

# Some Rabbinic Sources on Women and Torah Reading

Compiled by Elana Sztokman in honour of her daughter Avigayil's bat-mitzvah  
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## Primary Sources

### *Baraita, Babylonian Talmud, Megilla 23a (~250CE)*

"Our rabbis taught: All may be included among the seven [called to the Torah on Shabbat], even a minor and a woman, only the Sages said that a woman should not read the Torah because of public dignity [or, dignity of the congregation]"

ברייתא, תלמוד בבלי מסכת מגילה דף כג עמוד א:

תנו רבנן: הכל עולין למנין שבעה, ואפילו קטן ואפילו אשה. אבל אמרו חכמים: אשה לא תקרא בתורה, מפני כבוד צבור.

### *Tosefta, Megilla 3 (~200CE)*

"All may be included among the seven [called to the Torah on Shabbat], even a woman, even a minor. We do not bring a woman to read in public. In a synagogue where there is only one person who can read, [that person] stands and sits, stands and sits, stands and sits, even seven times."

תוספתא, מגילה פרק ג':

"והכל עולין למנין שבעה, אפילו אשה, אפילו קטן. אין מביאין את האשה לקרות ברבים. בית הכנסת שאין להם מי שיקרא אלא אחד עומד וקורא ויושב ועומד וקורא ויושב ועומד וקורא ויושב אפי' שבעה פעמים."

*The Tosefta and the Baraita, starting points in the discussion of women and Torah reading, offer similar traditions. Both begin with permission and then qualify their statements. But while the Tosefta simply says that it is not done, the Baraita offers a reason, "Kavod Hatsibur", the dignity of the congregation, or public dignity, a concept that begs explanation.*

## Some Commentaries

### *Maimonides, Laws of Prayer, 12;17 (12<sup>th</sup> C Egypt)*

"A woman may not read [the Torah] in public because of the public dignity."

רמב"ם הלכות תפילה פי"ב הי"ז:

"אשה לא תקרא בצבור מפני כבוד הציבור"

### *Shulchan Aruch, Orach Hayim, 282;3 (14<sup>th</sup> C Spain)*

"All may be included among the seven [called to the Torah on Shabbat], even a woman and a minor who understands to whom he is reciting the blessing, but the Rabbis said that a woman should not read in public because of public dignity. Rema: And these may only join the quorum of those called to the Torah, but all of them may not be women or minors."

שולחן ערוך אורח חיים סימן רפב סעיף ג:

הכל עולים למנין שבעה, אפילו אשה וקטן שיודע למי מברכין, אבל אמרו חכמים: אשה לא תקרא בצבור מפני כבוד הציבור. הגה: ואלו דוקא מצטרפים למנין הקרואים, אבל לא שיהיו כולם נשים או קטנים (ר"ן וריב"ש).

*Maimonides' editing of the passage, to read "in public" suggests that "in private" is permissible, even now. This also suggests that "public dignity" is not an absolute concept but a relative one, meaning, it may be set aside. The addition of the Rema suggests that it is only problematic when all of the readers are women or children.*

### *Hasdei David, (R. David Pardo) Tosefta Megilla, 3, from "All are called up" (18<sup>th</sup> C Venice)*

"And it seems that in any case, if she was called up, she shall not step down, for according to the law, she is part of the quorum of seven..."

חסדי דוד, תוספתא מגילה, פ"ג, ד"ה הכל עולין

"ונראה דעכ"פ, אם עלתה, לא תרד הואיל ומדינא עולה למנין..."

*R. Pardo sees it as a "l'chatchila-b'dieved" [ab initio-post factum] issue - permitted but not preferred*

***Piskei Ha-Rid (Rabbeinu Yeshaya Ha'acharon d'Trani) Megilla 267 (13<sup>th</sup> C Italy/Germany)***

"It may be deduced [from the discrepancy between the Baraita and the Tosefta] that only for the seven [that is, on Shabbat] are the minor [and the woman] called up, but for the three and four [that is, on Mondays, Thursdays, and the New Moon], they are not."

