

## CHAPTER FIVE

# WOMEN AT THE RABBINIC TABLE: BIRKAT HAMAZON

BERAKHOT 20B

### Introduction

The rabbis of the Mishnah derived the commandment to recite birkat hamazon, the blessing over food, from a verse in Deuteronomy: “And you shall eat, and you shall be satisfied and you shall bless.” (8:10). This commandment seems to apply to both men and women, as indeed Mishnah Berakhot 3:3 states explicitly. Yet as we shall see in this chapter, the question of women’s obligation in birkat hamazon was no simple matter. In exploring this question, we employ most of the critical methodologies that we emphasize throughout this book, including comparison of the Mishnah with the Tosefta, examination of manuscript traditions of the Tosefta, comparison of the Yerushalmi with the Bavli, comparison of baraitot in the Bavli with their toseftan parallels, and separation of chronological levels within the Bavli. We again see the impact that stammitic conceptualization had on halakhah. The stammaim create rules by which to unite disparate fields of halakhah, and by doing so, they deeply impact subsequent developments in halakhah.

However, beyond the usual textual techniques, this chapter also includes some cultural analysis. The question of women’s participation in banquets and banquet rituals was a source of great contention in the Greco-Roman world, and rabbinic literature from the tannaitic period must be considered in the context of this broader discourse. Finally, the subject of women’s participation in Jewish ritual serves as a springboard for our discussion of feminist/gender analysis of rabbinic literature, an issue we address in an appendix to this chapter.

## The Tannaitic Texts

Mishnah Berakhot 3:3 states clearly and unambiguously that women are obligated to recite birkat hamazon:

### Mishnah Berakhot 3:3

משנה ברכות ג:ג

Women, slaves and minors are exempt from the recitation of the Shema and from tefillin. And they are obligated in tefillah, mezuzah and birkat hamazon.

נשים ועבדים וקטנים פטורין מקריאת שמע ומן התפילין וחייבין בתפלה ובמזוזה ובברכת המזון.

This ruling is even explained as “obvious” in a passage from the Bavli, based on the following mishnah from Kiddushin which provides a general principle as to when women are obligated or exempt from certain commandments:

### Mishnah Kiddushin 1:7

משנה קידושין א:ז

All positive, time bound commandments—men are obligated and women are exempt; and all positive non-timebound commandments, both men and women are liable.

וכל מצות עשה שהזמן גרמה—האנשים חייבין, והנשים פטורות; וכל מצות עשה שלא הזמן גרמה—אחד אנשים ואחד נשים, חייבין.

If the mishnah in Kiddushin had already stated that women are obligated for non-timebound positive commandments and birkat hamazon is non-timebound, then why, the Talmud in Berakhot asks, does the mishnah in Berakhot need to restate the same halakhah:

### Bavli Berakhot 20b

בבלי ברכות כ ע"ב

And [they are obligated] in birkat hamazon. This is obvious!

ובברכת המזון פשיטא!

What might you have said? Since it is written, *In God's giving to you in the evening meat to eat, and in the morning bread to your satisfaction* (Exodus 16:8) [you might have thought] that this is like a positive timebound commandment. Therefore [the mishnah] teaches us [that women are obligated].

מהו דתימא: הואיל וכתוב בתת ה' לכם בערב בשר לאכל ולחם בבקר לשבע (שמות טז:ח), כמצות עשה שהזמן גרמא דמי - קמשמע לן.

This passage offers a reason why one might have thought that women should be exempt from birkat hamazon: perhaps it could be considered a positive timebound commandment from which women are exempt. But the comment nevertheless affirms what the mishnah states—women, as well as slaves and minors,<sup>1</sup> are in the end liable for birkat hamazon. Indeed, despite the “what might you have said” statement found here, it is obvious that birkat hamazon is not a positive timebound commandment. The entire sugya, which is full of “what might you have said” comments, serves the rhetorical purpose of supporting the necessity of the laws of this mishnah. There does not really seem to be any serious consideration of the possibility that birkat hamazon is indeed time bound. Tosefta Kiddushin 1:10 lists sukkah, lulav and tefillin as paradigms of positive timebound commandments. These are timebound because there are days on which they cannot be fulfilled. Birkat hamazon can be fulfilled any day, any time of day. It is clearly not time bound.

