
May Women Wear Tefillin?¹

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A recent discussion of our question concludes as follows:

In conclusion, women are not permitted under any circumstances to wear tefillin. In view of the fact that the Rema, the authoritative codifier of law for Ashkenazic Jewry and virtually all other authorities, forbid the wearing of tefillin by women, there is very little basis for a contemporary to permit the wearing of tefillin by women. The Rema . . . views the prohibition as rabbinic in origin. The optional wearing of tefillin is prohibited lest it lead to the desecration of their sanctity. This is a typical rabbinic enactment, and its purpose is the establishment of "a fence around the Torah"; i.e., to ensure the proper performance of Torah-based laws. As is the case with all such rabbinic enactments, the law is binding on everyone, whether or not he feels that he needs the fence.²

In the following paper we shall disprove every one of these assertions. We shall show that the Talmud and "virtually all other authorities" *before* the Rema permit women to wear tefillin, that there is ample halakhic basis to permit women to wear tefillin, and that no such "rabbinic enactment" was ever enacted by the sages. Rather, almost all opposition to women wearing tefillin stems from one thirteenth-century Ashkenazic rabbi.

From a halakhic point of view, our topic can be divided into four categories: the talmudic period, the geonim and rishonim, R. Meir of Rothenburg and those who followed his ruling, and those who viewed tefillin as a "*kli gever*."

I. The Talmudic Period

In the tannaitic period there may have been some tanna'im who thought that women are *obligated* to wear tefillin. We read in a *baraita* (Bavli Eruvin 96b and compare Tosefta Eruvin 8:15, ed. Lieberman, pp. 136–137):

He who finds tefillin [on Shabbat in the street] brings them indoors by wearing them one pair at a time—this applies to both men and women, to new and old tefillin—these are the words of R. Meir. R. Yehudah forbids new tefillin but permits old.

The Talmud continues:

R. Meir and R. Judah disagree only regarding new and old, but they agree regarding women. Thus, tefillin must be a positive commandment *without* a fixed time and women are *obligated* to perform all such commandments.

Thus according to the Bavli, R. Meir and R. Judah *obligate* women to wear tefillin.³ This opinion had no echo in later halakhah because most tanna'im felt that tefillin *is* a positive time-bound commandment (PTBC) (i.e. they are not worn on Shabbat or festivals⁴) and thus women are exempt.

Nevertheless, the majority view of the tanna'im is expressed by the Mishnah in the tractate of Berakhot (3:3, Bavli fol. 20a–b): “Women, slaves, and minors are exempt from reciting the Shema and from tefillin . . .” The Mishnah offers no explanation for this exemption, but other rabbinic texts attempt to fill in the gap. The Mekhilta⁵ and the Yerushalmi⁶ = Pesikta Rabbati⁷ explain through different *d'rabbot* that since women are exempt from Talmud Torah, they are also exempt from tefillin. The Tosefta (Kiddushin 1:10, ed. Lieberman, p. 279) and the Bavli (Kiddushin 34a, 35a, and cf. Berakhot 20b), on the other hand, derive this exemption from the fact that tefillin is a PTBC from which women are generally exempt (cf. Mishnah Kiddushin 1:7). However the Mekhilta, Yerushalmi and Bavli add some important information. The Mekhilta adds:

Mikhal bat Cushi⁸ used to wear tefillin. Jonah's wife used to ascend to Jerusalem on the three pilgrim festivals. Tabi the slave of Rabban Gamliel used to wear tefillin.⁹

The Yerushalmi uses a similar *baraita* to challenge the exemption of women from tefillin:

But we have learned in a *baraita*: Mikhal bat Cushi used to wear tefillin and Jonah's wife used to ascend to Jerusalem on the three pilgrim festivals *and the sages did not protest!* R. Hizkiah said in the name of R. Abbahu: Jonah's wife was forced to return home and as for Mikhal bat Cushi—the sages *did protest*.¹⁰

The Bavli's version of the *baraita* (Eruvin 96a) concurs with the *baraita* in the Yerushalmi:

Mikhal bat Cushi used to wear tefillin *and the sages did not protest*; Jonah's wife used to ascend to Jerusalem on the three pilgrim festivals *and the sages did not protest*.

Various speculations have been made concerning the origins of these anecdotes about Mikhal¹¹ and Jonah's wife.¹² There can be no doubt however that the story about Tabi is a historical fact which concurs with many other episodes in Tabi's life.¹³ Furthermore, the line about Tabi indicates that the Mekhilta looked favorably on the behavior of Mikhal and Jonah's wife since Tabi's observance of mitzvot was generally admired by Rabban Gamliel and the tanna'im.¹⁴ This assumption is supported by the fact that in the two Yerushalmi parallels, the Yerushalmi states that Tabi put on tefillin “and the sages did not protest.”¹⁵

But where did the additions to the ancient *baraita* in the Mekhilta come from? Why do the Bavli and the *baraita* in the Yerushalmi add “and the sages *did not protest*” whereas Rabbi Abbahu adds: “And the sages *did protest*”? Louis Ginzberg suggests very plausibly that:

. . . according to the simple meaning, in the Mekhilta they wanted to say that even though women are exempt from tefillin Mikhal used to wear them, and Jonah's wife used to ascend to Jerusalem even though it is a PTBC because they were pious and dealt strictly with themselves. But since the words of the Mekhilta can be construed in different fashions, the memorizers of the *baraitot*¹⁶ absorbed their own interpretations into the *baraitot*. Thus some had the version: “And the sages *did not protest*” and some had the version: “And the sages *did protest*.”¹⁷

Regardless of the precise development of these traditions, we can summarize the halakhic views of the Sages as follows: According to one opinion in the Bavli, R. Meir and R. Judah obligate women to wear tefillin. According to the Mishnah, women are exempt from tefillin. According to the Mekhilta and the Bavli, women are exempt but may wear tefillin like Mikhal bat Cushi. The Bavli adds that this concurs with the opinion of R. Yosi in his argument with R. Judah. R. Yosi maintained that women may perform PTBC from which they are exempt such as placing their hands on the *bagigab* sacrifice on Yom Tov.¹⁸ Only Rabbi Abbahu in the Yerushalmi = Pesikta feels that women are exempt and *may not* put on tefillin since the sages did protest against the actions of Mikhal bat Cushi.

Thus, if we were going to rule on the basis of talmudic sources alone, our ruling would have to be that women may wear tefillin. This is in accordance with the well-established principle that when the Bavli contradicts the Yerushalmi, we follow the Bavli.¹⁹

Before we move on to the geonic period, we must mention one more rabbinic source of a non-halakhic nature—Targum Pseudo-Jonathan to Deuteronomy 22:5.²⁰ The verse “A woman must not put on a man's apparel” is translated in this Targum as: “A cloak with tzitzit and tefillin shall

not be women. "If a woman because they are a man's apparel." This particular translation has no talmudic basis, as we have seen above, but we shall see that it was used by some of the aharonim.