***Yaavetz (R. Yaakov Emden) Megila 23a (18<sup>th</sup> C Germany)***

"Where there are not seven men competent [to read] and there is one woman competent and it cannot be done without her, then in such an emergency situation, there is a return to the original law and women are counted among the seven."

***The Kol Yaakov Prayerbook of R. Isaac Luria (Ari z"l), page 35 (16<sup>th</sup> C Safed)***

"Since the seventh parallels the *atara*, which is the secret of *malchut*, which means that it is the secret of the feminine and of children, therefore in the seventh [*aliyah*], when necessary, it is permissible to call even a woman or a minor."

פסקי הרי"ד למסכת מגילה (ירושלים תשל"א) עמוד רס"ז:  
"הכא משמע דדווקא לענין שבעה דנפיש גברי עולה הקטן,  
אבל שלושה וארבעה לא"

הגהות יעבץ למגילה כג עא:

"במקום שאין שבעה בקיאים ויש אשה בקיאה וא"א בלעדיה הרי  
שבשעת דחק כזו חוזרים לדין המקורי ונשים עולות למניין  
שבעה."

סידור מהאר"י ז"ל הנקרא בשם קול יעקב, עמ' ל"ה:

"ולפי שביעי הוא נגד העטרה שהיא סוד המלכות, דז"א  
שלעולם היא בסוד נוקבא וסוד הקטנות, לכן לשביעי ע"פ הדחק  
מותר לקרוא לשביעי אף אשה או קטן."

*Many rabbis throughout the generations have reviewed the Baraita and Tosefta, trying to reconcile the different parts of the passages, and the different approaches towards the kavod hatsibur issue. Some of the various interpretations can perhaps be categorized as:*

- *Women were once allowed to read, but historically this fell out of practice (indeed, the phrase "kavod hatsibbur" only appears in later writings and was likely a post-Mishanic addition)*
- *Women are in theory allowed to read, but in practice do not due to the dignity issue*
- *Women are theoretically allowed to read only from the first few aliyot, or by contrast only in the last aliyah*
- *Women are allowed to read only where there is no available man; or by contrast in any case other than when there are no other able men (perhaps so as not to exacerbate the shame)*
- *Women are allowed to read post factum (b'dieved) but not ab initio (l'chatchila)*

## ***What is kavod hatsibur?***

***Bayit Chadash, (R. Yoel Sirkis) Orach Haim, 690, from "One who reads" (17<sup>th</sup> C Krakow)***

"For whoever presumes [an issue of] the dignity of the congregation regarding Torah reading, such is the case in [reading] the *megilla*, for the two issues have one reason. And according to this it would seem that according to Maimonides, women can absolve men of their obligation regarding Megilla reading, and even here a woman shall not read in public *ab initio* because of the dignity of the congregation, like Torah reading."

בית חדש, אורח חיים סימן תר"ץ ד"ה הקורא:  
"דלכל מילי דחיישינן לכבוד הציבור בקריאת התורה, ה"ה  
במגילה, דהא טעם שניהם אחד. ולפי זה יראה דאע"פ דלדעת  
הרמב"ם נשים מוציאות לאנשים במקרא מגילה, ואפילו הכי  
בציבור לכתחלה לא תקרא אשה מפני כבוד הציבור כמו  
בקריאת התורה."

*The question of how a woman's reading influences public dignity is never directly addressed by the rabbis but simply implied. It may refer to the idea that men are "shamed" when a woman, who was assumed to be less learned than men, read - implying that the men in the community were incompetent or unlearned.*

Alternatively, it simply reflected social norms in which women were considered as part of a social class meant to be unseen and unheard, and a woman's reading was a violation of such social conventions. The fact that it was not overtly explained seems to strengthen the idea that the issue was an assumed women's status.

