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Women’s *Megilla* Reading¹

by

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I. Talmudic Sources

Jewish law generally frees women from those positive biblical commandments which, like *sukka*, *shofar* and *lulav*, are not continual obligations but, rather, time-determined. Such commandments are known in the halakhic literature as *mitsvot aseï she-ha-zeman geramman*.² There are exceptions to this rule, such as the obligations of *Shabbat*,³ *hakhel*, *simha* (rejoicing on the holidays) and eating *matsa* - which are binding on women like men.⁴ Each exception, however, is based on a specific verse or derived via exegesis.

The consensus of authorities from the period of the *rishonim*⁵ is that this exemption from time-determined commandments applies not only to Biblically ordained *mitsvot*, but to those of rabbinic origin, as well.⁶ The rationale for this position is that, in establishing and defining the character of new ordinances, the rabbis generally followed the Torah’s lead (*kol de-takun rabbanan, ke-ein de-oraita takun*).⁷ Nevertheless, there are several instances of time-determined rabbinic innovations where the rabbis felt it important to obligate women. Thus, women are rabbinically commanded in private prayer because it is “a request for mercy,”⁸ which women require from the Almighty no less than men. Similarly, they are required to light Hanukka candles (*neirot Hanukka*)⁹ and drink the four cups of wine at the Passover *seder* (*arba kosot*),¹⁰ because “they [women], too, were involved in the same miracle [of salvation] (*she-af hen hayu be-oto ha-nes*).” Consequently, women must thank and praise the Lord as do their male counterparts.

The question of women’s rabbinic obligation of reading *Megillat Esther* appears four

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times in the Talmudic literature:

- (1) Said R. Joshua ben Levi: Women are obligated in reading the Book of Esther on Purim (*mikra Megilla*) for they, too, were involved in the miracle.¹¹
- (2) Bar Kappara said: One must read the *Megilla* before women and minors, for they, too, were involved in the doubt [i.e., danger] (*she-af otam hayu ba-safek*). R. Joshua ben Levi acted accordingly – he gathered his sons and the members of his household and read [the *Megilla*] before them.¹²
- (3) ‘All are obligated in the reading of the *Megilla*;¹³ ‘All are empowered (*kesheirin*) to read the *Megilla*’¹⁴ – [‘All’] to include what? To include women. And this is in accordance with the opinion of R. Joshua ben Levi – for R. Joshua ben Levi said: Women are obligated in the reading of the *Megilla*.¹⁵
- (4) All are obligated in the reading of the *Megilla*: Priests, Levites, Israelites...All are obligated and can assist the masses (*ha-rabim*, to be understood as “others” or “the community”) in fulfilling their obligation. A *tumtum* (one whose sex is undetermined because the genitalia are covered) and an *androgonus* (hermaphrodite) are obligated, but cannot assist the masses in fulfilling their obligation...Women...are exempt and cannot assist the masses in fulfilling their obligation.¹⁶

II. Rishonim

In their attempt to apply the above sources to the question of women and *mikra Megilla*, the *rishonim* divide themselves into three schools:

(1) The “Equal Obligation” School: Most *rishonim*¹⁷ maintain that the first three sources, particularly that from *Arakhin* (source #3), establish that women are obligated to read *Megillat Esther* and, therefore, should also be empowered to read it for others. The connection between obligation and the ability to assist others in fulfilling their obligation is based on the mishnaic dictum: “Anyone who is not obligated, cannot assist the masses in fulfilling their obligation.”¹⁸ This latter ruling readily leads to the converse conclusion, namely, that “one who is obligated, can assist others in fulfilling their obligation.”¹⁹ Indeed, Rashi in his commentary to *Arakhin* 3a writes “[All]...to include women – that they are obligated in reading the *Megilla* and can assist the men in fulfilling their obligation.”²⁰

We note, of course, that this conclusion would appear to be contradicted by the last sentence of the *Tosefta* in *Megilla* (source #4), which exempts women from the obligation of *mikra Megilla*, and further indicates that they cannot assist the masses in fulfilling their obligation. This first “equal obligation” school of *rishonim* maintains that since the Talmud in *Arakhin*²¹ rejects the conclusion of the *Tosefta* in *Megilla*, the latter source is to be set aside as being neither authoritative nor normative *halakha*.

(2) The “Kavod haTsibbur” School: The second school of *rishonim* maintain that fundamentally women share equal obligation with men and should, therefore, also be empowered to read it for them. However, for external considerations, they are enjoined from doing so.²² The external reason most commonly cited by this school is *kevod ha-tsibbur*²³ (maintenance of the honor/dignity of the community) or *zila milta*²⁴ (maintenance of propriety/modesty within the community), based on analogy to *keriat haTorah*.²⁵ Thus, Tosafot²⁶ write:

...because we are dealing with a community, it would be a breach of propriety (*zila be-hu milta*) were a woman to assist the masses in fulfilling their obligation. Thus, women are obligated in *Megilla* reading; yet, *Ba'al Halakhot Gedolot* (Behag) rules that women cannot assist the masses in fulfilling their *Megilla* obligation.

Some *rishonim* cite as an external factor *kol be-isha erva* (that the singing voice of a woman is sexually distracting).²⁷ As far as the *Tosefta* is concerned, this school maintains that the text is corrupted. The last sentence which reads “Women...are exempt and cannot assist the masses in fulfilling their obligation” should either be deleted²⁸ or emended to read: “Women are obligated but cannot assist the masses in fulfilling their obligation.”²⁹

(3) The “Lesser Obligation” School: The third school, also attributed primarily to Behag,³⁰ makes a distinction in the nature of a woman’s obligation: men are obligated to read the *Megilla*; women, however, have a lesser obligation, that is, to only hear the reading of the *Megilla*.³¹ This distinction in obligation bears direct halakhic repercussions with regard to the question of whether women can read the *Megilla* for men. As a rule, one Jew can assist another in fulfilling his/her obligations only if the former has an obligation which is equal to or greater than that of the latter.³² Thus, Rosh³³ writes:

And *Ba'al haHalakhot* ruled that women are only obligated to hear the *Megilla*; however, her reading [of the *Megilla*] cannot assist the men in

fulfilling their obligation. For the men are obligated to **read** [and do not fulfill their obligation] until they hear the *Megilla* read by men, who are obligated in **reading** like them - and hearing [the reading] from women is not equivalent [i.e., is of a lower level of obligation] to the men's reading for themselves...And according to *Halakhot Gedolot* and *Tosefta* the statement in *Arakhin*: 'All are empowered to read the *Megilla*...to include women' needs to be explained [as follows]: not that women are empowered to read for men, but [rather they are empowered to read] only for women. [And the significance of this statement is] that one should not suggest that women cannot fulfill their obligation until they hear an important [i.e., high level obligation] reading of men. [*Arakhin*] teaches us that a woman can indeed assist her fellow [woman in fulfilling her obligation].

As far as the *Tosefta* is concerned, this school maintains that the last sentence which reads "Women...are exempt and cannot assist the masses in fulfilling their obligation" should be understood to mean "Women are exempt [from the obligation to **read** the *Megilla* – though they are obligated to hear it, as indicated by R. Joshua ben Levi] and cannot assist the masses [of men] in fulfilling their obligation"

We would like to reiterate that, as presented above, there are two distinct traditions as to the position of Behag. Both agree that women cannot read *Megillat Esther* for men; however the rationales for this are fundamentally different. *Tosafot* in *Sukka*³⁴ places Behag in the Second School according to whom women are obligated equally with men - but cannot read for them because of a side consideration of *zila milta*. *Tosafot* in *Arakhin* and Rosh,³⁵ on the other hand, place Behag in the Third School maintaining that women's obligation is on a lower level than that of men – and, hence, women cannot read for them either. Both positions, however, would agree that women can indeed read for other women in accordance with the statement in *Arakhin*: "All are empowered to read the *Megilla*...to include women."³⁶

Korban Netanel, in his commentary on Rosh,³⁷ suggests that the two traditions in Behag can be unified. As indicated by *Tosafot* in *Arakhin* and Rosh, Behag maintains that women have a lesser obligation than men and, hence, cannot read *Megilla* for them. The seemingly contradictory statement of *Tosafot* in *Sukka* - according to which women cannot read for the community because of the side consideration of *zila be-hu milta* - is in fact not referring to men (for that possibility is already excluded because of women's lesser obligation). Rather it is referring to the impropriety of having a woman read for a community

of women! Thus, while “a woman can indeed assist her fellow [woman]” (as Rosh himself states above³⁸), according to *Korban Netanel*, *Tosafot* in *Sukka* is teaching us that it is improper (*zila be-hu milta*) for her to do so for a group of women.

This novel suggestion of *Korban Netanel* runs counter to the understanding of *Magen Avraham*,³⁹ *Ateret Zahav*,⁴⁰ and *Arukh haShulhan*⁴¹ that *zila be-hu milta* clearly refers to the case of a woman reading for men. More importantly, however, the *Tosafot haRosh*⁴² – the version of the *Tosafot* in *Sukka* which was used by Rosh - reads as follows: “Alternatively, *zila be-hu milta* for women to assist men in fulfilling their obligation.” Thus, it is clear from this reading that *zila be-hu milta* invoked by *Tosafot* in *Sukka* refers to a woman assisting men - not a woman for a group of women, as suggested by *Korban Netanel*. We will return to the opinion of the *Korban Netanel* later, but it would seem, for the time being at least, that his unified interpretation of the position of Behag is problematic.

III. Shulkhan Arukh and *Posekim*

We turn now to the codification of the above discussion of a woman’s obligation in *mikra Megilla* as found in the Shulkhan Arukh. R. Joseph Caro (*Mehaber*) writes as follows:⁴³

- (1) All are obligated in the reading of the *Megilla*: men, women and freed slaves. Children, too, are educated to read it.
- (2) Both one who reads [the *Megilla*] and one who hears it read by another have fulfilled their obligation – provided one hears it from one who is obligated to read it.... And there are those who maintain that women cannot assist men in fulfilling their obligation.

To this R. Moses Isserles (Rema)⁴⁴ comments:

Gloss: And there are those who maintain that, if a woman reads for herself, she should recite the benediction “...*li-shmoa* [to hear] *Megilla*” - for she is not obligated to read it.