The Yerushalmi, in a comment placed directly on the Berakhot mishnah, also affirms that women are obligated in birkat hamazon:

**Yerushalmi Berakhot 3:6, 6b**

ירושלמי ברכות ג:ו, ו ע"ג

How do we know that women [are obligated]?...

ונשים מניין?...

And [they are obligated] in birkat hamazon as it is written: *and you shall eat and be satisfied and bless the Lord your God* (Deuteronomy 8:10).

וברכת המזון דכתיב: ואכלת ושבעת וברכת את ה' אלהיך (דברים ח:י).

The point is clear: whoever eats must bless. Since women eat, obviously they must bless God for the food they have received.

<sup>1</sup> Concerning the obligation of minors to perform commandments see Yitzhak Gilat, *Perakim Behishtalshelut Habalakhab* (Ramat Gan: Bar Ilan University Press, 2001), 19-31. Gilat demonstrates that there was no blanket exemption from mitzvot for minors in the mishnaic period. The concept that a minor became fully obligated at the age of 13 was a Talmudic and post-Talmudic development.

The picture begins to get a bit more complicated in Tosefta Berakhot 5:17. There is a significant difference between the manuscript traditions of this halakhah, and therefore we have included both versions in parallel columns:

<b>Tosefta Berakhot 5:17 Erfurt manuscript</b>	<b>תוספתא ברכות ה:יז Vienna manuscript and printed edition</b>
<p>נשים ועבדים וקטנים אין מוציאין את הרבים ידי חובתן.  באמת אמרו אשה מברכת לבעלה בן מברך לאביו עבד מברך לרבו.</p>	<p>נשים ועבדים וקטנים פטורין ואין מוציאין את הרבים ידי חובתן.  באמת אמרו אשה מברכת לבעלה בן מברך לאביו עבד מברך לרבו.</p>
<p>Women, slaves and children cannot aid the multitude (רבים) in fulfilling their obligation.</p>	<p>Women, slaves and children are exempt [from birkat hamazon] and they cannot aid the multitude (רבים) in fulfilling their obligation.</p>
<p>In truth they said, a woman can bless for her husband, a son for his father and a slave for his master.</p>	<p>In truth they said, a woman can bless for her husband, a son for his father and a slave for his master.</p>

The difference between these two versions is really only one word but it is critical. According to the Vienna manuscript and printed edition (on the right), women are exempt from birkat hamazon, whereas the Erfurt manuscript (on the left) does not say that they are exempt, but merely that they cannot aid “the multitudes” (רבים)—a term we will deal with below—in fulfilling their obligation.

According to Lieberman, the Erfurt manuscript is the correct and original version of the Tosefta.<sup>2</sup> There are two main criteria he employs to support this preference. First of all, this version does not contradict the Mishnah, which obligates women for birkat hamazon. Second, the two halves of the halakhah make more sense—a woman is obligated (section one) and therefore

<sup>2</sup> Saul Lieberman, *Tosefta Kifshuta: Zeraim* (New York: Jewish Theological Seminary, 1956), 83-84. Lieberman notes that the version preserved in Erfurt was known to some rishonim and that it is unlikely to be a result of scribal emendation. Scribes wishing to “fix” the Tosefta to match the Mishnah would not have simply erased the word “פטורים” but would have added the word “חייבין,” which is found in the Mishnah.

she can aid her husband in fulfilling his obligation (section two). In contrast, the Vienna manuscript and printed version, in which women are exempt and yet can aid their husbands in fulfilling their obligation, is difficult because there is a general halakhic principle that only one who is obligated in a mitzvah can aid others in fulfilling their obligation (Mishnah Rosh Hashanah 3:8).

Of course, an obvious difficulty still remains with the version found in Erfurt—if a woman cannot aid the רבים, which usually means “any others,” in fulfilling their obligation (section one) how can she bless on behalf of her husband (section two)? Lieberman answers this by reading the phrase in an unusual fashion. While the phrase usually means, as we shall demonstrate below, that the woman under discussion is not obligated for the particular mitzvah being discussed and therefore cannot discharge the duties any other person has to perform that mitzvah, here it refers to a *public* recitation of birkat hamazon. A woman cannot fulfill the obligation for the public because the rabbis of this period considered it disgraceful for a woman to have this type of public role, especially in connection with a meal. This understanding of the word רבים prevents the first half of the halakhah from contradicting the second half. The second half of the halakhah, “In truth they said” serves as a specific contrast with the first half.<sup>3</sup> Women are allowed to fulfill their husband’s obligation because this is a private act, one probably performed in the home. Their husbands and other members of the household are not included in the רבים mentioned in the first half.