In any case, halakhically, the main disagreement about the meaning of "the dignity of the congregation" is whether this is an absolute concept or a relative one. Here, the Bayit Chadash sets aside the dignity in a parallel case of Megilla reading on Purim, a case in which women's reading has become readily accepted in the Orthodox community.

**Mishna Sukka 38 (~2<sup>nd</sup> C CE)**

"Our Rabbis taught: It has truly been laid down that a son may recite [the Grace After Meals] for his father, a slave may recite it for his master, and a wife for her husband; but the Sages said, may a curse be upon that man whose wife and sons have to recite the benediction for him."

משנה סוכה ל"ח:

"באמת אמרו, בן מברך לאביו, ועבד מברך לרבו, ואשה מברכת לבעלה. אבל אמרו חכמים, תבוא מארה לאדם שאשתו ובניו מברכין לו."

**Ritva, (Rabbi Yom Tov ben Avraham) Megilla 4 (14<sup>th</sup> C Spain)**

"And since we hold like R. Yehoshua b. Levi that women are under obligation [to read the Megilla], they can also fulfill this obligation [on behalf of others], but this would be inconsistent with the 'dignity of the congregation', and is subsumed within the class of things that are cursed."

חידושי הריטבא, מגילה ד':

"וכיוון דקיי"ל כריב"ל דחייבות אף מוציאות, אלא שאין זה כבוד לציבור והן בכלל מארה."

**Ritva, (Rabbi Yom Tov ben Avraham) Sukka 38 (14<sup>th</sup> C Spain)**

"He shall be cursed, meaning that he did not learn, because had he learned, they [i.e. the slave, woman or minor] would not read for him."

חידושי הריטבא, סוכה ל"ח:

"ותהא לו מארה, פ' שלא למד, שאילו למד לא היו מקריין אותו, אבל כשהגדול מקרא אותו ומוציאו, לא אמר שתהא לו מארה, שדרך הגדול להקרות לאחרים אע"פ שהם יודעים לקרות"

"Dignity of the congregation" is a low-ranking rationale within the halakhic system. It is not "G-d given", (de'orayta) nor is it rabbinic (derabanan), but is rather similar to the reason of "cursed", something not recommended but obviously not against halakha (otherwise "cursed" would be unnecessary). Here, notions of what is considered "cursed" or violating of "dignity" relate to social norms and hierarchies, and a system of gender status in society.

As Mendel Shapiro wrote, "Just asking the question, 'What is kavod hatsibbur?', confirms that we have lost the immediate, intuitive understanding of why women may not read from the Torah. 'Kavod Hatsibbur' is a social sensitivity, and the fact that it must be interpreted to us shows how far removed we are from the social culture of the Talmud... In light of women's status at the time, no explanation was required."

## Can the dignity of the congregation be set aside?

**Bayit Chadash, (R. Yoel Sirkis) Orach Hayim 53, (17<sup>th</sup> C Krakow)**

"The matter is simple, since this is what the Sages enacted, they feared for the dignity of the congregation, and the congregation is not permitted to waive it... If you were to say that they are permitted to waive it, then the rabbi's enactment is useless because every congregation will waive it. Also, Israel has become fragmented..."

בית חדש, אורח חיים נ"ג:

"אלא הדבר פשוט, כיון שכך תקנו חכמים, דחששו לכבוד הציבור, אין ביד הציבור למחול... אם אתה אומר דרשאין למחול, אם כן לא הועילו תקנתם כלום דכל ציבור יהיו מוחלים. ותו, דנעשו ישראל אגודות אגודות..."

**Beit Yosef, Orach Hayim 53: Rabbi Yosef Karo (16<sup>th</sup> C Spain)**

"If the congregation wanted to waive their dignity, it seems that they have the right to do that."