The first view cited by the *Mehaber*, appearing in paragraph 1 and the beginning of paragraph 2, reflects the opinion of the “equal obligation” school of Rashi (see section II.1). According to this first opinion, women are obligated equally with men in *mikra Megilla* and, hence, can read for them. The second view, cited by R. Caro at the end of paragraph 2, would seem to be the view of Behag who prohibits women to read for men - though it is not clear which of the two traditions (see section II.2 vs. II.3) is being referred to.⁴⁵ Finally, the third

view, cited by Rema in his gloss, is based on the “lesser obligation” school attributed to Behag, according to which a women’s obligation is only to hear the *Megilla* (see section II.3).

These rulings of the *Mehaber* and *Rema* raise several practical issues discussed below.

A. Can Women Read *Megillat Esther* for Men?

As a general rule, Sefardic practice follows the ruling of R. Caro (the *Mehaber*), whereas Ashkenazic practice follows the opinion of Rema. Regarding the former, we need to determine which of the two opinions, cited by R. Caro in the *Shulkhan Arukh*, actually reflects the *Mehaber*’s own position. Some scholars⁴⁶ have argued that R. Caro sides with the more stringent second opinion of Behag, which prohibits women from reading for men – though, as already noted above, it is not clear which of the two traditions in Behag is being referred to. R. Ovadiah Yosef,⁴⁷ on the other hand, is one of the leading proponents of the opinion that Rashi’s position (section II.1) is presented first as the primary view (*stam*); this is then followed by Behag’s view - merely as a dissenting minority position (*yesh omrim*).⁴⁸ In such a case, maintains R. Yosef, the *Mehaber* would seem to be ruling with the former - more lenient - opinion and, hence, would allow women to read for men. In practice, however, and in deference to the second opinion, R. Yosef only allows Sefardic women to read for Sefardic men *be-she’at ha-dehak* - when no suitable male is available.⁴⁹ We note that the scholars of the second “*kevod ha-tsibbur*” school would agree with this latter ruling, since the consensus of *posekim* is that *kevod ha-tsibbur* can be set aside *be-she’at ha-dehak*.⁵⁰

By contrast, the view of Rema in his gloss would seem to be rather clear: women, whose obligation in *mikra Megilla* is a lesser one than that of men, cannot read the *Megilla* for the latter.⁵¹ In a case where there is no male available to read for a man, the *posekim* rule that a woman should read for him (without *berakhot*) so that he will fulfill his obligation at least according to the first two schools. If at some later hour on Purim a capable male becomes available, the *Megilla* should be heard again.⁵²

Nevertheless, there are those who have recently suggested, that even according to the Behag, women can in practice read for men at the nighttime reading of the *Megilla*.⁵³ In support of this position, these authors cite the writings of the early 20th Century Lithuanian scholar R. Hanokh Henikh Agus, in his renowned work “*Marheshet*,” and several others who adopt a similar view.⁵⁴ In their attempt to explain the Behag’s distinction between the obligation of men and women, many scholars have proposed that the obligation of *Megilla* reading is actually composed of two facets. All agree that the first of these is *pirsumei nisa*

(publicizing the miracle) – an obligation in which men and women share equally. Various suggestions have been put forward as to the second, e.g., *zekhirat Amalek* (remembering to destroy Amalek), *keriat haHallel* (equivalent to reciting *Hallel*), or *talmud Torah* (learning the laws of the Holiday). Since women are not obligated in the second facet, they cannot assist men in fulfilling their *Megilla* obligation - which involves both facets. The school of the *Marheshet* notes, however, that the second facet in each case is only applicable during the day. Hence, regarding the *Megilla* reading at night, men and women are equally obligated in only one facet (*pirsumei nisa*). Women can, therefore, read for men at that time.

Several basic arguments seriously undermine reliance on this lenient approach in practice.⁵⁵ Firstly, the explanations of the *Marheshet* and others may have been stated only in theory, but not in practice (*halakha le-ma'ase*).⁵⁶ In this regard it is important to distinguish between two very different categories of halachic scholarly activity. The first is *hiddush* - the development and/or advocacy of a novel or creative position; the second is *psak* - the halachic decision making process. When one *paskens*, one must be cognizant of and take into account all the varying positions of the leading halachic authorities throughout the generations.⁵⁷ We note as well, that to consciously adopt one particular approach simply because it yields the desired result, without grappling with the argument and the standings of the other halachic positions, is foreign to the halachic process and may lack intellectual integrity.⁵⁸

Secondly, the suggestion that women can read *Megilla* for men at night was never mentioned or even hinted to by any of the *rishonim* or the codes - this despite their extensive discussion of the topic of women reading for men under various conditions. The omission of such a major and obvious point surely indicates its rejection.⁵⁹

Furthermore, the position of *Marheshet* and his colleagues resulted as an offshoot of a possible explanation of Behag – yet many other explanations are possible and have been proposed.⁶⁰

Finally, the position of the *Marheshet* has been explicitly rejected by many *posekim*.⁶¹

B. Can Women Read *Megillat Esther* for Women?

We have cited previously⁶² the Talmud's statement in *Arakhin*:⁶³

‘All are obligated in the reading of the *Megilla*,’ ‘All are empowered (*kesheirin*) to read the *Megilla*’ – [‘All’] to include what? To include women.

As noted above, the *Rishonim* who discuss women's obligation in *mikra Megilla*

indicate that this statement empowers women to read for men, according to the school of Rashi,⁶⁴ or at least for women, according to the schools of Behag.⁶⁵ Nevertheless, two major hurdles stand in the way of women's *Megilla* readings for women. The first is the aforementioned *Korban Netanel*⁶⁶, who argues that it is a breach of propriety (*zila milta*) for a woman to read *Megilla* for a group of women. The view of *Korban Netanel* is cited approvingly in the noted halakhic works *Mishna Berura*⁶⁷ and *Kaf haHayyim*.⁶⁸

The second ruling is that of *Magen Avraham*⁶⁹ who, based on the kabbalistic *Midrash Ne'elam Rut*, indicates that it is preferable that women not read for themselves but hear the *Megilla* from men. *Mishna Berura* cites this view of *Magen Avraham*.⁷⁰ Many contemporary authors also cite *Korban Netanel*, *Magen Avraham* or both of these stringent opinions, at least *le-khathila*.⁷¹

Despite the stature of the scholars in the above "stringent school," a large number of *posekim* (the "lenient school") have permitted women's *Megilla* readings,⁷² the rulings of both *Korban Netanel* and *Magen Avraham* notwithstanding. Regarding the *Korban Netanel*, the "lenient school" scholars note that authorities of the stature of *Magen Avraham*, *Ateret Zahav*, and *Arukh haShulhan*⁷³ do not view a women's reading of the *Megilla* as unseemly. Even more importantly the scholars of this school, as well as many others,⁷⁴ argue that *Korban Netanel* erred in his understanding of the *ba'alei haTosafot*, who were in fact discussing the impropriety of a woman's reading of the *Megilla* for men. Neither *Mishna Berura* nor *Kaf haHayyim* were aware of the reading in the relatively recently discovered⁷⁵ manuscript of *Tosafot haRosh*⁷⁶ which confirms that *Korban Netanel* erred.

The ruling of *Magen Avraham*,⁷⁷ based on *Midrash Ne'elam Rut*, is also quite surprising since it flies in the face of the above cited Talmudic statement in *Arakhin*: "All are empowered (*kesheirin*) to read the *Megilla*." Although, as noted above, *Mishna Berura* cites *Magen Avraham*, he takes serious issue with him in *Sha'ar haTsiyyun*.⁷⁸ Indeed, *Midrash Ne'elam Rut* is not accepted as normative *halakha* by the above the "lenient-school" decisors, as well as many other *posekim*.⁷⁹

C. What Benediction (*Berakha*) Should Women Recite before Reading *Megillat Esther*?

The rabbis instituted the benediction "...*al mikra Megilla*" to be recited prior to the reading the *Megilla*.⁸⁰ Since according to the "equal obligation" and "*kavod ha-tsibbur*" schools (see secs. II.1 and II.2 above) women share equally with men in the obligation of *mikra Megilla*, there is no logical reason to distinguish between the genders in the preliminary *berakha*. The above ruling of Rema indicates, however, that according to the

“lesser obligation” school, which maintains that a woman’s obligation is to hear the *Megilla* and not to read it - a woman should recite a different benediction, namely, “...*li-shmoa* [to hear] *Megilla*.” The origin of Rema’s ruling is an innovation of R. Eliezer ben Yoel haLevi (Ra’avya, d. 1224).⁸¹ This ruling, however, has been subject to serious challenge by R. Hezekiah de Silva (*Pri Hadash*)⁸² and R. Elijah Kramer of Vilna (Gra).⁸³ The latter maintain that there is no justification to change the *berakha* from what originally appears in Hazal, *Geonim* and other *Rishonim* without any gender distinction.

The issue of what Ashkenazi women should do in practice is also a matter of major dispute among the modern *posekim*. Some cite the Rema’s ruling as is: “...*li-shmoa Megilla*,”⁸⁴ while others cite the ruling of Rema with the variant text “...*li-shmoa mikra Megilla*.”⁸⁵ Yet a third group of scholars rule like the *Pri Hadash* and Gra that women like men should say “...*al mikra Megilla*.”⁸⁶ What’s more, R. Moshe Sternbuch argues that if a woman recites “...*li-shmoa Megilla*” - she may well be reciting a *brakha le-vatalla*. A number of decisors have ruled that, even according to the view of the Rema, *be-di-avad* (ex post facto) all would agree that “...*al mikra Megilla*” is valid.⁸⁷ Finally, R. Chaim Sonnenfeld^{87*} is of the opinion that either of the benedictions is appropriate. To prevent confusion and error, he advises, therefore, that “...*al mikra Megilla*” should be preferred since that is the text which appears in all the siddurim and printed texts.

In light of the strong preference of some *posekim* to recite “...*al mikra Megilla*”, and the sense of others that this formulation is valid *be-di-avad* according to all, it would seem that the best course of action is to recite “...*al mikra Megilla*.” Indeed, R. Yosef⁸⁸ and others⁸⁹ indicate that this is the prevalent custom.