II. The Period of the Geonim and the Rishonim

In the geonic period, there is scarcely any mention of our topic. The She'iltot (written 748 C.E.) mention that women and slaves are exempt from *keri'at shema* and tefillin,²¹ while Halakhot Gedolot quotes the mishnah and gemara from Berakhot without any further comment.²²

In the period of the rishonim (1000–1500), many of the major *poskim* such as Rif, Rambam, Rosh, Tur and R. Yosef Karo in the Shulhan Arukh²³ simply repeat or paraphrase the mishnah that women are exempt from tefillin without dealing with the question of whether they are permitted to wear tefillin if they wish to do so. This is particularly noticeable in the Rosh, who quotes the Mekhilta and the second Yerushalmi passage (Berakhot 3:3, fol. 6b) yet refrains from mentioning Mikhal bat Shaul at all, either to agree or disagree.

Nonetheless, many rishonim do deal with our issue both directly and indirectly. As Rabbi Joel Roth has pointed out,²⁴ three basic attitudes can be discerned among the rishonim vis-à-vis women performing PTBC:

1) The Ra'abad of Posquieres (1120–1198) is generally opposed to women performing such mitzvot:

because all the mitzvot from which women are exempt—if they do them it is possible that they will treat them lightly (*zilzul mitzvah*) or perform them incorrectly (*kilkul*)—[therefore] the sages protested.²⁵

He furthermore rules like Rabbi Judah and R. Meir (in Mishnah and Bavli Rosh Hashanah 32b–33a)—and against R. Yosi—that women may not perform PTBC. The only exceptions he mentions are sitting in the sukkah and waving the lulav which women may do without a *b'rakhab* "because there is no *kilkul* and no *zilzul mitzvah*." The Ra'abad is apparently the only rishon to hold this opinion.²⁶

2) A large group of rishonim led by Rashi²⁷ and the Rambam rule that women may perform PTBC but *without a b'rakhab*. As the Rambam states:

Women, slaves, and minors are exempt from tzitzit from the Torah . . . Women and slaves who want to wrap themselves in tzitzit may do so without a blessing and so too other positive commandments from which women are exempt—if they want to perform them without a *b'rakhab* one does not protest.²⁸

The final phrase may imply that the Rambam learned this general principle from the story about Mikhal in Erubin 96a: "And the sages did not protest." The Rambam gives no inkling as to *why* women may not recite the blessing over PTBC, but a number of rishonim are clearly worried about a blessing

being recited in vain (*b'rakhab l'vatalab*) and therefore ask: how can they recite "*asher kid-shanu b'mitzvotav v'tzivanu*" if they were not commanded to do so?²⁹ This general approach was accepted by a number of rishonim³⁰ and codified by R. Joseph Karo in the Shulhan Arukh.³¹

3) A much larger group of rishonim led by one of Rashi's teachers (eleventh century) in Germany,³² Rabbeinu Tam (ca. 1100–1171) in France,³³ R. Zerahia Halevi (twelfth century) in Provence,³⁴ and the Rashba (1235–1310) in Spain³⁵ rule that women may perform PTBC and recite the *b'rakhab* as well. Rabbeinu Tam specifically rules according to R. Yosi, following the well-known talmudic principle (Gittin 67a) that the halakhah follows R. Yosi because "he has deep reasons for whatever he says" (*nimuko imo*). Furthermore, R. Zerahia, Rabbeinu Tam, and the Rashba all base their permission to recite the *b'rakhab* on our very case of Mikhal bat Shaul!

R. Zerahia Halevi deals with our issue in his commentary *Hama'or Hakatan* to the Rif on Bavli Rosh Hashanah 33a. The mishnah (fol. 32b) states that we do not prevent minors from blowing the shofar on Rosh Hashanah. The gemara deduces from this that we *do* prevent women from doing so, but immediately quotes a *baraita* that states the opposite. Abaye answers that there is no contradiction—the mishnah follows R. Judah who is opposed to women performing PTBC, while the *baraita* follows R. Yosi and R. Shimon who are in favor. Upon this, R. Zerahia Halevi comments:

Since we establish the Mishnah like R. Judah, while R. Yosi and R. Shimon disagree with him—we reject the mishnah in favor of the *baraita*.

And all PTBC even though they are not required [for women, they are] permissible because they are a mitzvah, and even if they bless on them "*asher kid-shanu b'mitzvotav v'tzivanu*" to blow the shofar or to hear [the shofar] or to sit in the sukkah or to wave the lulav, *we do not protest* like Mikhal bat Shaul who used to put on tefillin and like Jonah's wife who used to ascend to Jerusalem on the three pilgrim festivals and the sages did not protest as it is written in Chapter *Hamotzei Tefillin* (Erubin 96a). *And thus the ruling has gone forth from before the sages of this place* [= Provence] may their memory be blessed, *and from before the sages of France* and they brought proofs for their words at length and they are written in their books and responsa.³⁶

Rabbeinu Tam's opinion is quoted in many places. He says:

And they may recite the blessings over a PTBC even though they are exempt from that mitzvah and they may occupy themselves with that mitzvah like Mikhal bat Cushi who [it can be assumed (*mistama*)], also recited the *b'rakhab*.³⁷

And the Rashba replies in one of his responsa:

You already know the disagreement of the rishonim and their proofs and I agree with he who says that if they desire they can perform all positive commandments and recite the blessings [which we learn]

from M^{ANNA} bat Shaul who used to wear tefillin and they did not protest; rather she did so with the approval of the sages (*kerrzon hakhamim*) and it is obvious (*stama d'milta*) that since she puts on tefillin, she blesses.³⁸

This opinion of the Rashba is quoted and implicitly accepted by R. Aharon Hacohen of Lunel in *Orhot Hayyim*.³⁹ Hasar Micoucy (R. Samsen ben Samson of Coucy) also explicitly allows women to wear tefillin with a *b'rakhah*.⁴⁰ This general approach to PTBC is accepted and codified by many rishonim⁴¹ and by the Rema in the Shulhan Arukh.⁴² Thus, once again, if we were to rule on the basis of the rishonim, our ruling would be: women are exempt from tefillin but may perform this mitzvah as well as other PTBC without a *b'rakhah* (Rashi, Rambam etc.) or with a *b'rakhah* (Rabbeinu Tam, Rashba etc.).

III. R. Meir of Rothenburg

Almost all opposition to women wearing tefillin stems from one sentence uttered by R. Meir of Rothenburg, the Maharam (Germany, d. 1293),⁴³ and unfortunately even this sentence has come down to us in two different versions.