בית יוסף, אורח חיים, סימן נ"ג:

"אם רצו הציבור למחול על כבודם, נראה שהרשות בידם"

*There is a clear split between these two major commentators on this question of waiving kavod hatsibur. Bayit Chadash says that a congregation may not waive its dignity, as he feared communal splintering. He also makes a certain reference in some of his writings to an absolutist nature of the dignity, equating it with the "dignity of G-d" (kavod hashamayim). Beit Yosef, however, accepts the relative nature of the dignity issue and says, simply, that a congregation may waive its own dignity.*

**Responsa, Maharam (Rabbi Meir) of Rotenberg, 4;108 (13<sup>th</sup> C Germany/France)**

"And a town which is inhabited by priests and where there is not even one Israelite, it appears to me that a kohen should read twice [ie, the first two *aliyot*] and thereafter women should read, for all can complete the quorum of seven [who are called up to the Torah], even a slave, a maidservant, and a minor...And with respect to the conclusion 'but the Rabbis said a woman shall not read in public because of *kavod hatsibbur*, where there is no choice, the dignity of the congregation is pushed aside in order to avoid casting suspicion on the priests called to read, that people should not say they are children of divorcees [ie, disgraced priests.]"

שו"ת מהר"ם מרוטנברג, חלק ד' (דפוס פראג) סימן ק"ח:  
"ועיר שכולה כהנים ואין בה אפילו ישראל אחד, נראה לי דכהן קורא פעמים ושוב יקראו נשים, דהכל משלימי, למנין ז', אפילו עבד ושפחה וקטן (מגילה כ"ג). ופ' רבינו שמחה זצ"ל דלאו דווקא למנין ז' אלא אפילו לשלשה...ונהי דמסיק עלה, אבל אמרו חכמים לא תקרא אשה בתורה מפני כבוד הצבור, היכא דלא אפשר, ידחה כבוד הצבור מפני פגם כהנים הקוראים, שלא יאמרו בני גרושות הם."

*This responsa is a clear example of a community waiving its own dignity to allow a woman to read.*

### ***Being 'Motzi' Men (Women Absolving Men Of Their Obligation)***

**Turei Even (R. Aryeh Leib Gunzberg), Megila 4;23 (18<sup>th</sup> C Volozhin)**

"A woman is called up to the seven readers, even as the last of the seven, that closes up the reading and blesses on it, and she absolves with this blessing all the listeners...Because the blessings said on the Torah are not on the commandment [to study Torah] but on the Torah itself, which requires a blessing, therefore women are also obligated to bless and in turn they can absolve men as well."

טורי אבן, מגילה ד' כ"ג:  
"...אשה עולה למנין שבעה קרואים, אפילו בסוף שבעה, שחותמת בתורה ומברכת לאחריה, ומוציאה בברכתה את כל הקרואים...כיון דברכת התורה אינה על המצווה אלא על התורה גופא דצריכה ברכה, ועל כן גם נשים חייבות בברכת התורה מן התורה ושפיר מוציאות בזה את האנשים."

**R. Asher (Rosh), Berachot 47 (14<sup>th</sup> C Spain, Germany)**

"And the fact that a minor and a slave and a woman who are not obligated in Torah study are included in the quorum of seven [who are called up to the Torah on Shabbat] is because the Sefer Torah is there for the purpose of being heard, and it is not a blessing said in vain..."

פסקי הראש, מסכת ברכות מ"ז:  
"והא דסלקי קטן ועבד ואשה דליחנהו בתלמוד תורה למנין שבעה, משום דספר תורה לשמיעה קאי וברכה אינה לבטלה..."

