entities and despite the fact that the Rema thinks women and men are not obligated in an identical manner. The exclusion of women from counting toward a minyan is often attributed to the fact that they are not obligated in public prayer and therefore cannot effect a public entity. But, in the context of megillah reading, the required ten can be seen as an issue of "*pirsumei nisa*" and therefore the inequality of obligation may be irrelevant as long as a requisite mass of adult Jews are present. This would be even more true for those, like the first opinion in the Shulchan Aruch, who feel that men and women have identical obligations in megillah. Therefore, ten women on their own would create the requisite quorum for "*pirsumei nisa*" and would recite the final blessing of "*harav et riveinu*."

In conclusion, nearly all the sources agree that women can read for other women and even, according to most, recite the standard blessings. The questions that emerge surround the nature of this obligation and whether women can also read for men. While the Talmud Bavli and some rishonim (early commentators like Rashi, the Rashbam, and the Meiri) agree that women have the same obligation as men, the Tosafot and Ba'al Halachot Gedolot raise a question of different levels of obligation. The Shulchan Aruch supports the opinion that women share the identical obligation and can read for others with the same level of obligation (i.e. men), but also includes the alternate opinion that women do not read for men. And the Rema influenced the course of Ashkenazic

halakha by following the view of the Tosafot and saying that the nature of women's obligation is different.

Glossary of rabbinic sources cited:

Rashi: Rabbi Shlomo Yitzchaki (France, 1040-1105), author of commentary on Talmud and Bible.

Rashbam: R. Samuel ben Meir (France, 1085-1174), author of commentary on Talmud and Bible.

Ba'al Halachot Gedolot: anonymous author of Halachot Gedolot, a compendium dating from the Gaonic period, 8-9th c.

Tosafot: comments on the Talmud by students of the German and French yeshivot, 12-14th c.

Meiri: R. Menahem ha-Meiri (Provence, 1249-1316), author of commentary on the Talmud.

Shulchan Aruch: preeminent code of Jewish law. Compiled by R. Joseph Karo (Spain and Israel 1488-1575), printed with the glosses of the Rema (R. Moshe Isserles),

Rema: R. Moshe Isserles (Eastern Europe, 1525-1572), author of the Mapah, the glosses to the Shulchan Aruch reflecting Ashkenazic practice.

Mishna Berura: Rabbi Israel Meir ha-Kohen (Lithuania, 1838-1933), also known as the Chofetz Chaim. The Sha'ar HaTziyyun is a collection of notes written by him on his own Mishna Berurah.

Suggestions for further reading:

David Auerbach, *Halichot Beitah*, Chapter 24.

Avraham Weiss, "Women and the Reading of the Megillah," *Torah U-Madda Journal* 8 (1998-1999) 295-317; see also Aaron Cohen, "Women Reading Megillah for Men: a Rejoinder," *Torah U-Madda Journal* 9 (2000) 248-263.

Rav Yehudah Herzl Henkin, *Shut Benai Banim*, chelek 2: siman 10; chelek 3: siman 7.