D. Do Women Count for a *Minyan* for the Reading of *Megillat Esther*?

In normal years when neither *Purim* nor *Shushan Purim* fall on Shabbat, a *minyan* is advisable for *mikra Megilla* because of *pirsumei nisa* (publicizing the miracle), although it is not a prerequisite to fulfillment.⁹⁰ A *minyan*, however, is required for the *berakha* “*ha-Rav et Riveinu*” said following the *Megilla* reading.⁹¹ In addition, when the fifteenth of *Adar* falls on *Shabbat* (known as *Purim meshulash*), Jerusalemites read on the fourteenth; numerous *posekim* posit that, since this reading is not on its normally designated date, a *minyan* is an absolute requirement.⁹² Many leading *aharonim*⁹³ maintain that ten women alone indeed do constitute a proper *minyan* for both the reading of the *Megilla* (in a regular year and even on *Purim meshulash*) and the reciting of the *ha-rav et riveinu* benediction.⁹⁴

It is important to distinguish in this regard between public prayer (*tefilla be-tsibbur*)

rituals, e.g., the recitation of *kaddish*, *kedusha*, *bareku*, and *hazarat ha-shats* – where women do not count towards a *minyan*, and *Megilla* reading where the consensus of leading *aharonim* is that they do. *Tefilla be-tsibbur* ceremonies are essentially communal obligations which become incumbent once a community of ten is established; since women lack the obligation of public prayer they cannot count towards the requisite *minyan*. In contradistinction, the obligation of *Megilla* is essentially a personal one in which women are obligated. Furthermore, the purpose of the *minyan* is not to create the obligation, but to enhance the element of *pirsumei nisa*.⁹⁵

E. Are Women's *Megilla* Readings Advisable?

The last, and perhaps most difficult, issue to tackle is whether women's *Megilla* readings are advisable. Clearly many contemporary women need venues of personal religious expression. Where this can be clearly done within the halakhic guidelines, women desiring this expression should be encouraged to do so.⁹⁶

However, this should not be done at the expense of the community. There is after all a clear sense in the halakhic literature that the *Megilla* reading should be carried out in a large group for two reasons. One is the general consideration of “*beRov am hadrat Melekh*” - “In the multitude of people is the King's glory.”⁹⁷ From this passage, the rabbis derived that it is preferable to perform commandments and rituals together with or in the presence of large numbers of people.⁹⁸ A second consideration, more particular to Purim and *Megilla* reading, is *pirsumei nisa* (publicizing the miracle) – which also leads the codifiers to the conclusion that it is preferable to read and hear the *Megilla* in the presence of large numbers of people.⁹⁹ Clearly, breaking off from the community at large to organize a women's *Megilla* reading contravenes the spirit of these guidelines.

It is true that many noted halakhicists rule that women, unlike men, are not required to hear a public reading of the *Megilla* – arguing that women are obligated in neither *be-rov am hadrat melekh* nor in *pirsumei nisa*.¹⁰⁰ Indeed, it is a prevalent custom worldwide¹⁰¹ for men to read for their wives and daughters at home, or to have a second *Megilla* reading for women; yet no provisions are made to have a *minyan* of ten men present. Nevertheless, many *posekim* dissent suggesting that women like men need to be concerned with both *be-rov am* and *pirsumei nisa*.¹⁰²

Unity and togetherness is the message of Purim, argues R. Jonathan Eybeschutz.¹⁰³ The weakness of the Jews at the time of Mordechai and Esther is clearly delineated by none other than Haman, who refers to them as: “...a nation - dispersed and divided...” (Esther

3:8). Esther's antidote was "Go gather all the Jews" (Esther 4:16). Little wonder, then, that "*beRov am hadrat Melekh*" carries such weight in the practice of this day of joy.

In this light, a balanced approach would seem to be the correct one. Thus, it would certainly seem preferable that women should not break off from the general community unnecessarily for the sole purpose of organizing their own special reading of the *Megilla*.¹⁰⁴ However, where a second *Megilla* reading is held anyway for the women (as is often the case Purim morning), there is then excellent grounds for having a women's *Megilla* reading for the women.¹⁰⁵ Additionally, such readings may well be encouraged in educational settings such as women's *ulpanot* and *midrashot*. As a rule, the local rabbinic leadership should be involved in such *halakha le-ma'ase* evaluations and determinations.

Notes and References

1. For recent reviews on the question of Women's *Megilla* Readings, see: R. Alfred S. Cohen, "Women and the Reading of the *Megilla*," *Journal of Halacha and Contemporary Society*, 30 (*Sukkot* 5756, Fall 1995), pp. 25-41; R. Ariel Pikar, "*Keri'at ha-Megilla Al Yedei Isha Lifnei Nashim*," *Tehumin* "Women and the Reading of the *Megilla*," XVIII (5758), pp. 361-368; R. Avraham Weiss, "Women and the Reading of the *Megilla*," *The Torah u-Madda Journal*, VIII (1998-1999), pp. 295-317; R. Aaron Cohen, "Women Reading the *Megillah* for Men: A Rejoinder," *The Torah u-Madda Journal*, IX (2000), pp. 248-263; R. Chaim Jachter, *Gray Matter* (2000), "May Women Read the *Megilla*," pp. 224-233. The subject was first treated by us in: Aryeh A. Frimer and Dov I. Frimer, "Women's Prayer Services: Theory and Practice. Part 1 - Theory," *Tradition*, **32:2**, pp. 5-118 (Winter 1998). - available online at: http://mail-jewish.org/Womens_Prayer_Service.doc
2. See *Mishna*, *Kiddushin* 1:7; *Tosefta Kiddushin* 1:10; *BT Kiddushin* 34a; *Encyclopedia Talmudit*, II, "*Isha*," pp. 244-246.
3. *Berakhot* 20b.
4. *Kiddushin* 34a.
5. The period of the *rishonim* (the "earlier" scholars) is generally viewed as beginning from the middle of the 11th century (the time of R. Isaac Alfasi) until the 16th century (just prior to the time of R. Joseph Caro and R. Moses Isserles). The period of *aharonim* (the "later" scholars) is today generally considered to start from the time of R. Joseph Caro and R. Moses Isserles and to continue down to the modern period. The 19th and 20th century scholars are often referred to as the *aharonei ha-ahronim*.
6. *Inter alia*: *Tosefot*, *Berakhot* 20b, s.v. "*beTefilla*;" *Tosefot*, *Pesahim* 108b, s.v. "*sheaf*." R. Solomon ben Isaac (Rashi), *Berakhot* 20b s.v. "*veHayyavin beTefilla*" seems to dissent. See: *Encyclopedia Talmudit*, II, "*Isha*," p. 247; R. Isaac Arieli, *Einayyim laMishpat*, *Berakhot* 20b, s.v. "*de-Rahamei ninhu*"
7. *Pesahim* 30b and 116b; *Yoma* 31a; *Yevamot* 11a; *Gittin* 64b and 65a; *Avoda Zara* 34a.
8. *Berakhot* 20b and *Tosefot ad loc.* s.v. "*beTefilla*".
9. *Shabbat* 23a.
10. *Pesahim* 108a.

11. *Megilla* 4a.
12. *Jerusalem Talmud, Megilla* 2:4 (73b). See *Tosafot, Pesahim* 108b, s.v. “*Af hen*” who maintains that the Babylonian Talmud’s formulation “*she-af hen hayu be-oto ha-nes*” is equivalent to the Jerusalem Talmud’s statement “*she-af otam hayu ba-safek.*”
13. Based on *Tosefta* (Lieberman), *Megilla* 2:7; see source #4 below.
14. Based on *Mishna, Megilla* 2:4; *Megilla* 19b.
15. *Arakhin* 2b-3a.
16. *Tosefta* (Lieberman), *Megilla* 2:7.
17. See, for example: Rashi, *Arakhin* 3a, s.v. “*leAtuyei nashim,*” R. Moses ben Maimon (Rambam), *Mishnah Torah, Hilkhhot Megilla* 1:1 (see *Magid Mishne* and *Haggahot Maimoniyot ad loc.* and *Shiltei Gibborim* to Rif *Megilla* 4a); R. Isaac of Vienna, *Or Zarua*, II, sec. 368; R. Solomon ben Aderet (Rashba), *Megilla* 4a; R. Menahem haMeiri, *Bet haBehira, Berakhot* 47b and *Megilla* 4a; R. David ben Levi, *Sefer haMikhtam, Megilla Nikret*; R. Nissim (Ran), on Rif *Megilla* 4a; R. Isaiah ben Eliah the later, *Piskei Riaz (Machon haTalmud haYerushalmi, Jerusalem, 5731) Megilla* Chap. 2, 3:2 - cited in *Shiltei Gibborim*, to Rif *Megilla* 4a; R. Joseph Haviva, *Nimukei Yosef, Megilla* 4a, s.v. “*she-Af*”; See also R. Ovadiah Yosef, *Resp. Yehave Da’at*, III, sec 51; *Sha’ar haTsiyyun, O.H.*, sec. 689, sec. 2, note 16. The following cite both the views of Rashi and Behag without taking a stand themselves: *Hiddushei haRan* (authorship unclear), *Megilla* 4a; R. Asher ben Jehiel (Rosh), *Megilla* (4a), Chap. 1, sec 4; R. Eliezer ben Samuel of Metz, *Sefer Yereim, “Amud Vav, Issurim Na’asim veAdam Na’ase Ra laShamyim veLo laBeriyot*”.
18. “*Kol she-eino mehuyav ba-davar, eino motsi et ha-rabim yedei hovatam.*” *Mishna, Rosh haShana* 3:8.
19. “*Kol ha-mehuyav [or ha-hayav] ba-davar, motsi et ha-rabim yedei hovatam.*” This implication can be derived from the Talmudic statement in *Berakhot* 20b that if women are biblically obligated in *birkat ha-mazon*, they can assist the masses in fulfilling their obligation [“*le-afukei rabim yedei hovatam*”]. It is, however, clearly delineated in the Jerusalem Talmud, *Berakhot* 3:3 [“*Im haya hayyav afilu im yatsa motsi*”] and various *rishonim* and *aharonim*; see, for example: R. Joseph ben Meir ibn Migash, *Resp. R”i mi-Gash*, sec. 86; *Sefer haOra*, I, sec. 44, *Din Pat haTsenuma be-Ke’ara*; Rosh, *Berakhot*, Chap. 7, sec. 21 and *Rosh haShana*, Chap. 3, sec. 12; R. Isaac ben Aba Mari, *Sefer haIttur, Aseret haDibrot, Hilkhhot Shofar*, p. 99a; R.