However, before quoting the Maharam, we must mention an explanation offered two generations earlier⁴⁴ in the Tosafot to Eruvin 96a which *may* have served as the basis for the Maharam's statement. *Ba'alei Hatosafot* there are trying to explain why R. Abbahu in Pesikta Rabbati said that the sages protested against Mikhal bat Shaul. They suggest:

And it seems that the reason behind those who say that she doesn't have permission [to wear tefillin] is because tefillin need a clean body (*guf naki*) and women are not scrupulous (*zerizot*) to be careful . . .

It must be emphasized that Tosafot in Eruvin did not rule thus as a matter of practice (*l'halakhah*), but simply suggested this as a means of explaining R. Abbahu in Pesikta Rabbati.

The Maharam, on the other hand, makes a similar statement *l'halakhah*. His pupil, R. Shimshon bar Tzadok, the Tashbetz, quotes him as follows:

And women are exempt from tefillin and tzitzit because both are PTBC since tefillin are not worn on Shabbat and tzitzit are not worn at night. But, in any case, one should not protest against their wrapping themselves in tzitzit and reciting the blessing because they can accept upon themselves an obligation as is evident from Kiddushin [=31a: "Greater is he who is commanded and performs mitzvot than he who is not commanded"], but they should not wear tefillin because they do not know how to keep themselves *in purity* (*b'tohorah*).⁴⁵

R. Aharon Hacohen of Lunel in *Orhot Hayyim*, as well as the related work *Kol Bo*, quote the Maharam more briefly as follows:⁴⁶

Women are exempt from tefillin and if they want to wear them, we do not listen to them because they do not know how to keep themselves *in cleanliness* (*b'nekiut*).

This passage is quoted from the *Kol Bo* by the Rema⁴⁷ as the halakhah and from then on was widely accepted as the halakhah.⁴⁸ However, this statement by the Maharam is extremely problematic:

1. First of all, as the author of *Orhot Hayyim* asks:

And this is difficult for me to understand from that which we say in Eruvin . . . that Mikhal bat Shaul used to wear [tefillin] and the sages did not protest.⁴⁹

In other words, how could the Maharam rule against the plain meaning of the gemara in Eruvin? This question led to a series of attempts to defend the Maharam:

- A) R. Yosef Karo does not quote the Maraham in the Shulhan Arukh because he apparently does not accept his view. Nevertheless, in the Beit Yosef he tries to justify the Maharam. He suggests that the Maharam wanted to take the Pesikta into account (*labush*) and probably agreed with Tosafot that the reason to protest was "*guf naki*" and that women are not careful.⁵⁰ This answer is problematic because "*guf naki*" and "*tohorah*" are not necessarily identical, because the Maharam makes no mention of the Pesikta, and because the Bavli definitely should override the Pesikta.^{50a}
- B) R. Shlomo Luria (1510–1579) in his *Yam Shel Shelomo* to Kiddushin quotes the Beit Yosef's answer and continues:

And I say that we don't need all of this. Rather, the reason they did not protest against Mikhal was because she was an extremely righteous woman^{50b} and the king's wife and had no children and could thus keep herself in cleanliness (*b'nekiut*) which is not the case with other women.⁵¹
- C) The Gaon of Vilna (1720–1797) tried to justify the Maraham and the Rema. He quotes the Beit Yosef and Yerushalmi Berakhot and adds that the Bavli was aware of *both* opinions found in the Yerushalmi and agreed with R. Abbahu. The Bavli only quoted the first opinion in order to search for the tanna'im who said that tefillin are worn on Shabbat, but the Bavli rejected this suggestion and decided that this *baraita* follows R. Yosi who said that women may do *semikhah*. R. Abbahu, however, thought that even though they may do *semikhah*, they may

not wear tefillin. Thus, according to the Gaon of Vilna, the Bavli too agree with R. Abbahu.⁵² A similar suggestion was made five hundred years earlier by R. Yitzhak Or Zarua,⁵³ but there is no textual support for their hypothesis. The Bavli clearly only knew *one* version of the *baraita* about Mikhal and that version said that the sages *did not* protest.⁵⁴

Therefore the riddle remains: even if the Maharam was aware of the Yerushalmi or Pesikta—neither of which has been proven⁵⁵—how could he rule like these sources and against the Babylonian Talmud?

2. The second riddle is just as difficult to unravel: According to the Tashbetz, the Maharam thought women do not know how to keep themselves *b'thorab*—in purity. There is no talmudic basis for this assertion. Furthermore, even if this were so, how would it prevent women from wearing tefillin? After all, on the basis of Bavli Sukkah 26b the Rambam ruled (*Hil. Tefillin* 4:13) that “all of the impure are required to wear tefillin like the pure.” Furthermore, “words of Torah are not susceptible to *tum'ab*” (Berakhot 22a) and this principle was accepted by most of the major *poskim*.⁵⁶ Thus, even a woman who was a *niddah* would be allowed to put on tefillin. Therefore, there is no textual basis for excluding women because of *tohorab*.

On the other hand, we would prefer the reading “*y'nekiut*” as found in *Orhot Hayyim* and *Kol Bo*⁵⁷ and, following R. Yosef Karo, connect the Maharam to Tosafot who spoke of “*guf naki*” as found in Bavli Shabbat 49a.⁵⁸ Once again, however, this would not exclude women from wearing tefillin. The gemara in Shabbat says that:

Tefillin need a *guf naki* like Elisha *ba'al kenafayim*. What is a *guf naki*? Abaye said: that he should not pass wind while wearing them. Rava said: that he should not sleep in them.

The rishonim interpreted *guf naki* in various ways.⁵⁹ Some, like the Rambam, simply quoted Abaye and Rava. Others, like the Ritba, Rashba and Meiri, said: clean of sins and evil thoughts. Thus, none of the known definitions of *guf naki* would exclude women! Therefore, we see that not only does the Maharam contradict the Bavli in Erubin,⁶⁰ but there is no textual basis for his assertion that women lack *tohorab* or *nekiut*.^{60a}

Lastly, we should add that the Rema's ruling on women and tefillin is self-contradictory as the Hida has already pointed out (Birkei Yosef to OH 38:1). On the one hand, in *Hil. Tefillin* the Rema prohibits women from wearing tefillin following the Maharam. On the other hand, in *Hil. Tzitzit* 17:2 and *Hil. Rosh Hashanah* 589:6 the Rema rules that women may recite the *b'rakhab* over PTBC following Rabbeinu Tam. Yet Rabbeinu Tam learned this principle from the fact that Mikhal bat Shaul wore tefillin and must have recited the blessing!⁶¹

IV. Tefillin as a Man's Garment

Beginning with Hillel ben Naftali Hertz (Lithuania, 1615–1690), a number of aharonim suggested that *the Torah* forbids women from wearing tefillin since Targum Pseudo-Jonathan quoted above translates “*kli gever*” as “a cloak of tzitzit and tefillin.”⁶² However, the author of Beit Hillel himself adds: “And seemingly this is difficult because we have not found any tanna who thinks that we lash a woman who wears tefillin.”⁶³ Furthermore, as the author of *Sedei Hemed* points out, if *the Torah* prohibits women from wearing tefillin, why does the gemara tell us that the sages *did not* protest against Mikhal bat Shaul? Were the sages unaware of a *biblical* prohibition?⁶⁴ Lastly, we may add that this “prohibition” is not mentioned by any of the geonim or rishonim and, in any case, a statement made by Targum Pseudo-Jonathan cannot overrule the Bavli and most halakhic authorities.⁶⁵

V. Did Jewish Women Ever Wear Tefillin?

Since we are examining the permissibility of this practice, it is worth investigating whether Jewish women ever actually wore tefillin.