We should note that the same formula that Lieberman believes is secondary in Tosefta Berakhot, the one that appears in the Vienna manuscript and printed edition of Tosefta Berakhot, does appear in all manuscript traditions two other places in the Tosefta.

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#### Tosefta Manuscripts

The Tosefta text has survived in three manuscripts: Vienna, Erfurt, and London. The Vienna manuscript is nearly complete, while Erfurt contains the first four orders and London includes only Moed. In his critical edition of the Tosefta, Saul Lieberman chose MS Vienna as the base text for his work because the manuscript is the closest to the original textual tradition. The Erfurt version was often revised and harmonized with the Talmudim. See Lieberman, *Tosefta Kifshuta: Moed* (New York: Jewish Theological Seminary, 1962), Introduction, 13-14.

<sup>3</sup> This is the typical function of “באמת אמרו” in tannaitic texts. See, for instance, Mishnah Terumot 2:1.

**Tosefta Rosh Hashanah 2:5**

**תוספתא ראש השנה ב:ה**

Women, slaves and children are exempt [from the shofar] and they can't aid the multitudes (רבים) in fulfilling their obligation.

נשים ועבדים וקטנים פטורין ואין מוציאין את הרבים ידי חובתן.

**Tosefta Megillah 2:7**

**תוספתא מגילה ב:ז**

Women, slaves and children are exempt [from reading the megillah] and they can't aid the multitudes (רבים) in fulfilling their obligation.

נשים ועבדים וקטנים פטורין ואין מוציאין את הרבים ידי חובתן.

In both of these cases the word רבים, which literally translates as “multitudes,” is synonymous with “others”—it means that women cannot exempt *anybody* from their obligation because they themselves are not obligated. As both sources state explicitly, women are exempt from hearing the shofar or the reading the megillah. Any person who is not obligated in a given mitzvah cannot fulfill the mitzvah on behalf of others (Mishnah Rosh Hashanah 3:8). Thus Lieberman’s reading of the word in Tosefta Berakhot is admittedly against the grain. Nevertheless, the evidence does seem to support this reading. It is the reading found in the Erfurt manuscript of Tosefta Berakhot, it prevents the Tosefta from blatantly disagreeing with the Mishnah, and it prevents the two halves of the Tosefta (that she cannot exempt the multitudes, and that she can exempt her husband) from disagreeing with each other.<sup>4</sup>

The Tosefta teaches, therefore, that as a human being who has eaten food, a woman has a personal obligation to bless God. In contrast, she is not supposed to take a public role in aiding others in fulfilling their obligation. These same notions also emerge from another mishnah which deals with women’s role vis-a-vis birkat hamazon:

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<sup>4</sup> Lieberman does not surmise why the word פטורים entered into the tradition preserved in Vienna and the printed edition. The most likely possibility is that this tradition was influenced by the phrase as it appears in Tosefta Rosh Hashanah and Megillah.

**Mishnah Berakhot 7:2**

משנה ברכות ז:ב

Women, slaves and minors are not part of the invitation [to recite birkat hamazon]. נשים ועבדים וקטנים אין מזמנין עליהם.

This mishnah refers to an important element of the recitation of birkat hamazon—the *zimmin*, or invitation. Beyond an individual's obligation to recite birkat hamazon, when a group of at least three people eat together, one is to invite the others to bless. The entire seventh chapter of Mishnah Berakhot deals with this institution, testifying to its centrality. Since the *zimmin* is a public institution, women, slaves and minors are excluded. But this does not have any implication as to their obligation to recite birkat hamazon, a personal blessing acknowledging God as the source of all sustenance.