- Abraham ben Isaac of Narbonne, *Sefer haEshkol* (Albeck), *Hilkhot Seuda*, p. 24b, s.v. “*veKhol ha-berakhot*,” R. Simeon ben Tsemah Duran, *Resp Tashbets*, I, sec. 131; R. Yeruham, *Toldot haAdam*, *Netiv* 13, part 1, p. 103, column 2, s.v. “*haHelek haRishon*,” R. Hayyim Joseph David Azulai, *Birkei Yosef*, *O.H.* sec. 124, no. 2; R. Yihye ben Joseph Tsalah (Maharits), *Resp. Peulat Tsaddik*, III, sec. 184, s.v. “*u-miKol makom*,” R. Eliezer Waldenberg, *Resp. Tsits Eliezer*, VII, sec. 1, “*Kuntres Katan le-Maftir*,” Chap. 1, s.v. “*u-beSefer haManhig*,” Chap. 2, s.v. “*ve-Davar ze*,” and Chap. 5 s.v. “*veHitbonanti ve-ra’iti*.”
20. Rashi, *Arakhin* 3a, s.v. “*leAtuyei nashim – she-hayyavot be-mikra Megilla u-kesheirovot likrota u-le-hotsi zekharim yedei hovatam*.”
21. *Supra* at note 15.
22. Behag according to *Tosafot*, *Sukka* 38a, s.v. “*be-Emet Amru*,” R. Moses of Coucy, *Sefer Mitsvot Gadol (Semag)*, *Divrei Soferim*, *Aseh*, no. 4; Meiri, *Megilla* 4a, s.v. “*Nashim*,” R. Yom Tov ben Abraham Ashvilli (Ritva), *Megilla* 4a, s.v. “*she-Af hen*,” *Tur*, *O.H.* 689; R. Isaac of Corbeil, *Sefer Mitsvot Katan (Semak)*, *Yom Shlishi*, no. 299.
23. R. Moses of Coucy, *Sefer Mitsvot Gadol (Semag)*, *Divrei Soferim*, *Aseh*, no. 4; Ritva, *Megilla* 4a, s.v. “*she-Af hen*.”
24. Behag according to *Tosafot*, *Sukka* 38a, s.v. “*be-Emet Amru*.” It has yet to be determined whether or not *kevod ha-tsibbur* and *zila milta* are synonymous terms. R. Chaim Zalman Dimitrovsky in his comments to Rashba, *Megilla* 4a, note 431 suggests that they are. See also the related comments of R. Joseph B. Soloveitchik in R. Zvi Joseph Reichman, *Reshimot Shiurim* [New York: 4749], *Sukka* 38a, p. 184, s.v. “*Beram le-fi haTosafot*”; *Otsar Mefarshei haTalmud*, *Sukka*, II, 38a, p. 345, s.v. “*I nami mishum*” and note 56. On the other hand, from *Mishnah Berurah*, sec. 271, no. 4, it would seem that *zila milta* is a propriety/modesty issue.
25. The invocation of the term “*kavod ha-tsibbur*” presumes a valid comparison between public *Megilla* reading and public Torah reading - in which women’s participation has been ruled out because of *kavod ha-tsibbur*; see *Megilla* 23a. Clearly, the *rishonim* of the first school reject this suggestion. Indeed, this comparison is not at all self-evident, particularly since women are obligated in *mikra Megilla*, but exempted from *keriat haTorah*. In addition, *keriat ha-Megilla* is essentially a private obligation which can be preformed in private, in the absence of a *minyan*; *keriat haTorah*, on the other hand, is a communal obligation requiring a *minyan*. See: R. Moses ben Nahman (Ramban,

Nahmanides) *Milhamot haShem*, *Megilla* 5a; Ran *ad. loc.* Further analysis of *kevod ha-tsibbur* is beyond the scope of this paper.

26. *Tosafot*, *supra*, note 24.

27. Based on *Berakhot* 24a. This reason is attributed to R. Isaac ben Aba Mari, *Asseret haDibrot*, cited by: R. Meir haMe'ili of Narvonna, *Sefer haMe'orot*, *Megilla* 19b; R. Aaron ben Jacob of Lunel, *Orhot Hayyim*, *Hilkhot Megilla uPurim*, sec. 2; *Kol Bo*, *Megilla* 103; R. David ben Levi of Narvonna, *Sefer haMikhtam*, *Megilla* 4a. This reason is also given in Auerbach's edition of R. Abraham Av Bet-Din, *Sefer haEshkol*, *Hilkhot Hanukka u-Purim*, sec. 9. Various *aharonim* concur with the stringent view of *Asseret haDibrot*, invoking "kol be-isha erva" in regard to the question of women chanting the Torah or *Megilla*; see: R. Hayyim Palagi, *Ruah Hayyim*, *O.H.*, sec. 75, no. 2; R. Hayyim Palagi, *Yefeh Lev*, VI, *O.H.*, sec. 282; *Resp. Atsei Hayyim*, I, sec. 7 (cited in R. Abraham Yaffe Schlesinger, *Resp. Be'er Sarim*, sec. 55); R. Shlomo Yosef Elyashiv, cited in R. Abraham-Sofer Abraham, *Nishmat Avraham*, V, *Y.D.*, sec. 195, p. 76-77; R. Shlomo Zalman Auerbach, cited in R. Abraham-Sofer Abraham, *Nishmat Avraham*, V, *Y.D.*, sec. 195, p. 76-77 – see also *Halikhot Shlomo*, I, *Hilkhot Tefilla*, Chap. 20, sec. 11, note 20; R. Eliezer Waldenberg, *Resp. Tsits Eliezer*, sec. 36, nos. 2 and 3; R. Nathan Gestetner, *Resp. leHorot Natan*, I, *E.H.*, sec. 60 and V, *O.H.*, sec. 5; R. Efraim Greenblatt, *Resp. Rivevot Efrayim*, I, sec. 449. See also R. Azriel Hildesheimer, *Resp. R. Azriel*, *O.H.*, sec. 128.

On the other hand, many *posekim* maintain that the position of the *Asseret haDibrot* (*Ba'al haIttur*) does not reflect normative halakha. More specifically, women chanting the Torah or *Megilla* with the appropriate notes (*ta'amei ha-mikra*) is not included in the prohibition of *kol be-isha erva*. See: R. Jacob Hayyim Sofer, *Kaf haHayyim*, sec. 689, no. 2; *Resp. Divrei Heifets*, cited by *Sdei Hemed*, *Klalim*, *Ma'arekhet kuf*, klal 42; R. Jehiel Jacob Weinberg, *Resp. Seridei Eish*, II, sec. 8; R. Nahum Tsvi Kornmehl, *Resp. Tiferet Tsvi*, II, sec. 7; R. Samuel haLevi Wosner, *Resp. Shevet haLevi*, III, sec. 14 – who indicates that most *rishonim* are lenient by *keriah de-mitsvah*; R. Ovadiah Yosef, *Yehave Da'at*, III, sec. 51, note, and IV, sec. 15, end of note; R. Ovadiah Yosef, *Resp. Yabia Omer*, VIII, *O.H.*, sec. 22, no. 10 and IX, *O.H.*, sec. 98, no. 9, and sec. 108, no. 74; R. Ovadiah Yosef, *Me'or Yisrael*, I, *Megilla* 4a, s.v. "beTosfot d"h Nashim," p. 251, and *Megilla* 23a, s.v. "Tanu Rabbanan, haKol," p. 279; R. Ovadiah Yosef, *Halikhot Olam*, II, *Ekev*, sec. 2, note 2, p. 74; R. Ovadiah Yosef, *MeShiurei Maran haRishon leTsiyyon*,

- Rabbeinu Ovadiah Yosef Shelita*, I, *Gilyon* 19, *va-Yeira* 5756, sec. 2, p. 73. R. Isaac Yosef, *Yalkut Yosef*, V, *Dinei Keriat Megilla*, sec. 12 and notes 19 and 22, and VII, sec. 23, no. 11, end of note 16; R. Isaac Yosef, *Yalkut Yosef*, *Otsar Dinim la-Isha ve-laBat*, sec. 24, no. 6; R. Simeon Hirari, “*Kol be-Isha Erva ve-Nashim bi-Keriat Megilla*”, *Or Torah*, *Adar* 5731, sec. 123, pp. 289-292 and *Nisan* 5731, sec. 148, pp. 339-343 – see especially p. 341 s.v. “*u-le-Or*;” and R. Yehuda Herzl Henkin, *Resp. Bnai Vanim*, II, sec. 10 and III, sec. 1; Yehuda Herzl Henkin, unpublished responsum to R. Abraham-Sofer Abraham, 24 Menahem Av 5761 (regarding *Nishmat Avraham*, V, *Y.D.*, sec. 195, p. 76-77).
28. Semag, *supra*, note 23. This is also clear from *Rosh*, *Megilla*, Chap. 1, sec. 4, where he brings proof to status of women from the *Tosefta*'s ruling on *tum-tum* and *androgonus*.
29. See: Meiri, Rashba and Ran (R. Nissim ben Reuben) to *Megilla* 4a.
30. Behag, *Halakhot Gedolot*, *Hilkhot Megilla*, s.v. “*haKol hayyavin*.” Cited by: *Tosafot*, *Arakhin* 3a, s.v. “*leAtuyei*;” *Rosh* and *Ran*, *supra*, note 17; R. Eliezer ben R. Yoel haLevi (Ra’avya), *Megilla*, sec. 569; R. Mordechai ben Hillel (Mordechai), *Megilla* 4a. (See: R. Chaim Zalman Dimitrovsky in his comments to Rashba, *Megilla* 4a, note 431 who indicates that there were two distinct formulations of the position of the Behag.) A similar view is maintained by other *rishonim*: R. Hananel ben Hushiel, *Megilla* 4a s.v. “*ve-Amar*”; R. Elazar of Worms, *Rokei’ah*, *Hilkhot Purim*, no. 36; *Ba’al haIttur*, *Aseret haDibrot*, *Hilkhot Megilla*, s.v. “*Mi kore*,” p. 226; R. Simha of Speyer, *Haggahot Maimoniyot*, *Hilkhot Megilla*, 1:1; R. Eliezer ben Yoel haLevi (Ra’avya), *Sefer Ra’avya*, II, *Hilkhot Megilla*, sec. 569.
31. The first and second schools argued that as a result of “*she-af hen hayu be-oto ha-nes*,” there is no longer any difference between men and women and both genders share the *maximal* obligation. The third school notes that *mikra Megilla* is a time-determined rabbinic commandment, in which women should not have been obligated at all; as a result, perhaps the obligation placed upon them because of “*she-af hen hayu be-oto ha-nes*” assumes a minimal form. Interestingly, such analysis with regard to *neirot Hanukka* and *arba kosot* is absent in the halakhic literature. Indeed, there is no dissenting opinion to the ruling that a woman can light *Hanukka* candles for the men of the home; see: *Shabbat* 23a; *O.H.*, sec. 675, no. 3; *Encyclopedia Talmudit*, XVI, *Hanukka*, p. 248 note 106. This may result from the fact that there is no simple way to divide the obligation into minimal and maximal forms.