*A common misconception is that the blessings on the Torah reading are "commandment blessings" [birkhot mitzvah] on Torah study, from which women are traditionally exempt. Most rabbis take the blessings to be on something else, whether as the Turei Even says, on "the Torah itself" [Torah gufa], or as others suggest, on the communal obligation of Torah reading. Hence, for example, when a sick person requests a special, private Torah reading, a common ruling is that this is forbidden, because the purpose of expediting a Torah reading is communal, not personal. Hence it is an obligation on everyone, and thus anyone may say the blessings and absolve the entire community of the obligation.*

*Historically, there was a time when the blessings were only said once - the first blessing at the beginning of the first aliyah, and the second blessing at the end of the last aliyah. This custom fell out of practice as it became more common for people to come and go during the service. Thus, to ensure that everyone hears the blessings, they are made between every aliyah.*

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## On Inclusiveness

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**Tosfot, Hagiga 22, From the text 'as who' (13<sup>th</sup> C France/Germany)**

"Rabbi Elhanan says that we hold like R. Yose who is concerned for animosity, therefore we now include every *am haaretz* [common folk] in the quorum [for Grace After Meals], even though it says in *Berachot* that an *am haaretz* is not reckoned for the quorum."

תוספות הגיגה כ"ב

"ד"ה כמאן, הר"ר אלהנן אומר דקיימא לן כר' יוסי וחיישינן לאיבה, לפיכך מזמנינן על עם הארץ אע"ג דאמרינן בברכות אין מזמנינן על עם הארץ"

**Tosfot, Rosh Hashana 33, From the text 'Rabbi Judah' (13<sup>th</sup> C France/Germany)**

"Rabeinu Tam says that even though the law is generally according to Rabbi Judah, [here, the law regarding women's participation in ritual sacrifice in the Temple] is according to Rabbi Yose, for his reasoning stands with him [that women not be denied the satisfaction of participating in religious ritual life.]...Michal the daughter of Saul wore phylacteries, and the wife of Jonah would make the pilgrimage [to Jerusalem three times a year], and this is the fact...that it was brought to the women's section and women lay their hands on the sacrifice, in order to create pleasantness for women."

תוספות, ראש השנה, ל"ג.

"ד"ה הא רבי יהודה, אומר רבינו תם, אע"ג דסתם מתניתים כר' יהודה, הלכה כר' יוסי, דנימוקו עמו....מיכל בת שאול היתה מנחת תפילין, ואשתו של יונה היתה עולה לרגל... דהבאנוהו לעזרת נשים וסמכו עליו נשים כדי לעשות נחת רוח לנשים...."

*R. Yose was a Talmudic innovator who promoted a series of inclusive practices, some with the rationale of "pleasantness" [nachat ruach] or "causing animosity" [evah]. His rulings related not only to women but to "commoners" [amei ha'arezt], people who, consistent with social hierarchies and norms of his day, were excluded from certain ritualistic practices. R Yose's legacy was adopted in part by various religious legislators through the centuries - in this example, Rabbeinu Tam, who added as evidence some examples of women breaking gender barriers throughout history.*

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## Overcoming Kol Isha? – Is a woman's voice sinful?

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**Responsa, (R. Ovadia Yosef) Yihve Da'at, 3;51 (20<sup>th</sup> C Israel)**

"And in any case, I have trouble with the Gemara, 'All are called up for Torah reading among the seven, even a woman and a minor,' but the rabbis said, 'A woman shall not read from the Torah because of the dignity of the congregation.' For they did not suspect to prohibit it because the voice of a woman is *erva* [=nakedness, improperly revealed sexuality], although it is just reading from the Torah with cantillation marks. This requires further study."

שו"ת יחוה דעת חלק ג', סימן נ"א [ר' עובדיה יוסף]

"...ומכל מקום קשה לי מהגמרא, הכל עולים לקריאת התורה למנין שבעה אפילו אשה וקטן, אבל אמרו חכמים אשה לא תקרא בתורה מפני כבוד הציבור. הרי שלא חששו לאסור משום קול באשה ערוה, אף על פי שסתם קריאה בתורה עם טעמי המקרא. וצ"ע."

