

Digitales Brandenburg

hosted by **Universitätsbibliothek Potsdam**

Gender issues in Jewish law

Jacob, Walter

New York, 2001

Women Wearing a Talit

urn:nbn:de:kobv:517-vlib-9891

Women Wearing a Talit

*Yearbook, Central Conference of American Rabbis,
New York, 1970, Vol. 80*

Solomon B. Freehof

QUESTION: In some of our congregations it is the custom that whoever comes up to the pulpit to participate in the service puts on a *talit*. In young people's services for our high schools, boys and girls participate and often the girl put on the *talit* at that occasion. According to Jewish law and tradition, is it proper for a girl to wear a *talit* at service?

ANSWER: The commandment to wear a *talit* with fringes is based upon Num 15:37-4. On the basis of this commandment, the anonymous *baraita* in *Menahot* 43a says that women, too, are in duty bound to wear the garment with fringes. However, Rabbi Simon says there that they are free from that obligation. He bases his opinion upon the fact that Scripture in the passage in Numbers uses the phrase: "Ye shall see them and remember, ..." Since Scripture says, "Ye shall see them," that proves that the proper time for *talit* and *tzitzit* is the daytime, not the nighttime. This conclusion puts the commandment to wear fringes into the special class of positive commandments "limited by time" (*shehazman gerama*), and it is a general rule that women are free from the obligation to fulfill positive commandments that are dependent upon time. Of course, being free from the obligation to fulfill the commandment of fringes does not mean that they are forbidden to wear them. It means only that they are not in duty bound to wear them.

When the law is discussed in the *Shulhan Arukh, Orah Hayim* 17.2, Joseph Caro says, following Rabbi Simon in the Talmud (quoted above), that women and slaves are free from putting on the fringes, since it is a commandment based upon time; but Isserles adds: "At all events, if they wish to put on the fringed garment and even recite the blessing over it, they are free to do so, as is the case with all time-limited positive commandments"

(that is, they are not compelled to obey, but they are permitted to do so if they wish). However, he adds, if they do put it on, it would appear to be a show of extra pride of piety (*yohara*). But if they are not to put it on because it would look like a show of extra pride of piety on their part, then it becomes necessary to explain the fact that women observe the commandment of the *lulav* and recite blessings over it. Is not the *lulav* also a positive commandment limited by time? The explanation of this difference is given by the *Magen David*: that the *lulav* is a stricter commandment than the one concerning fringes, because if a person does not have a square garment (the fringes must be on the corners of a four-cornered garment) he need not put fringes on at all. It is true that it is now our custom always to wear a *talit katan* with four corners and fringes. Nevertheless, according to law, it is only if a man has a four-cornered garment that he must put fringes on. In other words, the obligation depends on the garment. But with regard to the *lulav*, a man must get a *lulav* and say the blessings. In this case the obligation is incumbent upon the man himself (*hovat gavra*), not on whether he has the object or not; he must get it if he lacks it.

One of the later deciders, Yechiel Epstein, in his *Arukh Hashulhan, Orah Hayim 17*, says that we should not allow women to put on the fringed *talit*. But then Epstein has the problem of explaining why women bless the *lulav* and formally eat the *matzah* at the seder, which are positive commandments limited by time. He explains by saying that these positive time-limited commandments come only once a year) but the *talit* should be worn every day.

However, all the great (and earlier) authorities permit it. The only question that seems to divide the earlier authorities (none of whom doubts the right of women to put on the *talit*) is the question as to whether, when a woman puts on the *talit* she may make the regular blessing or not. There is a full discussion of this problem in the *Tosafot* to *Rosh Hashana 33a, s.v.ha*. This *tosefet* is mainly the opinion of Rabbenu Tam. The discussion is on the general principle of whether anyone (such as women and the blind) who is free from the obligation to fulfill "positive commandments limited by time" should (when he fulfills such commandments voluntarily) pronounce the blessing over them or

not. The *tosefet* is based mainly on the discussion in *Baba Kama* 87a, where Rabbi Joseph, who was blind, had voluntarily fulfilled such commandments as he was not obligated to fulfill. See, also, the *tosefet* in *Eruvin* 96a, s.v. *Michal*, where the *tosefet* discusses the statement in the Talmud that Michal, the daughter of Kushi (or the daughter of King Saul) used to put on *tefilin*, and the wife of Jonah used to make the festival pilgrimage to Jerusalem. Both of these were "positive commandments limited by time." Rabbenu Tam holds the opinion that women may pronounce the blessing over the fringed *talit*. But Maimonides, in *Yad, Hil. Tzitzit* 111.9, says that women may put on the fringes if they wish, yet may not say the blessing and he adds: "So with all the other positive commandments that women are free from, if they wish to fulfill them without reciting the blessings, we do not prevent them." The *Hagahot Maimuniot* at that passage in the *Yad* says in the name of Rashi that he, too, was opposed to their reciting the blessing.

So the law is clear enough: One authority believes that a woman is actually in duty bound to wear the fringes. All agree that she may wear them if she wishes to, except for the limitation that it might look like the pride of extra piety. This solitary objection can hardly apply to the young women if we put the *talit* upon them. They would simply consider it part of the ceremony. Besides, in our Reform Movement where special emphasis is placed upon the religious equality of men and women, there can be no real objection to young women putting on the *talit* when they participate in the service.