## The Role of Women in the Greco-Roman and Rabbinic Banquet

Before we proceed with our analysis of the Bavli, it would be helpful to take a broader look at the perception of a woman's role in the formal meal of the rabbinic period. What emerges from the tannaitic literature concerning birkat hamazon is a dichotomy between a woman's personal obligation and her public role. This dichotomy seems to reflect the social mores of the times—a woman was not meant to have a public role at a formal meal, one in which the רבים would be participating, but she did have a personal obligation to recite birkat hamazon, and she could take a role in reciting birkat hamazon on behalf of others in a more casual dining setting with her husband and family. The reluctance to allow women to participate actively in the rituals of formal, public dining or in the specific types of banquets frequently discussed by the rabbis, the *haburah* meal<sup>5</sup> and the Pesah seder, is implicated in many sources and reflects Greco-Roman norms as well. Below we will investigate some of the salient rabbinic texts, as well as touch

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<sup>5</sup> *Haburah* is a word used in tannaitic literature to refer to a group of people who are formally eating a meal together. See for instance M. Eruvin 6:6. It is mentioned frequently in connection with a group of people gathered together to eat the pesah sacrifice. See note 12 below.

upon a few such texts from contemporaneous non-Jewish sources which deal specifically with the issues of women reclining and drinking wine at the formal meal.

## Reclining

In the ancient world the position in which a person dined—reclining, sitting or standing—was reflective of his/her social status—the higher the status, the more horizontal the position. As Dennis Smith summarizes, “the act of reclining in itself was a mark of one’s rank in society: only free citizens were allowed to recline.”<sup>6</sup> In rabbinic literature, diners are usually described as reclining (see for instance Tosefta Berakhot 5:5). Mishnah Pesahim 10:1 mandates that all participants at a seder recline as a way of emphasizing their celebration of freedom. While tannaitic texts do not mention whether a woman is to recline, this concern is raised by the amoraim. In Yerushalmi Pesahim 10:1, 37b, an amora asks whether a woman must recline at the seder when in front of her husband:

### Yerushalmi Pesahim 10:1, 37b

ירושלמי פסחים י:א, לו ע"ב

R. Yose asked in front of R. Simon: Even a slave in front of his master and even a woman in front of her husband [is obligated to recline]?

רבי יוסי בעא קומי רבי סימון: אפילו עבד לפני רבו אפילו אשה לפני בעלה?

While in the Yerushalmi the question is not answered, the following source in the Bavli offers an ambivalent answer:

### Bavli Pesahim 108a

בבלי פסחים קח ע"א

A woman who is with her husband—she is not required to recline.

אשה אצל בעלה - לא בעיא הסיבה.

But if she is an important woman, she must recline.

ואם אשה חשובה היא - צריכה הסיבה.

<sup>6</sup> Dennis Smith, *From Symposium to Eucharist: The Banquet in the Early Christian World* (Minneapolis: Augsburg Fortress, 2003), 11.

The Bavli leaves room for situational decisions. In general, women are excluded from reclining, but there are situations in which such exclusion would not be appropriate.

Rabbinic concerns about these phenomena are clearly reflections of the broader society in which the rabbis found themselves. The connection between a person's social status and his/her posture was so significant in the Greco-Roman world that there has developed a rich scholarly literature concerning the question. Matthew B. Roller has dedicated a full book to the topic, with an entire section devoted to the issue of women.<sup>7</sup> Here we offer just a few examples of Greco-Roman texts he cites which give voice to the anxiety surrounding women's dining posture.

The following source, composed by Isidore of Seville in the seventh century, quotes Varro, a first century B.C.E. Roman scholar:<sup>8</sup>

Sedes [seats—i.e. places on the dining couches] are so called because among the old Romans there was no practice of reclining, for which reason they were also said to 'take a seat.' Afterward, as Varro says in his work, *On the Life of the Roman People*, men began to recline and women sat, because the reclining posture was deemed shameful in a woman.

While this source gives the impression that it was standard for men to recline and women to sit, a source from Valerius Maximus (first century C.E.) portrays a more nuanced picture of the contemporary situation, as well as the author's attitude towards it:<sup>9</sup>

[Concerning 'old Roman custom']. Women ordinarily dined sitting next to men who reclined, a custom that passed from human dining practice to the gods: for at the feast of Jupiter he himself was invited to dine on a couch, and Juno and Minerva on chairs...Our own age cultivates this type of discipline more assiduously on the Capitol [the location of the

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<sup>7</sup> *Dining Posture in Ancient Rome: Bodies, Values and Status* (Princeton: Princeton University Press, 2006).

<sup>8</sup> Cited in Roller, 2.

<sup>9</sup> Cited in Roller, 96.

feast of Jupiter] than in our own homes, evidently because it is of greater consequence to the commonwealth to ensure the orderly conduct of goddesses than of women.