32. See, for example, *Berakhot* 20b “*le-afukey rabim yedei hovatam.*”
33. R. Asher ben Jehiel (Rosh), *supra*, note 17.
34. *Supra*, note 24
35. *Supra*, note 30.
36. *Supra*, note 15.
37. R. Nathanel Weil, *Korban Netanel*, Rosh, *Megilla* (4a), Chap. 1, sec. 4, notes *mem* and *samekh*.
38. *Supra*, note 17.
39. R. Abraham Gombiner, *Magen Avraham*, O.H., sec 271, no.2 - as noted by *Korban Netanel* himself.
40. R. Menahem Mendel Auerbach, *Ateret Zahav*, O.H., sec. 689, no. 2, s.v. “*sheNashim.*”
41. R. Jehiel Mikhel Epstein, *Arukh haShulkhan*, O.H., sec. 271, no. 5, and sec. 689, end of no. 5.
42. *Tosafot haRosh*, *Sukka* 38a, s.v. “*be-Emet Amru.*”
43. R. Joseph Caro, *Shulkhan Arukh*, O.H., sec. 689, parag. 1-2. “*Mehaber*” literally means “the author [of the *Shulkhan Arukh*].”
44. R. Moses Isserles, *Mapah* to *Shulkhan Arukh*, O.H., sec. 689, parag 2.
45. This point is a dispute between *Magen Avraham* note 5 and *Be’ur haGra* s.v “*veYeah omrim she-haNashim,*” both *ad. loc.* See also *Mishnah Berurah* note 7.
46. R. Yosef Hayyim al-Hakham, *Ben Ish Hai*, *Shana Rishona*, *Tetsave*, no. 2; R. Yaakov Hayyim Sofer, *Kaf haHayyim*, O.H. sec. 689, no. 14; R. Isaac Ben-Shushan, *Toldot Yitshak*, sec. 12, no. 2; R. Haim David Halevi, *Mekor Hayyim haShalem*, IV, sec. 232, no. 5 and note 22; R. Mordechai Eliyahu, cited by R. Moshe Harari, *Mikraei Kodesh: Hilkhhot Purim*, Chap. 6, no. 8, note 28, p. 115. See also the comments of R. Aaron Cohen, *supra* note 1, endnote 10 therein.
47. R. Ovadiah Yosef, *Resp. Yehaveh Da’at*, III, sec. 51, p. 159 and IV, sec. 34, note 2, p. 162. R. Ovadiah Yosef, *Me’or Yisrael*, I, *Megilla* 4a, s.v. “*Tosafot d”h Nashim.*” R. Ovadiah Yosef, *Halikhhot Olam*, I, *Tetsave - Hilkhhot Purim*, sec. 2, note 2, p. 225. See also *MiShiurei Maran haRishon leTsiyyon Rabbeinu Ovadiah Yosef Shelita*, I, *Gilyon* 19, *vaYera* 5756, sec. 2, where R. Ovadiah Yosef permits a woman to read *Megilla* for a man (when absolutely necessary and only according to Sephardic usage), concluding: “And this is not, perish the thought, a Reform innovation, since this is the law and the halakha.” See also: R. Yitshak Yosef, *Yalkut Yosef*, V, pp. 287-289 and R. David Yosef,

- Torat haMo'adim, Hilkhhot Purim veHodesh Adar*, sec. 5, no. 9, p. 138.
48. For a discussion of *stam ve-ahar kakh yesh omrim*, see: R. Ben Tsiyyon Abba Shaul, *Or le-Tsiyyon*, II, *Teshuvot*, pp. 5-10; *Yalkut Yosef*, IX, pp. 5-44.
49. See references in note 47 *supra*
50. For documentation of this point, see: Aryeh A. Frimer, “*Ma'amad haIsha beHalakha - Nashim uMinyan*,” *Or haMizrah* 34:1, 2 (*Tishrei* 5746), pp. 69-86 – page 73, note 29. This was confirmed recently by R. Shlomo Fischer in a conversation with R. Meir Schweiger.
51. See discussion at note 33 *supra*. Apropos, R. Yosef Adler (Personal communication, March 10, 1996) recalls that R. Joseph B. Soloveitchik, the Rav, often commented on his difficulty in accepting the view of Behag. Nonetheless, the Rav acknowledged that since Rema cites *Halakhot Gedolot's* ruling approvingly, it has become normative halakha. Consequently, women could not read *Megilla* for Ashkenazic men. Interestingly, though, in the Winter of 1977, our sister-in-law, Mrs. Sabina Frimer, asked the Rav whether she could read the *Megilla* for her grandmother and home-bound grandfather – since no one else was available to do so. The Rav responded that it would be preferable to find a male to read for them, but if she were not successful, *be-she'at ha-dehak*, she could read for them herself. The Rav also suggested that the grandfather should make the *berakhot*.
52. *Kaf haHayyim, O.H.*, sec. 689, note v12 and 14; R. Shaul Yisraeli and R. Mordechai Eliyahu, cited in R. Moshe Harari, *Mikraei Kodesh – Purim*, chap. 6, note 28.
53. R. Moshe HaLevi Steinberg, *Hilkhhot Nashim*, sec. 15, no. 2; R. Avraham Weiss, “Women and the Reading of the Megilla,” *Torah u-Madda Journal*, 8 (1998-1999), pp. 295-397; R. Daniel Landes, “The Reading of the Megilla on Purim Night,” at <http://www.pardes.org.il/articles/purim1.html>.
54. R. Hanokh Henikh Agus, *Marheshet*, I, sec 22, no. 9; R. Tsvi Pesah Frank, *Mikraei Kodesh, Purim*, sec. 29; R. Samuel Grunberger, *Hedvat Hashem, be-Inyanei Purim*, sec. 5, no. 3; R. Simcha Elberg, “*Im Isha Motsi'a Ish beKeriat haMegilla*,” *HaPardes* 51:6 (*Adar* 5737) sec. 40, p. 9 - reprinted in R. Simcha Elberg, *Shalmei Simha*, I, sec. 62; R. Simcha Elberg, “*be-Din Im Isha Motsi'a Ish beKeriat haMegilla*,” *HaPardes* 63:6 (*Adar* 5749) sec. 31, p. 4 - reprinted in R. Simcha Elberg, *Shalmei Simha*, V, sec. 44; R. Moshe Shternbuch, *Mo'adim uZemanim*, VII, addenda to II, sec. 171; R. Zevulun Sacks, “*Keri'at haMegilla al Yedei Nashim*,” *Tehumin*, XVIII, pp. 357-369 – see last section. For a review see: R. David Aurbach, *Halikhhot Beitah*, sec. 24, no. 12, note 23.

55. See the excellent and lengthy discussion of these points by R. Aaron Cohen, "Women Reading Megillah for Men: A Rejoinder," *The Torah U-Madda Journal*, 9 (2000), pp. 248-263.
56. See, R. Shlomo Zevin, *Sefarim veSoferim*, p. 181 who includes this discussion of R. Agus among the "*teshuvot ha-ma'asiyot*" (practical responsa) in the *Marheshet*. R. Aaron Cohen, *supra*, note 55 and R. Chaim Jachter, *infra*, note 59 maintain otherwise.
57. See R. Yitshak Herzog, *Resp. Heikhal Yitshak, E.H.*, II, sec. 43, no. 3, who notes that we do not generally implement intricate and creative *pilpul* style explanations against the consensus of the traditionally accepted authorities.
58. See Dov I. Frimer, "Letter to the Editor," Jerusalem Post, October 14, 2002, p. 5. See also R. Aharon Lichtenstein, "The Human and Social Factor in Halakha," *Tradition* 36:1 (2002) who writes: "Commiseration is acknowledged as a legitimate factor stimulating the posek's quest for a solution, but it is barred as a component of the halakhic process proper, once that has been set in motion" (p. 11, top).
59. See: R. Isaac Ben-Shushan, *Toldot Yitshak*, sec. 12, no. 2; R. Tsvi Shapira, *Tsivyon haAmudim to Sefer Mitsvot Katan*, V, sec. 148, end of note 9; R. Chaim Jachter, *Gray Matter* (2000), "May Women Read the *Megilla*," p. 227, note 8.
60. For example, R. Joseph B. Soloveitchik himself gave many different explanations to the Behag. See: *Mesorah*, 12 (*Tammuz*, 5756), p. 14; R. Michal Zalman Shurkin, *Harerei Kedem*, sec. 174, p. 200; R. Zvi Joseph Reichman, *Reshimot Shiurim* (New York, 5749), *Sukka* 38a, pp. 184-5.
61. For a variety of reasons, R. Pesah Eliyahu Falk, *Resp. Mahaze Eliyahu*, sec. 22, R. Isaac Leibis, *Resp. Beit Avi*, V, sec. 47, R. Isaac Ben-Shushan, *Toldot Yitshak*, sec. 12, R. Yehuda Lavi ben-David, *Shevet miYehuda*, Part 1, p. 155, and R. David Auerbach, *Halikhot Beitah*, sec. 24, note 23, subsec. 15 all explicitly disagree with the position of *Marheshet*. Moreover, *Marheshet's* assumption that *Megilla* reading is in lieu of *Hallel*, is disputed by R. Hayyim Joseph David Azulai, *Birkei Yosef*, sec. 693, no. 4, and by R. Moshe Shternbuch, *Resp. Teshuvot veHanhagot*, IV, sec. 177, no. 2. His assumption that there is *pirsumei nisa* at night is disputed by R. Joseph Rosen ("The Rogatchover"), *Tsafnat Panei'ah, M.T.*, *Hilkhos Megilla*, 1:1. Similarly, his distinction between day and night with regard to the recitation of *Hallel* is in disagreement with the position of R. Samuel Eliezer Edels (Maharsha), *Hiddushei Aggadot, Megilla* 14b (cited by R. David Yosef, *supra*, note 47, p. 136). *Marheshet's* suggestion that women are freed from the

obligation of *zekhirat Amalek* is also the subject of major disagreement; see: *Encyclopedia Talmudit*, XII, “*Zekhirat Ma’ase Amalek*,” sec. 3 (p.222); *Resp. Yabia Omer*, VIII, sec. 54; *Resp. Yehave Da’at*, I, sec. 84; *Halikhot Beita*, sec. 9, no. 5, note 8; *Halikhot Bat Yisrael*, sec. 22, no. 1, notes 1-4; *Hilkhhot Hag beHag: Purim*, sec. 3, no. 3 note 8 and end of addendum to sec. 3, no. 2 note 7, p. 214; *Nitei Gavriel—Dinei uMinhagei Purim*, sec. 4, no. 4, notes 5-8, and no. 10, note 14. R. Aryeh Pomeronchik, *Emek Berakha, vaYeLeKh beTokh haEmek* (collection at end of volume), *Keriat Megilla*, no. 3 takes the opposite position – that it may be possible for women to read for men but only at the day reading. Thus, the statements of R. Daniel Landes, *supra* note 53: “This is **conclusively demonstrated** by R. Hanoch Henech Agus...” and “Thus...it is **incontestable** that women may fulfill the obligation for men...” (emphasis mine) - are unfounded.