1. There is a widespread story that Rashi's daughters wore tefillin, but I have been unable to find any written proof of this assertion.
2. Hasar Micoucy (R. Samson ben Samson of Coucy) seems to indicate that women in thirteenth-century France wore tefillin. After allowing the recitation of the blessing over Hallel on Rosh Hodesh, even though such a recitation is only a custom, he adds:

And it is not a blessing in vain since a person wants to obligate himself to do it, like the case of lulav and tefillin *that these women bless* (*ahanei nashbei mepar-khot*) even though they are not obligated [to perform the Mitzvah] and we do not protest.⁶⁶

Since Hasar Micoucy uses the present tense and since he mentions the lulav which women clearly *did* bless in his day, it could very well be that women in his day actually wore tefillin. If so, they undoubtedly relied on Rabbeinu Tam or on some of the other rishonim cited above.

3. There is a cryptic reference from ca. 1546 to two Italian Jewish women “who wear tefillin like Mikhal.”^{66a}
4. Many written sources relate that Fatzonina, R. Hayim ben Attar's first wife, “used to wrap herself in a tallit and wear tefillin.”⁶⁷ R. Ya'akov Moshe Toledano, one of those who transmitted this story, even raises the halakhic question: “How could a great rabbi like the author of *Or Hayayim* not have protested to his wife about this?”⁶⁸ One late source even expanded the legend to *both* wives of R. Hayim ben Attar!⁶⁹ However, in truth, this story is nothing more than a legend. It appears in print for the first time in 1889 over 145 years after R. Hayim's death. Furthermore, Ma'ase Tzadikim,

which is the primary source of this legend, contains quite a few fanciful stories about R. Hayim ben Attar which have no factual basis whatsoever.⁷⁰

5. Rebbetzin Shlomo wore tallit and tefillin in the beginning of the nineteenth century in Eastern Europe and, later on, in *Eretz Yisrael*.^{70a}

6. The only well-documented case of a woman wearing tefillin before our time is the case of Hannah Rachel Werbermacher, a "woman-tzaddik" of the nineteenth century who became famous as the "Maid of Ludomir." During a serious illness, she awoke and told her father: "Abba, I was just in the heavenly court and they gave me a new *neshamah*, a great and exalted *neshamah*." After recovering, she began to act like a man. She put on tefillin, wrapped herself in a tallit, and spent all day studying Torah and praying.⁷¹ Needless to say, the Maid of Ludomir cannot serve as an example for Jewish women today. She wore tallit and tefillin because she viewed herself as a *man*.⁷² Many Jewish women today want to wear tefillin as *women*, just as women have performed PTBC such as lulav and sukkah for many centuries.⁷³

Conclusions

In light of the above survey, there is ample halakhic justification for allowing women to wear tefillin. The Mishnah exempts women from wearing tefillin, but the Mekhilta and the Bavli viewed Mikhal's act approvingly. Only R. Abbahu in the Yerushalmi disapproved.

In medieval times, almost all rishonim approved of women performing PTBC either without a *b'rakbab* (Rashi, Rambam etc.) or with a *b'rakbab* (R. Tam, Rashba etc.). Four of them specifically permitted women to put on tefillin with a *b'rakbab* (R. Tam, Hasar Micoucy, R. Zerahia Halevi, Rashba). Only a few rishonim forbade this practice. The Ra'abad ruled like R. Judah that women may not perform PTBC, ignoring the principle that the halakhah normally follows R. Yosi. The Ra'abad's view was not followed by later *poskim*. The Maharam, on the other hand, allowed women to perform PTBC, but ruled that women may not put on tefillin because they do not know how to keep themselves *b'thorah* or *b'nekiut*. This view was adopted by the Rema and his successors. However, we have seen that the Maharam's opinion contradicts the Babylonian Talmud and most of the rishonim and has no textual basis whatsoever. Furthermore, as we have seen, the Rema contradicts himself on this issue. Lastly, if the Maharam was indeed talking about *nekiut* = *guf naki* his statement is no longer valid because in our day women are *more* careful about physical cleanliness than men!⁷⁴

Thus, the overwhelming halakhic evidence teaches us that women may wear tefillin like Mikhal bat Shaul and we do not protest.⁷⁵ Of course, they must wear them with the same *kavvanah* and halakhic restrictions binding upon men.

NOTES

In this paper we shall use the following abbreviations:

Bavli = Babylonian Talmud, ed. Vilna.

EJ = *Encyclopedia Judaica*, 16 vols., Jerusalem, 1972;

Ginzberg = Levi Ginzberg, *Perushim Yh'udushim Bayerushalmi*, I, New York, 1941;

Hil. = *Hilkhot*;

OH = *Shulhan Arukh* or *Tur Orach Hayim*;

PTBC = positive time-bound commandments;

Yerushalmi = Palestinian Talmud, ed. Venice, 1523-1524.

For the convenience of the English reader, I frequently refer to EJ in addition to secondary literature in Hebrew, though the Hebrew references are usually more thorough. All translations in this paper are my own.

1. This paper was delivered at the "First International Conference on Women and Judaism: Halakhah and the Jewish Woman" which took place in Jerusalem in December, 1986. It was scheduled to appear in the proceedings of that conference, but they were, unfortunately, never published. References have now been added to literature which has appeared in the interim.

2. Moshe Meiselman, *Jewish Woman in Jewish Law* (New York: KTAV Publishing House, 1978), pp. 150-151 and see all of Chapter 21 entitled "Tefillin." That entire chapter is one-sided, apologetic, and contains at least ten factual errors. Here is one glaring example: After quoting the opinion of the Maharam of Rothenburg, the author writes: "He is followed in this view by Tashbetz (d. 1444) and the Kol Bo (14th century?)." This sentence contains three errors of fact. Neither the Tashbetz nor the Kol Bo follow the Maharam's view; they both *transmit* his words without commenting at all and, indeed, both of these books are primarily anthologies of Jewish law. Furthermore, the Tashbetz who quotes the Maharam is R. Shimshon bar Tsadok his pupil (fl. late 13th century) and not R. Shimon bar Tsadok Duran who died in North Africa in 1444. Thus, Meiselman has mistakenly presented *one* statement made by the Maharam as if it were the opinion of *three* separate *poskim*! For a thorough analysis of these three sources, see below, Section III.