In the beginning of this quote Valerius refers to a religious festival celebration “in which images of these three divinities were placed on the specified items of furniture.”<sup>10</sup> Jupiter reclined while the goddesses Juno and Minerva sat on chairs. Valerius then contrasts this archaic practice with contemporary times, where women recline when dining in their own homes. Roller summarizes the tension in Valerius’s words, “Valerius clearly implies two things: first, that by his day women were likely to be found reclining in convivia...; and second, that this postural shift marks a moral decline.”<sup>11</sup> Women’s behavior was not simply a matter of custom or whim; it was an issue fraught with moral implications, in Greco-Roman literature and rabbinic literature as well.

### Drinking Wine

The second issue we examine concerns the question of whether women should drink wine, specifically at a banquet, a context in which wine generally played a key role. In describing a holiday meal, Tosefta Pesachim 10:4 states:

#### Tosefta Pesachim 10:4

#### תוספתא פסחים י:ד

A man is commanded to make his children and his wife happy on the festival.

מצוה על אדם לשמח בנו ובני ביתו ברגל.

With what does he make them happy?

במה משמחין?

With wine, as it is written: *and wine gladdens the human heart* (Psalms 104:15).

בין דכתיב: ויין ישמח לבב אנוש (תהילים קד:טו)

R. Yehudah says: Women with what is appropriate for them, and children with what is appropriate for them.

ר' יהודה אומר: נשים בראוי להם וקטנים בראוי להם.

<sup>10</sup> Roller, 96.

<sup>11</sup> Ibid.

Wine, according to R. Yehudah, is not appropriate for women. Other sources seem to imply that wine was appropriate for rich women (see Tosefta Ketubot 5:7; Yerushalmi Ketubot 5:11, 30b; Bavli Ketubot 64b-65a) or for women who were eating with their husbands. But regardless, it seems clear that the rabbis felt the need to limit the contexts in which it was permissible for women to drink. Since wine was emblematic of formal dining, these discussions hint at the discomfort that rabbis felt with regard to women's full and equal participation at such meals. One who did not drink wine at the meal would not have been seen as a full participant.

As was the case with the issue of women reclining, rabbinic concerns and anxieties echo those that arise in Greco-Roman literature.<sup>12</sup> Here we cite one example of such a text, again from Valerius Maximus, this time in his work, *Memorable Deeds and Sayings* 6.3.9. He writes:

Egnatius Metellus ... took a cudgel [heavy stick] and beat his wife to death because she had drunk some wine. Not only did no one charge him with a crime, but no one even blamed him. Everyone considered this an excellent example of one who had justly paid the penalty for violating the laws of sobriety [seriousness]. Indeed, any woman who excessively seeks the use of wine closes the door on all virtues and opens it to vices.

The violence of this source seems to be an expression of the severity of the perceived threat and perhaps of the pervasiveness of the phenomenon as well. These texts concerning women reclining and drinking wine reflect precisely the types of anxieties we would expect to exist in a world in which women's roles at formal meals were the subject of debate. Anxiety is felt most acutely when customs are changing. In a world in which women were either completely banned from the formal meal and never drank wine or in which their participation in such social ritual was completely unremarkable, there

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<sup>12</sup> See Nicholas Purcell, "Women and Wine in Ancient Rome," *Gender, Drink and Drugs*, ed. Maryon, McDonald (London: Berg, 1994), 191-208; Matthew Dickie, *Magic and Magicians in the Greco-Roman World* (London: Routledge, 2001), 178-180; Bruce W. Winter, *Roman Wives, Roman Widows*, (Grand Rapids, MI: W. M. Eerdmans, 2003), 151-153.

would be little reason for the impassioned debate we find in both rabbinic and Greco-Roman sources. Presumably, then, these debates developed against the background of a society in flux.<sup>13</sup>

Finally, when we consider the question of whether these sources reflect actual historical practice, we must exercise extreme caution. These are mostly prescriptive sources, not descriptions, and they were composed by a few men living in specific times and places. There is ample evidence that women did recline and did drink wine.<sup>14</sup> But Jews, Greeks and Romans actually ate their meals cannot be gleaned from a few literary sources of this nature. What we can glean from these sources is the pervasive anxiety that men of this period felt concerning women's roles, which was played out undeniably at formal meals. The meal was an important social occasion in both rabbinic and Greco-Roman culture (as it is in most cultures), and the meal dictated and reinforced the social hierarchy. How a woman acted at a meal was reflective of her role vis a vis her husband, her family and the public. A woman reclining and drinking wine with men may have implied that she had attained equal social standing to her husband, a message that the male diner may or may not have wanted to convey to others.