62. Text at note 15, *supra*.

63. *Arakhin* 2b-3a.

64. See, for example, quote from Rashi at note 20.

65. See, for example, quote from Rosh at note 33.

66. *Supra*, note 37.

67. R. Israel Meir haKohen Kagan, *Mishna Berura, O.H.*, sec. 689, no. 2, *Sha’ar haTsiyyun* note 15.

68. *Kaf haHayyim, O.H. ibid.*, no. 17.

69. *Magen Avraham, O.H.* sec. 689, no. 6

70. *Mishna Berura, O.H.* sec. 689, no. 8 and *Sha’ar haTsiyyun* no. 16.

71. Both of the past Chief Rabbis of Israel have published opinions against women's *Megilla* readings: Former Sefardi Chief Rabbi Mordecai Eliyahu is quoted by R. Moses Harari, *Mikra'ei Kodesh - Hilkhhot Purim*, chap. 6, parag. 8, note 30. Former Ashkenazic Chief Rabbi Abraham Kahana Shapira is quoted by his assistant R. Zalman Koitner, in a letter distributed by a group called "Women of Efrat for the *Achdut* of *Halakhah*" and published in the newspaper *Yom ha-Shishi*, 15 *Adar* 5791 (March 1, 1991), p. 8. R. Shapira's letter indicates that although "...*halakhically*, a woman can read for other women", nevertheless "one should not change the prevalent custom" which has followed the more stringent ruling of the *Mishnah Berurah (Korban Netanel)*. R. Menashe Klein, *Mishneh Halakhot, Mahadurah Tanyana*, vol. 1, O.H. sec 550 and R. Efraim Greenblatt, *Resp. Rivevot Efrayyim*, VII, 548, no. 3, also dissent. As mentioned below in notes 72c

and 105, the *Rav* (Rabbi Joseph B. Soloveitchik) preferred that women be *machmir* in order to be *yotzei kol ha-de'ot*. See also: R. Yoel Schwartz, *Adar u-Furim*, sec. 8, no.3.A.1; R. Tsvi Cohen, *Purim veHodesh Adar*, Sec. 10, no. 17; *Nitei Gavriel*, *Dinei uMinhagei Purim*, sec. 13, no. 1, p. 65; R. Isaac Ben-Shushan, *Toldot Yitshak*, sec. 12.

72. (a) Published responsa: Beersheba Chief Rabbi Elijah Katz, *haEshel (Bita'on haMoetsa haDatit Be'er Sheva)*, XIII (Nissan 5736), pp. 41, 42 and 48 – see also Letter to the Editor, Shirah Leibowitz Schmidt, *Tradition*, 33:2 (Spring 1999), p. 80-82; Ma'ale Adumim Chief Rabbis Joshua Katz and Mordechai Nagari, *Ma'alot*, no. 185, *Parshat Tetsave 5756, Halakha Sedura*, sec. B, no. 5 and conversation with Dov I. Frimer, March 23, 1996—this ruling was reprinted the following year as well in *Ma'alot, Parshat VaYikra 5757, Halakha Sedura*; R. Raphael Evers, *Resp. vaShav veRafa, O.H.*, sec. 31; R. Ariel Pikar, *Tehumin* 18 (5758), pp. 361-368; R. Yehuda Herzl Henkin, “*Mahu Kevod haTsibbur*,” *HaDarom* 55 (Elul 5746), pp. 33-41 (see especially top of page 37)—expanded and revised in *Resp. Benei Vanim*, II, no. 10; R. Yehuda Herzl Henkin, *Tsibbur Nashim biKri'at haMegilla, Keshot*, 4 (Adar II/Nisan 5755), sec. 14, pp. 8-10—reprinted in *Resp. Benei Vanim*, III, sec. 7; R. Yehuda Herzl Henkin, *Equality Lost: Essays in Torah, Halacha and Jewish Thought* (Jerusalem: Urim Publications, 1999), pp. 54-65; R. Yehuda Herzl Henkin, “*Keriat haMegilla al Yedei Nashim – haMahloket eina be-Halakha*,” *HaTsofe*, 14 Adar 5759 (March 2, 1999), p. 9; R. Gedaliah Felder, cited by R. Henkin in *HaDarom, ibid.* In a conversation with Aryeh A. Frimer, April 29, 1992, R. Henkin reaffirmed the accuracy of this citation, despite its omission in the revised *Benei Vanim* presentation of this responsum.

(b) Similar opinions have been orally expressed by (in alphabetical order): R. Moshe Feinstein, as reported to R. Chaim Spring by R. Mordechai Tendler, October 1985; R. David Cohen, conversation with R. Shael I. Frimer, March 1979, and to Aryeh A. Frimer, March 1980; R. David Feinstein, conversation with Aryeh A. Frimer and Noach Dear, March 26, 1991, and to Aryeh A. Frimer, Dov I. Frimer and Noach Dear, March 19, 1995; and R. Levi Yitzchak haLevi Horowitz, The Bostoner *Rebbi*, conversation with Mr. Noach Dear, March 1990—however, on April 13th, 1997, the *Rebbi's gabbai*, Nesanel Peterman, wrote the following: “Since the *Rebbi* considered this issue in the early 1990’s, the whole question of women’s ‘rights’ has become more complex and the *Rebbi* would like to consider the wider issues further.”

(c) R. Aharon Lichtenstein, conversation with R. Chaim Brovender, March 1992 and

February 1994, and to Dov I. Frimer, October 21, 1992 and February 19, 1994, also permits a women's *Megilla* reading. Nevertheless, R. Lichtenstein does advise Jerusalemite women not to hold such a reading when the fifteenth of *Adar* falls on *Shabbat* (known as *Purim me-shulash*). In such an instance, Jerusalemites read on the fourteenth, and, as noted below (see section III.D), many *posekim* maintain that since this reading is not on its normally designated date, a *minyan* is an absolute requirement. (In all other years, a *minyan* is advisable but not a prerequisite to fulfillment.) While most authorities agree that ten women do constitute a *minyan* for *mikra Megilla* even on *Purim meshulash*, a minority dissent (see *infra*, end of note 93). R. Lichtenstein maintains, therefore, that it is best to be stringent so as to be sure that one's obligation has been fulfilled. R. Lichtenstein noted that his father-in-law, Rabbi Joseph B. Soloveitchik ("the Rav"), preferred that women be *machmir* for the same reasons (to be *yotzei kol ha-dei'ot lekhathila*) every year. Hence, the *Rav* preferred that women did not have their own service for *mikra Megilla* at all; see note 105, *infra*.

(d) R. Ahron Soloveichik, in a taped conversation with Dov I. Frimer, July 8, 1997, ruled that in those communities, such as in Israel, where there is already an established custom to have a second *Megilla* reading for women, it is irrelevant whether the reader is male or female. Elsewhere, where such a *minhag* is not so common, a special women's *Megilla* reading should not be permitted (for hashkafic and public policy reasons). Should the local rabbi be afraid, however, that a rift in the community might result, he should refrain from taking any position whatsoever on the matter. Similarly, Rabbi Jacob Ariel maintains that while basically women can read for other women they should not specifically break off from the rest of the community to do so (because of "*pirsumei nisa*") unless necessary or in an instance where a separate reading for women will take place anyway; see: Rabbi Jacob Ariel, *Resp. beOhalah shel Torah*, II, *O.H.*, sec. 105 and his comments in Moshe Stern, *Megillat haAtasma'ut*, *Mekor Rishon*, 7 *Adar* 5761 (March 2, 2001) p. 16-17.

(e) R. Ovadiah Yosef, *Yabia Omer*, VIII, *O.H.*, sec. 56, end of no. 4 writes: "...the custom of women who make a *minyan* by themselves for *mikra Megilla*...should be encouraged." Indeed, his son R. David Yosef, *Torat ha-Moadim: Hilkhos u-Minhagei Purim ve-Hodesh Adar*, sec. 5., note 9, p. 139, s.v *ve-ha-Rema*, indicates that despite the rulings of *Magen Avraham* and *Korban Netanel*, Ashkenazi (and certainly Sefardi) women can read for women.

73. *Supra*, notes 39-41.
74. Thus, R. Jacob Zev Kahana, *Resp. Toledot Ya'akov*, sec. 5; R. Jehiel Michel Tucazinsky, *Lu'ah Erets Yisrael, Purim dePrazim*; and R. Shlomo Zalman Auerbach, cited in *Halikhot Beita, Petah haBayyit*, sec. 25—all maintain that one woman may make *berakhot* for many others. (We note, however, that R. Shlomo Zalman Auerbach, as recorded in a personal written communication from his nephew, R. Yitshak Mordechai Rubin, to R. Asher Viner (*Kislev* 5794), was nevertheless unwilling to permit a women's *Megilla* reading, though he does not state why.) Similarly, in *Kiryat Sanz*, it is the wont of the *Alter Rebbetsin* to recite *kiddusha rabba* for the women. (Shira Schmidt, personal communication, January 19, 2001). Rabbi Isaac Liebisch, *Resp. Beit Avi*, V, sec. 15 indicates that the ruling of the *Shulhan Arukh, O.H.*, 199, sec. 7, that women can make a *zimmun* for themselves also speaks against the position of *Korban Netanel*. The following *posekim* also set aside the view of *Korban Netanel*: R. Tsvi Shapira *Tsiyyon haAmudim* to *Sefer Mitsvot Katan*, V, sec. 148, note 9; R. Gavriel Zinner, *Nitei Gavriel—Dinei uMinhagei Purim*, sec. 13, no. 9, note 14; R. Simha Israel Blum, “*beInyan Keriat haMegilla leNashim*,” *Sefat haOhel (Nisan 5743)*, sec. 15, p. 98; R. Zvi Kohen, *Purim veHodesh Adar*, sec. 10, no. 17; R. Haim David Halevi, *Mekor Hayyim liBnot Yisrael*, sec. 34, nos. 6 and 7; and R. Moses Mordechai Karp, *Zer Aharon—Inyanei Purim* (Jerusalem: Oraysa, 5749), sec. 21, no. 7, who writes: “All the *posekim* have stated simply that a woman can read for other women, and it would seem so even for many women.” See also R. Karp's *Hilkhot Hag beHag: Purim*, sec. 7, no. 3, note 7, p. 60, where he states: “See the *Sha'ar haTsiyyun*, who writes in the name of *Korban Netanel* that a woman should not read for many women because of *zila milta*. This does not seem to be the view of other *posekim*.” These four authors indicate, however, that because of *Midrash Ne'elam*, a women's *Megilla* reading is not preferred; it is, nevertheless, permitted if necessary. See also R. Ben-Tsiyon Lichtman, *Benei Tsiyyon*, IV, *O.H.* sec. 271, no. 3, s.v. “*veRa'iti*,” who disagrees with *Korban Netanel*'s understanding of *Tosafot*, though his stance on a women's *Megilla* reading is unknown. See also the critique appearing in *Tehilla leYonah* (Machon Be'er haTorah, Lakewood NJ, 5759), *Megilla* 4a, s.v. “*Ulam beKorban Netanel*,” p. 23.
75. Discovered by R. Solomon Aaron Wertheimer and first published in Jerusalem 1903.
76. See text at note 37.
77. *Magen Avraham, O.H.* sec. 689, no. 6