*Perhaps the most common objection voiced about women reading from the Torah relates to the notion of "kol isha", a tradition that holds a woman's singing voice to be sexual and sinful. In fact, none of the sources until the 20<sup>th</sup> century even mention this is an issue in the halakhic discourse around women and Torah reading. Here, R. Ovadia Yosef, brings it up with wonder as to why it has not been raised by anyone. In other words, kol isha is a complete non-issue, not even a speck on the radar of halakhic consideration. In a lengthy response, R. Yosef discusses issues of prayer and singing, and writes that the chanting of Torah verses is not the same as sexual singing, and is not considered erva.*

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## On women touching the Sefer Torah

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**Tosefta, Brachot, 2;12 (~200CE)**

"[Those who are impure by reason of] improper discharge or menstruation, and those who have recently given birth are permitted to read from the Torah, the prophets and the scriptures, and to study the Mishna, the Midrash, laws and aggadot."

**Jerusalem Talmud, Brachot 6b (~3<sup>rd</sup>-6<sup>th</sup> C)**

"It has been taught: [Those who are impure by reason of] improper discharge or menstruation, and those who have recently given birth are permitted to read from the Torah, and to study the Midrash, the laws and aggadot..."

תוספתא מסכת ברכות (ליברמן) פרק ב הלכה יב:

"הזבין והזבות והנדות והיולדות מותרין לקרות בתורה בנביאים ובכתובים ולשנות במשנה במדרש בהלכות ובאגדות..."

תלמוד ירושלמי מסכת ברכות פרק ג דף ו עמוד ב:

"תני זבין וזבות נדות ויולדות קורין בתורה ושונין מדרש והלכות ואגדות..."

*A common misconception is that women are forbidden from holding, touching or coming near a Torah due to their potential for impurity. Halakhically, this, like Kol Isha, is a complete non-issue.*

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### A note about minyan

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**Rema, (Rabbi Menachem Azaria de Fano) Orach Hayim 690 (16<sup>th</sup> C Poland)**

"There is room to question [or doubt] whether women are included in the ten."

**Magen Avraham, (Rabbi Avraham "Abaleh" Gombiner) Orach Hayim 690 (17<sup>th</sup> C Poland)**

"Regarding the issue of Torah reading, some say that a minor can be included in the ten since he considered among the seven... There is room to question the issue"

רמ"א אורח חיים, תר"ץ:

"ויש להסתפק אם נשים מצטרפות לעשרה."

מגן אברהם, אורח חיים, סימן נ"ה סק"ד:

"ומיהו לענין קריאת התורה, י"א דמצטרפים אותו [קטן] לעשרה מאחר שעולה למניין שבעה... משמע דיש להסתפק בדבר."

*Even though rabbinic sources never explicitly discuss the issue of women being counted in the minyan, the quorum of ten required for "public prayer", Magen Avraham entertains the possibility that women can be counted as part of the quorum for Torah reading, though the issue is left open and unresolved.*

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### On Change and Halacha

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**Rabbi Eliezer Berkovits, Jewish Women in Time and Torah (1990)**

"It is obvious that the Talmudic opinions regarding the inadequate intelligence of women no longer have any validity. The view that a woman's knowledge extends only to the spindle might have applied in a society which provided women with only a limited education, but it does not hold today... The rabbinic view was a completely time-conditioned, midrashic interpretation... In light of all this, there is little doubt that woman's status, both in marriage and in society, has to be revised. There is ample precedent for doing so."

**Mendel Shapiro, "Kriat Hatorah by Women" (manuscript, Jerusalem 2000)**

"If the 'essential halacha' (*ikar hadin*) can countenance *krait hatorah* by women in one form or another, how do we account for the Orthodox community's refusal to seriously face this possibility? It seems to me, that the explanation lies not in *halakha* per se, but in a sense of ingrained conservatism, naturally suspicious of change, that is heightened by the perception of being under siege from a dynamic, attractive, and sometimes unsavory general culture... Women may not receive *aliyot* or read from the Torah because it goes against ingrained *minhag*; it upsets the received religious order... What I cannot abide is the prevailing attitude in the Orthodox community that refuses to tolerate innovative practices simply because they fail to conform to social convention..."