For some of the sources concerning women and tefillin, see Elyakim Ellinson, *Ha'ishah V'hamitzvah, Sefer Rishon: Bein Ha'ishah L'yotzra* (Jerusalem, 5737?), pp. 23-26, 59-62 though he too is very one-sided in his choice of sources. For an important analysis of the early sources regarding this topic, see Shevah Yalon, "Kol Mitzvat Ash Sh'bazeman Germanan Nashim Perurat": *Iyini Bamekorot Hatanna iyim U'yanuyot Ha'anuyot*, M.A. Thesis, Bar Ilan University, Ramat Gan, 5750, pp. 33-40. For a liberal Orthodox approach, see Eliezer Berkovits cited below, n. 60. For a brief article by a Conservative rabbi in favor of women wearing tefillin, see Martin Sandberg, *Women's League Outlook* 55/4 (Summer 1985), p. 11.

3. But see R. Yosef Diner, *Hiddushet Haritzad*, Vol. I (Jerusalem, 1981?), pp. 149-150 and David Weiss Halivni, *Mekorot U'mesorot: Masekhot Eruvin U'pesachim* (Jerusalem, 1982), p. 247 for a totally different explanation of R. Meir and R. Judah.

4. According to R. Akiva (Bavli Eruvin 96a and parallels), tefillin are not worn on Shabbat and festivals.

5. D'Pisha, ed. Horowitz-Rabin, Jerusalem, 5730?, p. 68 which is the source for Midrash Tanhuma, Bo, end par. 14 and Masekhet Tefillin, Halakhah 3, ed. M. Higger in *Seven Minor Treatises* (New York, 1930), pp. 42-43. For the sentence about Tabi, also see Yerushalmi Eruvin 10:1, fol. 26a and Sukkah 2:1, fol. 52d.

6. Yerushalmi Berakhot Chap. 2, fol. 4c = Yerushalmi Eruvin 10:1, fol. 26a (and see Yerushalmi Berakhot 3:3, fol. 6b).

7. Ed. Meir Ish-Shalom (Vienna, 1880), Parasha 22, fol. 112b.

8. "Cushi" means King Saul. See Psalms 7:1 and *Sifrei Bemidbar*, Piska 99, ed. Horowitz (Jerusalem, 1966?), p. 99; the sources in the notes there; as well as the sources cited by Louis Ginzberg, *Legends of the Jews*, Vol. VI (Philadelphia: Jewish Publication Society), 1928, p. 274, n. 134.

the brilliance of his hypothesis, it has no textual support whatsoever and assumes that the Mekhilta knew midrashim similar to those found in such late midrashim as *Midrash Hagadol*, *Midrash Esther Hayil*, and *Yalkut Shimoni*.

Alternatively, Ginzberg, p. 286 and 288, n. 44 hints that Mikhal and Jonah's wife may have been references to women who actually lived during the early tannaitic period, but he goes no further with this suggestion. Finally, Solomon Schechter, *Studies in Judaism, First Series* (Philadelphia: Jewish Publication Society, 1911), p. 320 suggested that since the Sages could only imagine such behavior in "the remotest past," they therefore attributed the acts described to Mikhal the Daughter of King Saul and to the wife of Jonah. Yalon, op. cit. (above, note 2), p. 36 made the same suggestion without mentioning Schechter.

12. A. Buchler, *JQR, Old Series X* (1898), p. 705; Ginzberg, pp. 286–287; S. Safrai, *Ha'ahyah Lavregl Biyemei Bayit Sheinee* (Jerusalem, 5745³), p. 91; and M.Z. Fuchs, "Simhat Beit Hasho'eva," *Tarbiz* 55 (5746), p. 196, n. 147.

13. See, for example, Aharon Hyman, *Toledot Tannaim V'amora'im* (London, 1913), pp. 521–522 and *Ej* s.v. Tabi.

14. See *ibid.*

15. See above, end of note 5.

16. The "tannaim"—see *Ej*, Vol. XV, col. 800 at the bottom and Y.N. Epstein, *Maya L'nusah Hamishnah* (Jerusalem, 1948), pp. 673 ff.

17. Ginzberg, p. 290.

18. *Sifra*, Dibura D'nedava, Parsheta 2, Halakhah 2, ed. Weiss (Vienna, 1862), fols. 4b–4c = Bavli Hagigah 16b and parallels. And see now L. Finkelstein, *Sifra D'vei Ravi, II* (New York, 5743), p. 20 and III, pp. 59–60.

19. See, for example, the responsum of Rav Hai Gaon in *Teshuvot Hageonim*, ed. S. Assaf (Jerusalem 5689), pp. 125–126 and the parallels cited there; Rif at the end of Masekhet Eruvin, in ed. Vilna 35b; and other sources cited by Menahem Elon, *Hamishpat Ha'ivri* (Jerusalem, 5748³), p. 902, n. 68 and Y. N. Epstein, *Memo'ot Lesifrut Ha'amora'im* (Jerusalem-Tel Aviv, 1962), pp. 290–291.

20. Scholars today refer to it as *Targum Yerushalmi I*—see *Ej*, Vol. 4, col. 845 and Zunz's Albeck, *Haderashot Byisrael* (Jerusalem, 5707), pp. 36 ff. On the contradictions between some of the halakhot in the Palestinian Targumim and normative rabbinic halakhah, see the following: A. Geiger, *Hamikra Venargumav* (Jerusalem, 5709), pp. 103–109 and 290–315; H. Albeck, *B.M. Lemin Jubilee Volume* (Jerusalem, 5700), pp. 93–104; Y.Y. Weinberg, *The Abraham Weiss Jubilee Volume* (New York, 1964), Hebrew section, pp. 367–368; M. Ohana, *Verus Testamentum* 23 (1973), pp. 385–399; J. Heinemann, *Journal of Jewish Studies* 25 (1974), pp. 114–122; J. Faur, *JQR* 66 (1975), pp. 19–26; Bernard Bamberger, *ibid.*, pp. 27–28; Yishayahu Ma'ori, *Te'udah* 3 (5743), pp. 235–250; S.Z. Havlin, *Sifra* 2 (5746), pp. 25–36 and the literature Urbach in S. Friedman, *Sinai* 103 (5749), pp. 45–52 and the literature *ibid.*, n. 1; E.E. Jerusalem, 5753), pp. 53–63; and the literature listed by Avigdor Shunan in *Targum V'agadab Bo* (Jerusalem, 5753), p. 44, n. 155.