78. *Mishna Berura*, O.H. sec. 689, no. 8 and *Sha'ar haTsiyyun* no. 16.
79. *Arukh haShulhan*, O.H. sec. 689, no. 5; former Chief Rabbi Mordechai Eliyahu, cited by R. Moses Harari, *Mikra'ei Kodesh—Hilkhhot Purim*, 6:8, note 29; several other *posekim* cited by R. Nahman Kahana, *Orhot Hayyim*, O.H. sec. 689, no. 2, note 6.
80. *Masekhet Soferim*, 14:1; *Shulkhan Arukh*, O.H., sec. 692, no. 1.
81. Ra'avya, *Megilla*, end of sec. 569; “And it would seem to me that women should recite the benediction ‘*al mishma Megilla*’ even if they read it themselves;” cited in Mordekhai, *Megilla*, no. 779.
82. R. Hezekiah de Silva, *Pri Hadash*, O.H., sec. 689, end of note 2; see also “*Likutim*” at end of commentary.
83. R. Elijah Kramer of Vilna, *Ma'aseh Rav*, *Hilkhhot Purim*, sec. 246 (in some editions it is sec. 237, in others 243); R. Issacher Ber of Vilna, *Peulat Sakhir*, to *Ma'aseh Rav*, indicates that from the analysis of the *Turei Even* in his commentary on *Megilla* 4a, one can deduce that he too agrees that the *Berakha* should be “...*al mikra Megilla*.”
84. R. Shlomo Zalman Auerbach cited by R. Nahum Stepansky, *veAleihu Lo Yibol*, I, O.H., sec. 433; R. Jehiel Abraham Zilber, *Berur Halakha, Mahadura Tanyana*, O.H., sec. 689. R. Gabriel Zinner, *Nitei Gavriel – Dinei Purim*, sec. 13, no. 5; R. Yehoshuah Yeshayahu Neuwirth, *Madrikh Hilkhati leAhayot beVatei Holim*, Chap. 10, *Purim*, no. 3; R. Jehiel Michel Tuketchinsky, *Luah Erets Yisrael, Purim*; R. Haim David Halevi, *Mekor Hayyim leBenot Yisrael*, sec. 34, no. 8; R. Moshe Harari, *Mikraei Kodesh- Purim*, sec. 9, no. 9. .
85. R. Abraham Danzig, sec. 155, no. 11 – cited by *Mishna Berura*, sec. 689, note 8 – note however, that in sec. 692, note 11, *Mishna Berura* uses the Rema's formulation *li-shmoa Megilla*; *Arukh haShulhan*, O.H., sec. 692, no. 7; R. Isaac Ben-Shushan, *Toldot Yitshak*, sec. 12, no. 4; R. Eliezer Waldenberg, *Resp. Tsits Eliezer*, XIX, sec. 67, no. 2; R. Tsvi Cohen, *Purim veHodesh Adar*, Chap. 10, no. 48; R. Yoel Schwartz, *Adar uPurim*, sec. 8.3.4
86. R. Dov Ber Karasik, *Pithei Olam uMatamei haShulhan*, O.H., 692, sec. 2, note 7; R. Ovadiah Yosef, *Resp. Yabia Omer*, I, O.H., sec. 44 and VIII, O.H., sec. 22, no. 27; R. Ovadiah Yosef, *Halikhot Olam*, I, *Tetsave - Hilkhhot Purim*, sec. 1, note 1, p. 224; *Resp Yehave Da'at*, I, sec. 88; R. David Yosef, *Yalkut Yosef*, V, *Dinei Keriat haMegilla*, sec. 7, p. 284; R. Moshe Sternbuch, *Moadim uZemanim*, II, sec. 171; R. Moshe Sternbuch, *Teshuvot veHanhagot*, III, sec. 228 – at the end he cites that this is also the opinion of R. Aryeh Pomeronchik.

87. See: R. Gabriel Zinner, *Nitei Gavriel – Dinei Purim*, sec. 13, no. 2; R. Dov Eisenberg, “A Guide for the Jewish Woman and Girl,” Fourth Edition (Brooklyn, NY, 1986), *Halachos Pertaining to Purim*, p. 123, note 18. The latter notes as proof that when men are listening to the *Megilla* as well, “...*al mikra Megilla*” is recited and both genders fulfill their *berakha* obligation.
- 87*. R. Joseph Hayyim Sonnenfeld, *Resp. Salmat Hayyim*, I, sec. 99.
88. *Supra*, note 86.
89. Rabbi Shimon Golan, *Hilkhot Purim (Moetsa Datit Efrat, 5760)*, p. 4, sec. 8.
90. *Shulhan Arukh, O.H. 690:18* and *Rema ad loc.*
91. *Rema, O.H. sec. 692, no. 1*, maintains that a *minyan* is always required to recite the “*HaRav et riveinu*” blessing that follows the *Megilla* reading. For further discussion, see *Birur Halakha*, sec. 690, no. 18 and sec. 692, no. 1; R. Jacob Hayyim Sofer, *Kaf haHayyim* sec. 690, no. 124; *Yehave Da’at*, I, sec. 88 and sec. 90, no. 2; *Yalkut Yosef*, V, *Hilkhot Mikra Megilla*, no. 39, note 70, p. 300. There are, however, many dissenting opinions who permit the recitation of *HaRav et riveinu* even in the absence of a *minyan*; see, for example, *Be’er Heitev*, sec. 692, no. 4; *Arukh haShulhan, O.H. sec. 690, no. 25* and sec. 692, no. 5; R. Joseph Hayyim, *Ben Ish Hai, Tetsave* 13; R. Aaron Felder, *Mo’adei Yeshurun*, I, *Laws of Purim*, sec. 7, no. 9; R. Avraham David Horowitz, *Resp. Kinyan Torah beHalakha*, III, end of sec. 103. This is also the view of R. Moshe Feinstein, as quoted by R. Dovid Katz, “*A Guide to Practical Halakha—Chanuka and Purim*” (New York: Traditional Press, 1979), VIII, *Laws of Purim*, sec. 14, no. 15, p. 134, and former Chief Rabbi Mordechai Eliyahu, as quoted by R. Moses Harari, *Mikra’ei Kodesh—Hilkhot Purim*, sec. 9, no. 7, note 30. Although *Arukh haShulhan, ibid.*, states that the common *minhag* is to recite *HaRav et riveinu* even in the absence of a *minyan*, apparently the Ashkenazic *minhag* in Israel is not so; see *Lu’ah Dinim uMinhagim*, Israeli Chief Rabbinate (5757), p. 60; *Lu’ah Erets Yisrael*, R. Jehiel Michel Tucazinsky (5757), p. 44. R. Isaac Ratsabi, *Shulhan Arukh ha-meKutsar*, III, sec. 122, nos. 9 and 11, indicates that according to Yemenite usage, *HaRav et riveinu* can be said privately.
92. *Mishna Berura O.H. sec. 690, note 61* and *Sha’ar haTsiyyun ad loc.* On whether *Megilla* reading on the fourteenth in walled cities (e.g., when the fifteenth falls on the Sabbath) is considered *she-lo bi-zmano*, see: R. Ovadiah Yosef, *Yehave Da’at*, I, sec. 90, no. 2 and IV, sec. 40; *Resp. Yabia Omer* VI, *O.H.*, sec. 46; R. Shlomo

Zalman Auerbach cited by R. Nahum Stepanisky, *veAleihu Lo Yibol*, I, *O.H.*, sec. 425.