21. Sheila no. 47, ed. Mirsky, III (Jerusalem, 5724), p. 72 and no. 164, ed. Mirsky, V (Jerusalem, 5737), p. 20.

22. *Halakhot Gedolot*, ed. Warsaw, 5635, p. 4. Regarding his reading in the gemara, see R.N.N. Rabinowitz, *Dikukei Sofrim to Berakhot* (Munich, 5628), p. 97, n. 2. This sugya is missing in the parallel section of *Halakhot Gedolot*, ed. Jerusalem, I, 1971, p. 12.

23. Rif to Berakhot, chap. 3, ed. Vilna, fols. 11b–12a; Rambam, *Hil. Tefillin* 4:13; *Piskei Harosh*, *Hilkhot Tefillin* at the end of Bavi Menahot, par. 29, ed. Vilna, fol. 122b; *Tur OH* 38, and *Shulhan Arukh OH* 38:3.

24. In his responsum "On the Ordination of Women as Rabbis" in Simon Greenberg, ed., *The Ordination of Women as Rabbis: Studies and Responsa* (New York: The Jewish Theological

Seminary, 1988), pp. 129–133, and briefly in his article "Ordination of Women. . . Halakhic Analysis," *Judaism*, 33/1 (Winter 1984), pp. 70–71.

25. Ra'abad, *Commentary to Sifra*, Dibura D'nedava, Parsheta 2, Halakhah 2, ed. Weiss (Vienna, 1862), fol. 4b.

26. The quote is from the Ra'abad, *ibid.*, fol. 4c. For a similar opinion, see the "gadol" quoted by *Hagabot Maimoniot* to *Hil. Tzitzit*, chapter 3, par. 30.

27. Quoted by *Hagabot Maimoniot* to Rambam, *Hil. Tzitzit* 3:9, par. 40 and in *Or Zarua*, *Hil. Rosh Hashanah*, par. 266, vol. 2 (Zhitomir, 5622), fol. 62a and again in *Hil. Sukkah*, par. 314, fol. 68d and see "Rabbeinu Shab" quoted in *Mal'zer Vitry* (Berlin, 5649), p. 414. Regarding the latter rabbi, see my article "Rabbeinu Shab" in *Sinai* 98 (5746), pp. 201–214 and especially the appendix on pp. 213–214.

28. *Hil. Tzitzit* 3:9.

29. See *Or Zarua*, *Hil. Rosh Hashanah*, fol. 62b towards the middle; "Rabbeinu Shab" loc. cit.; *Semaq. Asin*, no. 42 (Venice, 1547), fol. 119b; *Piskei Harosh* to Kiddushin Chap. 1, par. 49, ed. Vilna, fol. 87c; and Maggid Mishneh to Rambam, *Hil. Sukkah* 6:13 at the end.

30. R. Isaac of Vienna in *Or Zarua* loc. cit.; R. Isaiah D'rani in *Sefer Hamakbia*, par. 78 (Munkacs, 1900), fol. 54c and more briefly in *Piskei Harid* to Rosh Hashanah 33a (Jerusalem, 5731), cols. 159–160; the Meiri in *Beit Habelhira* to Eruvin 96a, ed. Herschler (Jerusalem, 5722), pp. 392–393; *Tur OH* 17; and see Tosafot to Eruvin 96a–b s.v. dilma and to Rosh Hashanah 33a s.v. ha and *Piskei Harosh*, loc. cit.

31. *OH* 589:6 and see his explanation in the Beit Yosef to *Tur OH* 17 s.v. aval.

32. R. Yitzhak Halevi according to *Teshuvot Rasbi*, ed. Eifenbein (New York, 1943), no. 68, pp. 80–81 and the sources cited there. But R. Yitzhak ben Yehuda according to *Or Zarua*, *Hil. Rosh Hashanah*, fol. 62a; Tosafot to Rosh Hashanah 33a s.v. ha; *Piskei Harosh*, loc. cit.; and Rabbeinu Yeruham, *Toledot Adam V'ha'ava*, Netiv 27, Part 1 (Venice, 1553), fol. 227d. In *Abudraham Hashalem* (Jerusalem, 5723), p. 28, he is called R. Yitzhak ben Giya[?] which is clearly a mistake, but R. Ovadia Yosef, *Yehape Da'at*, Vol. 4, p. 130 in the note was misled by this error. For *ibn Giyyat's* actual opinion, see below, note 41.

33. Quoted by more than fifteen rishonim. See, for example, Tosafot to Eruvin 96a s.v. dilma and to Rosh Hashanah 33 s.v. ha.

34. In his *Ma'or Hakatan* to the Rif, Rosh Hashanah Chap. 4, ed. Vilna, fol. 9b. His opinion is quoted by *Shibbolei Haleket*, par. 295, ed. Buber (Vienna, 5647), p. 278.

35. *Responsa Rasbi*, I, Beni Berak, 5742, no. 123.

36. See above, note 34.

37. This quotation is from Tosafot to Rosh Hashanah 33a s.v. ha. The bracketed phrase was added from *Toseftot Harosh* *ibid.*, ed. Ravitz (Benet Berak, 5728).

38. See above, note 35.

39. Vol. I (Florence, 1750), fol. 7b, *Hil. Tefillin*, par. 3.

40. Quoted by *Hagabot Maimoniot*, loc. cit. (above, n. 27); *idem.* to Rambam, *Hil. Hanukah* 3:7, par. 5; and Tosafot to Berakhot 14a, s.v. *yamim*. My thanks to my friend Yisrael Hazzani for the second reference which we shall discuss again below, note 66.

41. Other rishonim who rule thus are: R. Isaac ibn Giyyat, *Sha'arei Simlah*, ed. Bamberger, (Furth, 1861), p. 38 (and more fully in *Sefer Ha'itur*, ed. Meir Yonah, Vol. 2 (Vienna, 1874), fol. 99d; *Shibbolei Haleket*, loc. cit., above, note 34; and *Piskei Harosh* to Rosh Hashanah chap. 4, par. 7); *Hiddushai Haranama* to Kiddushin 31a s.v. *man d'amar*; *Hiddushai Haritba* to Kiddushin 31a s.v. *v'yesh dohim*; R. Aharon Halevi of Barcelona quoted in the *Ritba*, *ibid.*; *Hiddushai Haran* to Rosh Hashanah 33a s.v. *u'l'inyan berakha*; R. Eliezer ben Yoel Halevi, *Sefer Ra'avya*, ed. Aptowitz, Vol. 2 (New York, 5742³), Massekhet Megilah, par. 597, pp. 336–340; R. Ya'akov of Marvege, *She'elot U'treshuvot Min Hashamayim*, ed. R. Margalot (Tel Aviv, 1957), no. 1; Rabbeinu Simhah in relation to blowing the shofar—quoted by *Hagabot Maimoniot* loc. cit. (above, n. 27); R. Meir of Rothenburg in relation to tzitzit quoted by *Tashbez* (Lemberg, 1858), par. 270 (but see below note 45 for his view on refilling!). A number of other rishonim simply quote Rabbeinu Tam and seem to concur—see R. Yeruham loc. cit. (above, n. 32) and *Sefer Ha'aggudat* to Shabbat, chap. 2, par. 46 and to Eruvin, chap. 10, par. 97–98.

9:6. We should add that *Sefer Ha'binukh*, ed. Chavel (Jerusalem, 1986¹⁶), No. 420, p. 5, explicitly allows women to wear tefillin but does not deal with the issue of blessings. *Sefer Ha'irur* (see beginning of previous note), fol. 61b apparently allows women to wear tefillin since he quotes Yerushalmi Berakhot 3:3, Bavli Eruvin 96a, and the Mekhilta, yet leaves out Yerushalmi Berakhot Chap. 2 which is opposed. However, he too does not discuss the blessings.

43. There were two other rishonim opposed to women wearing tefillin, but neither had any effect on later *poskim*. *Sefer Ha'ezekol*, ed. Auerbach, Pt. 2 (Halberstadt, 5628), p. 90 explicitly rules like Rabbi Abbahu in the Yerushalmi that we do protest, the reason being that tefillin require a "guf naki" like Elisha ba'al Kenafayim (Bavli Shabbat 49a). In other words, he says what many tried to read into the Maharam (see below) but, as we shall see, there is no reason to rule like the Yerushalmi against the Bavli and no reason to assume that women cannot maintain a "guf naki."

Piskei Ri'uz to Rosh Hashanah 33a (Jerusalem, 5731), col. 84; also quoted by *Shiltei Hagitot* to Rif, Rosh Hashanah, ed. Vilna, fol. 9b) says that women "may not wear tefillin even without a *br'rababah* because it appears like the way of the heretics (*habitzsonim*) who transgress the words of the sages and do not want to explain the verses as they do." This statement is difficult to fathom, since Eruvin 96a clearly states that the sages did *not* protest against Mikhal bar Shaul. Furthermore, the verses adduced in the Yerushalmi and Mekhilta do not say that women are *forbidden* to wear tefillin but only that they are *exempt* from doing so.

44. See E.E. Urbach, *Be'alei Hanosafot* (Jerusalem, 1980¹⁷), pp. 605-607.

45. *Sefer Tashbets* (Lemberg, 1858), par. 270.

46. *Orbot Hayyim*, loc. cit. (above, note 39) and *Sefer Kol Bo* (Lwow, 5620), *Hil. Tefillin*, par. 21, fol. 13c. The quotation here is from *Orbot Hayyim*. On the relationship between these two books, see Hayim Tchernowitz, *Toledot Haposekim* II (New York, 1947), pp. 182-186, 251-254; Elon, op. cit. (above, n. 19), pp. 1040-1042; *EJ*, II, cols. 12-13 and X, cols. 1159-1160.

47. *OH* 38:3. In *Darkei Moshe* [*Ha'arokh*], Florida, 1760, *ibid.*, the Rema simply quotes the *Beit Yosef* who quotes the *Kol Bo*.

48. R. Mordekhai Ya'efe in the *Levush Hatskhelet* to *OH* 38:3 and see *ibid.*, 17:2; R. Shlomo Luria in *Yam Shel Shlomo* to Kiddushin, chap. 1, par. 64; R. Hayim Yosef David Azulai in *Birkei Yosef* to *OH* 38:1; *Responso Maharam Schick* to *OH*, no. 15; *Arukh Hashulhan OH* 38:6; and *Mishnah Berurah* to *OH* 38, subpar. 13.

49. See above, note 46.

50. *Beit Yosef* to *OH* 38, s.v. *katar hakolbo*.

50a. See Yerushalmi Pe'ah 2:6, fol. 17a = Yerushalmi Hagigah 1:8, fol. 76d and the discussion by *Yad Malakhi*, Kelalei Hagemara, par. 72; *Seidei Hemed*, Ma'arekhet Ha'alef, par. 95; *Z. Tahinudit*, IX, cols. 252-253.

50b. See *Arukh Hashulhan*, loc. cit., who makes this point without referring to R. Shlomo Luria. I was unable to find any rabbinic source which considers Mikhal to have been an "extremely righteous woman."

51. *Yam Shel Shlomo*, loc. cit. This explanation is accepted by the Hida in *Birkei Yosef* loc. cit.

52. *Be'ur Hagra* to *OH* 38:3.

53. In *Hil. Rosh Hashanah* (above, n. 27).

54. The Gra and R. Isaac of Vienna may have assumed that the Bavli knew the Yerushalmi. Today, this is no longer the assumption. See, for example, Y. N. Epstein, op. cit. (above, note 19), pp. 291-292.

55. Since the Maharam often relied on the Yerushalmi (see Irving Agus, *Rabbi Meir of Rothenburg*, I [New York: KTAV, 1970¹⁸], p. 32), it stands to reason that he did not mention the Yerushalmi here because he did not rely on it in this case.

56. See Yediyda Dinar, *Te'udab 3* (5743), pp. 17-37 and Shaye Cohen in Susan Grossman and Rivka Haut, eds., *Daughters of the King: Women and the Synagogue* (Philadelphia: Jewish Publication Society, 1992), pp. 103-115. Despite the clear ruling in the gemara, many Ashke-

nazic *poskim* followed *B'ravta D'masekhet Niddah* and *Hasidei Ashkenaz* and *Y. Ned* women from entering the synagogue or touching a *sefer Torah* during *niddah*. Perhaps this is the source of the Maharam's opposition to women wearing tefillin, but I was unable to find any Ashkenazic *posek* who links the two restrictions.

57. Indeed, Y. Z. Kahana, Rabbi Meir ben Barukh (Maharam) Merottenberg: *Teshuvot Pesakim U'minhagim*, I (Jerusalem, 5717), p. 143, par. 34 prints the *Kol Bo's* version and merely refers to *Tashbets* and *Orbot Hayyim*. This is surprising since the *Tashbets* was the Maharam's student and since the quotation in the *Tashbets* is clearly more complete than the one in the *Kol Bo*. Regarding the *Tashbets*, see Urbach, op. cit. (above, note 44), p. 561 and on the *Kol Bo's* dependence on the *Tashbets* for traditions of the Maharam, see Agus, op. cit. (above, note 55), p. 27 and n. 64.

58. Indeed, aharonim such as the *Magen Avraham* to *OH* 38, subpar. 3 and *Arukh Hashulhan* 38:6 were so influenced by the *Beit Yosef* that they based their rulings on Tosafot in Eruvin and totally ignored the Maharam! We should add that the Ritba to Kiddushin 31a had a reading in Tosafot which connects "nekiut" to "guf naki": "And women are not *nekiot*, neither cleanliness of the body nor cleanliness of the mind."

59. For a good summary and discussion, see Gimzberg, pp. 257-260. He himself offers a third explanation of "guf naki"—free of excrement as well as of "heri."