93. R. Mas'ud Raphael Alfasi, *Resp. Mash'ha deRabvata*, addenda at end of II, sec. 689; R. Joseph Hayyim, *Resp. Rav Pe'alim*, *O.H.* II, sec. 62; R. Moses Hayyim Lits Rosenbaum, *Sha'arei Emet, Hilkhhot Megilla*, sec. 4, *Hemdat Arye*, sec. 4, no. 5; *Hug haArets*, sec. 3; R. Joseph Hayyim Sonnenfeld, *Resp. Salmat Hayyim*, I, sec. 101; R. Tsvi Pesah Frank, *Mikra'ei Kodesh, Purim*, sec. 35 and 50, note 3; R. Avraham Yeshayahu Karelitz, *Hazon Ish, O.H.* sec. 155, no. 2; R. Isaac Halberstadt, *Shenei Sarei haKodesh*, p. 16; *Purim Meshulash*, sec. 2, nos. 8 and 9 and addendum thereto; R. Hanoch Zundel Grossberg, *Iggeret haPurim*, first edition, sec. 7, no. 2, second edition, sec. 8, no. 3; *Resp. Yabia Omer*, VIII, *O.H.* sec. 23, no. 27 and sec. 56, end of no. 4; R. Ovadiah Yosef, *Likkutei Kol Sinai*, sec. 23, p. 47; *Yalkut Yosef*, V, *Hilkhhot Mikra Megilla*, sec. 7, p. 284; *Kitsur Shulhan Arukh Yalkut Yosef, O.H.* sec. 692, nos. 4 and 10; *Resp. Tsits Eliezer XIII*, sec. 73; *Resp. Rivevot Efrayyim*, VIII, sec. 274, no. 2; R. Moshe Shternbuch, *Resp. Teshuvot veHanhagot*, IV, sec. 177, no. 2; R. Joseph Shalom Elyashiv (personal written communication to Aryeh A. Frimer, 27 Adar 5754, March 10, 1994); Sefardi Chief Rabbi Eliyahu Bakshi-Doron, cited in *Lu'ah Dinim uMinhagim*, Israeli Chief Rabbinate (5757), p. 122; R. Joel Schwartz, *Adar uFurim*, sec. 8, no. 5, par. 2 and 3 and note 11; *Halikhot Beita*, sec. 24, nos. 17-21 and notes 33, 34, 44 and 48; *Hilkhhot Hag beHag: Purim*, sec. 8, no. 13 and 14, note 32 and addendum to sec. 8, no. 13, note 31, p. 218; Chief Rabbis of Ma'ale Adumim Joshua Katz and Mordechai Nagari, *Ma'alot*, no. 185, *Parshat Tetsave 5756, Halakha Sedura*, sec. B, no. 5 and conversation with Dov I. Frimer (March 23, 1996); R. Yehuda Herzl Henkin, *Tsibbur Nashim biKri'at haMegilla, Keshot*, 4 (*Adar II/Nisan 5755*), sec. 14, pp. 8-10, reprinted in *Resp. Benei Vanim*, III, sec. 7; R. Yehuda Herzl Henkin, *Equality Lost: Essays in Torah, Halacha and Jewish Thought* (Jerusalem: Urim Publications, 1999), pp. 54-65; R. Yehuda Herzl Henkin, "Keriat haMegilla al Yedei Nashim – haMahloket eina be-Halakha," *HaTsofe*, 14 Adar 5759 (March 2, 1999), p. 9

Other *posekim* dissent; see R. Shlomo Kluger, *Hokhmat Shelomo, O.H.* sec. 689, no. 5; *Kaf haHayyim, O.H.* sec. 690, no. 120; *Arukh haShulhan, O.H.* sec. 690, no. 25; *Resp. Mishne Halakhot, Mahadura Tinyana*, I, *O.H.* sec. 550; and R. Moshe Feinstein as quoted by R. Dovid Katz, "A Guide to Practical Halakha—Chanuka and Purim" (New York: Traditional Press, 1979), VIII, *Laws of Purim*, sec. 14, no. 15, p. 134; R. Shlomo

Zalman Auerbach cited by R. Nahum Stepansky, *veAleihu Lo Yibol*, I, *O.H.*, sec. 431. R. Raphael Evers, *Resp. vaShav veRafa*, *O.H.*, sec. 31 suggests that the *minhag* is to be stringent. Surprisingly, in *Halikhot Shlomo, Hilkhhot Tefilla*, chap. 23, *Dvar Halakha*, no. 3 and note 13, R. Shlomo Zalman Auerbach maintains that while women count towards a *minyan* for reading the *Megilla* on *Purim meshulash*, they do not recite “*Ha-rav et riveinu*.” This is also the position cited by R. Yeshayahu Shapira, *Tseida laDerekh*, (Jerusalem: Machon Zomet, 2001), Chap. 67, secs. A1, C1 and C2, pp. 157 and 158. Note, however, that both *Arukh haShulhan* and R. Feinstein, like many other leading *posekim*, maintain that the *HaRav et riveinu* benediction can be said even in the absence of a *minyan*; see *infra*, note 91.

94. It should be emphasized that the *posekim* of note 93 are referring to a women's *Megillah* reading exclusively and no generalization can be made regarding women's services. See: Aryeh A. Frimer and Dov I. Frimer, *supra*, note 1.
95. For documentation of the various points raised in this paragraph and an analysis of the issue of women and *minyan*, see: Aryeh A. Frimer, “Women and *Minyan*,” *Tradition* 23:4 (Summer 1988), pp. 54-77 - available online at: http://mail-jewish.org/Women_and_Minyan.doc; and Aryeh A. Frimer, “*Ma'amad haIsha beHalakha - Nashim uMinyan*,” *Or haMizrah* 34:1, 2 (*Tishrei* 5746), pp. 69-86.
96. R. Ovadiah Yosef, *Yabia Omer*, VIII, *O.H.*, sec. 56, end of no. 4 writes: “...the custom of women who make a *minyan* by themselves for *mikra Megilla*...should be encouraged.” See also R. Ahron Soloveichik, *Od Yisrael Yosef Beni Hai*, end of sec. 32, p. 100, who writes regarding the recitation of mourner's *kaddish* by women: “Nowadays, when there are Jews fighting for equality for men and women in matters such as *aliyyot*, if Orthodox rabbis prevent women from saying *kaddish* when there is a possibility for allowing it, it will strengthen the influence of Reform and Conservative rabbis. It is therefore forbidden to prevent women from saying *kaddish*.”
97. Proverbs 14:28.
98. *Encyclopedia Talmudit*, IV, “*BeRov Am Hadrat Melekh*,” p. 195; R. Abraham Isaiah Pfoifer, *Ishei Yisrael*, sec. 8, no. 9.
99. See sources in note 100.
100. *Magen Avraham*, in his gloss to the statement of *Shulhan Arukh*, *O.H.* sec. 689, no. 1, that “women, too, are obligated to hear the *Megilla*,” writes, “‘Women’—

Therefore one must read the *Megilla* at home for the unmarried women.” To this, *Be'er Heitev* and *Mishna Berura* add: “In some places, the unmarried women go to the women’s section of the synagogue to hear the *Megilla*.” R. Menashe Klein, *Resp. Mishne Halakhot, Mahadura Tinyana*, I, *O.H.* sec. 550, understands from the above citations that it was not the obligation nor the wont of the unmarried women, and certainly of the married women, to hear a public reading of the *Megilla*. R. Mordechai Jacob Breisch, *Resp. Helkat Yaakov*, III, sec. 144 (*O.H.*, sec. 232 in the 1992 edition) concurs. (See, however, *Halikhot Beita, Petah haBayyit*, no. 25, who suggest an alternate understanding of *Magen Avraham*). R. Yehuda Herzl Henkin, *Tsibbur Nashim biKri’at haMegilla*, *Keshot*, 4 (*Adar II/Nisan 5755*), sec 14, pp. 8-10, reprinted in *Resp. Benei Vanim*, III, sec. 7, suggests that this is the meaning of the cryptic suggestion of Behag, *Halakhot Gedolot, Hilkhhot Megilla*, s.v. “*haKol hayyavin*”; cited in *Rema*, *O.H.* sec. 689, no. 2, that women are obligated in hearing the *Megilla* [in private] and not in reading it [in public]. R. Mordechai Jacob Breisch, *ibid.*, argues that women are obligated in neither *be-rov am hadrat melekh* nor in *pirsumei nisa*. A similar position is maintained by: R. Moses Sternbuch, *Mo’adim uZemanim*, II, sec. 173; R. Raphael Evers, *Resp. vaShav veRafa*, *O.H.*, sec. 31; and R. David Auerbach, *Halikhot Beita, Petah haBayyit*, sec. 25. This also seems to be the view of R. Shlomo Zalman Auerbach cited by R. Nahum Stepansky, *veAleihu Lo Yibol*, I, *O.H.*, sec. 431.

101. R. Sraya Devlitsky, *Purim Meshulash*, Chap. 2, note 20, for example, refers to these second *Megilla* readings for women as the “*takana gedola*” (important innovation) of Bnei Brak.
102. R. Israel David Harfeness, *Resp. VaYvarekh David*, I, *O.H.* sec. 82, and R. Gavriel Zinner, *Nitei Gavriel—Dinei uMinhagei Purim*, sec. 13, no. 3, note 6, maintain that women are obligated in *be-rov am*. At first blush, this would also seem to be the view of *Hayyei Adam*, *kelal* 155, no. 7, who writes, “. . . Even if one can gather a *minyan* in his home, it is still highly preferable (*mitsvah min ha-muvhar*) to go to the synagogue—he, his wife and his children—to hear the *Megilla*.” Similar language is found in *Bah*, *O.H.*, end of sec. 687 and *Ateret Zekenim*. Nevertheless, one could well argue that *Hayyei Adam*, *Bah* and *Ateret Zekenim* maintain that children and certainly women contribute by their presence to the *be-rov am hadrat melekh* of others, though they themselves are not obligated therein. See R. Joshua M.M. Ehrenberg, *Resp. Devar Yehoshua*, I, sec. 96.

Alternatively, these *posekim* may consider the presence of women and minors preferable because of *pirsumei nisa* (even in the absence of *be-rov am*). This is in fact the implication of *Or Zaru'a*, *Hilkhot Megilla* sec. 368, who states that one should be accompanied to the reading of the *Megilla* by his wife and children because of *pirsumei nisa*.

103. R. Jonathan Eybeschutz, *Ya'arot Dvash*, II, p. 37; reprinted in *Perush Rabbenu Yehonatan (Machon Yerushalayim, Jerusalem, 5753)*, *Shemot, Megillat Esther*, 3:8.

104. See the related comments of R. Ahron Soloveichik and R. Jacob Ariel in note 72d, *supra*.

105. We have noted in note 72c above that R. Joseph B. Soloveitchik preferred that women not have their own *Megilla* reading [Conversations with R. David Gorelik, R. Jacob J. Schacter and R. Binyomin Walfish; see also: R. Jacob J. Schacter, "Facing the Truths of History," *The Torah U-Madda Journal*, 8 (1998-1999), note 97, pp. 260-261]. Both R. Schacter and R. Walfish noted, however, that the Rav indicated that if necessary, there was room to be lenient. Consequently, R. Soloveitchik advised R. Walfish that where the women of a particular congregation insist on having their own *Megilla* reading, the rabbi should not object. Similarly, in a telephone conversation with R. Bertram Leff, R. Shmuel Goldin and Mr. Nathan Lewin (in 1980 or 1981), the Rav permitted a women's *Megilla* reading by Mr. Lewin's daughter, Alyza, for those women who were unable to attend the regular congregational, early morning, *Purim minyan*. R. Soloveitchik emphasized, however, that the women's reading should not be held in *shul*, that the *ba'alat keria* could read only for women, and that this reading was not meant to replace the more preferred regular reading with a male *minyan*. See also: R. Bertram Leff, *Tradition* 33:1 (Fall 1998), pp. 135-136. The issue of motivation and public policy considerations is beyond the scope of this paper. The reader is referred to our discussion of these issues in Aryeh A. Frimer and Dov I. Frimer, note 1, *supra*.