60. Cf. Eliezer Berkovits in *Sinai* 100 (5747), pp. 192-194 and also cf. his book *Jewish Women in Time and Torah* (Hoboken: KTAV Publishing House, 1990), pp. 72-74.

60a. It is worth noting that R. Elijah Shapira in his *Elyah Rabbah* to *OH* 38:2 came to a similar conclusion. He writes: "And *Orbot Hayyim* asked . . . and the *Beit Yosef* and the aharonim gave forced answers (*nidhaku*). And it seems to me that later generations were strict about this, because they saw that women in our time (*haseman hasseh*) are not too scrupulous (*sevizot*). Therefore, they were strict to protest against all women so that an error (*takalab*) should not occur." In other words, the Maharam's objection was not really based on any talmudic source but rather on his perception of the sociological realities of his day. This would imply that if the sociological realities have changed, so could the halakhah.

61. Cf. Berkovits (above, note 60), who also emphasized the fact that the Rema contradicts himself. For the same contradiction on the very same page, see *Yam Shel Shlomo*, loc. cit. (above, note 48).

62. See Hillel ben Naftali Hertz, *Beit Hillel to Torah Deab* 182 (Durenfurth, 1691); R. Hayim Binyamin Pontremoli, *Petah Haavir* to *OH* (Izmir, 1862), *OH* 38, par. 2; R. Hayim Hirziyah Medini, *Seidei Hemed, Kuntras Hakalaim*, Lamed, Kelal 116, Schneeyerson edition, II, p. 725; R. Ya'akov Hayim Sofer, *Kaf Hachayim* to *OH* 38:9; and R. Gedalia Felder, *Yesodei Yesurim*, I (Toronto, 1954), p. 92 (he seems to have misunderstood *Seidei Hemed* because he did not actually see *Beit Hillel* and *Petah Haavir*).

63. Lashes are frequently the punishment for a person who transgresses a negative commandment—see Rambam, *Hil. Sanhedrin* 18:1.

64. See above, note 62, and see his discussion *ibid.* and in *Tet*, Kelal 15.

65. See the literature cited above, note 50a.

66a. See Alexander Marx in *Sefer Hayomel Likhrood Levi Ginsberg* (New York, 1946), p. 294.

66. See the three references in note 40 above. I have translated the second reference.

67. Avraham Halevi ibn Susan, *Ma'aseh Ha'tzadikim* (Jerusalem, 5649), fol. 1b; Ya'akov Moshe Toledano, *Sefer Ner Haman'arav* (Jerusalem, 5671), p. 155; Reuven Margaliot, *Toledot Rabbeinu Hayim ibn Attar* (Lwow, 5685), p. 45 and n. 16; Frumkin-Rivlin, *Toledot Hakbmei Yerushalayim*, III (Jerusalem, 5689), p. 12 in an addendum by Rivlin; Mordechai Margaliot, *Entsiklopedia Ligdolei Yisrael*, II (Tel Aviv, 1973¹⁹), col. 525; Yakov Gellis, *Entsiklopedia Letolatot Hakbmei Eretz Yisrael*, I (Jerusalem, 1974), col. 390.

68. *Sefer Yam Hagadol*, Cairo, 5691, no. 40.

69. *Sefer Mas'ot Yerushalayim* (Jerusalem, 5723²⁰), p. 92, n. 7.

70. See, for example, *Ma'aseh Ha'tzadikim* (above, note 67), fols. 2b-3a, for a story about R. Hayyim ben Attar's alleged meeting with a tribe of giants who were descendants of the Ten Lost Tribes.

18 CONSERVATIVE JUDAISM

70a. Yosef Haglili, *Hasbomerim Laboker* (Meron, 5752), pp. 156–157.

71. My thanks to my father, Rabbi Noah Golinkin, who first told me about the Maid of Ludmir. The quotation is taken from S. A. Horodetzky, *Habasadut V'babassidim*, Pt. 4 (Tel Aviv, 1951³), p. 70. There is a vast literature about her. See Mikha'el Rodkinson, *Tefillah L'moshe: Toledot Hatefillin V'koroteihen* (Pressburg, 5643), p. 48, n. 1; Tz. L. Mekler, *Fun Rebbens Hoif*, 1 (New York, 1931), pp. 235–236; Moshe Feinkind, *Froien Rebei'im un Barimte Perzentlichkeiten in Poilin* (Warsaw, 1937), pp. 31–36; Mordechai Biber, *Reshumot, New Series*, 2 (5706), pp. 69–76; Yohanan Twersky, *Habetulah Miludmir* (Jerusalem, 1949) (an entire novel about her!); Efraim Tubenhoiz, *Bineitiv Hayabid* (Haifa, 5719), pp. 37–41; *EJ*, Vol. XI, cols. 553–554; Shlomo Ashkenazi, *Dor Dor U'minbagav* (Tel Aviv, 5737), pp. 248–252; Ada Rapoport-Albert, "The Maid of Ludmir," *Kabbalah: A Newsletter of Current Research in Jewish Mysticism*, 2/2 (Spring/Summer 1987), pp. 1–3; idem.; "On Women in Hasidism, S.A. Horodecky and the Maid of Ludmir Tradition" in Ada Rapoport-Albert and Steve Zipperstein, eds., *Jewish History: Essays in Honor of Chimen Abramsky* (London: Halhan, 1988), pp. 495–525; Haglili (above, note 70a), pp. 157–160; and Gershon Winkler, *Moment 18/6* (December 1993), pp. 56–57, 98–100. In Winter 1997–98, a play entitled "The Maid of Ludmir" was staged by Jerusalem's Chan Theatre.

72. And cf. the views of the mystics collected in *Kaf Hahayim*, loc. cit. (above, note 62).

73. For interesting testimonies by women who wear tefillin today, see Susan Grossman in Ellen Umansky and Dianne Ashton, eds., *Four Centuries of Jewish Women's Spirituality* (Boston: Beacon Press, 1992), pp. 279–282; Dvora Weisberg in *Daughters of the King* (above, note 56), pp. 282–284; and *Women's League Outlook* 64/2 (Winter 1993), pp. 13–17.

74. This point was stressed by Berkovits (above, note 60).

75. In 1991, The Rabbinical Assembly Committee on Jewish Law and Standards was asked whether women are permitted to wear tefillin. The Chairman, Rabbi Joel Roth, responded, "There is no reason to forbid a woman from wearing either a tallit or tefillin when they are appropriate. All Ashkenazic *poskim* agree that women may perform the mitzvot from which they are exempt. Tallit and tefillin fall into that category." (May 13, 1991).

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Reim

At a recent two women infrequent at the oneg following they knew each sensed they had the eyes of one another, "Have seems that a Hindu retreat

My synagogue outside shul who had in the same recognized each Hindu retreat

While they are far spiritual quite touched Gershom describe the walked into dition that