The above texts serve as an important backdrop for our understanding of the passages concerning women and birkat hamazon. The rabbis understood

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<sup>13</sup> Besides reclining and drinking wine there is another issue in rabbinic literature which demonstrates rabbinic hesitations as to women's participation in banquet meals—the *haburah*, or company of people who eat the pesah sacrifice together. Mishnah Pesahim 8:7 states: "One does not make a *haburah* of women, slaves or minors." This mishnah is best interpreted as meaning that at least some adult men must be present in the *haburah*. One should not have a *haburah* consisting completely of women, slaves or minors so that, as Bar Kapara states in Yerushalmi Pesahim 8:7, 36a, "they should not bring the sacrifices to a state of disgrace."

<sup>14</sup> Most scholars today realize that in actual Roman practice women probably did recline. As Matthew Roller, *Dining Posture*, 98, writes: "the standard view that women changed their dining posture from sitting to reclining at one or another historically specifiable time is untenable, for it cannot be shown (contra Valerius and Varro) that women of any status ever dined seated as a matter of course." Similarly, Susan Treggiari, *Roman Marriage* (Oxford: Clarendon Press, 1991), 423 writes: "Women by the late Republic reclined at dinner and seem normally to have shared a couch with their husbands." See also Dennis Smith, *From Symposium to Eucharist*, 43, who writes: "By the first century C.E. there is evidence that respectable women of the Roman aristocratic class were increasingly to be found at banquets and would often recline."

that women would, at least on occasion, be present at formal banquets, but they dictated that in public they should play a less prominent role than their male counterparts. While our sugya in Berakhot is not about reclining or drinking wine together with men, the issue of a woman leading men in birkat hamazon or fulfilling the obligation on their behalf is closely related. What lies behind all of these issues is not women's presence at a meal—that seems to be taken for granted. The issue is her place in the social hierarchy vis a vis the men at the table. Does she recline in their presence, an act which would imply social equality? Does she drink wine as they do? Does she count in the number of diners required for a *zimmin*, which would again imply social equality? Can she fulfill the obligation of birkat hamazon on behalf of men, a function which might imply religious and social equality? These are the questions that men, including the rabbis, seem to have been asking and debating throughout the ancient world.

### Bavli Berakhot 20b

As seen above, the mishnah ruled simply that women were personally obligated to recite birkat hamazon. This is true even if they are not supposed to take a role in the public performance of birkat hamazon. Surprisingly, the nature of this unequivocal ruling is questioned in the Bavli. The Bavli begins with a short discussion of women's obligation to recite kiddush on Shabbat and on festivals. Despite the fact that this section is not directly relevant to the issue of birkat hamazon, it sets the tone for what follows and it will help us demonstrate the thought processes of some of the amoraim. Therefore, we will begin with this section of the sugya.

## Section One

### Bavli Berakhot 20b

### בבלי ברכות כ ע"ב

1) R. Ada bar Ahava said: Women are obligated by the Torah in the sanctification of the day.

1) אמר רב אדא בר אהבה: נשים חייבות בקדוש היום דבר תורה.

2) Why? This is a positive time bound commandment, and women are exempt from all positive time bound commandments.

2) אמאי? מצות עשה שהזמן גרמא הוא, וכל מצות עשה שהזמן גרמא נשים פטורות!

3) Abaye said: [They are obligated] by the rabbis.

3) אמר אביי: מדרבנן.

4) Rava said to him: But he said "by the Torah!" And furthermore, we should obligate them rabbinically for all positive timebound commandments!

4) אמר ליה רבא: והא דבר תורה קאמר! ועוד, כל מצות עשה נחייבינהו מדרבנן!

5) Rather Rava said: Scripture states, *Remember* (Exodus 20:7) and *Observe* (Deuteronomy 5:11): Anyone obligated to observe [by not transgressing the negative commandments] is obligated to remember. And women, since they are obligated to observe, are also obligated to remember.

5) אלא אמר רבא: אמר קרא זכור (שמות כ:ז) ושמור (דברים ה:יא) - כל שישנו בשמירה ישנו בזכירה, והני נשי, הואיל ואיתנהו בשמירה - איתנהו בזכירה.

The passage begins with R. Ada bar Ahava stating that women are liable for "the sanctification of the day (קידוש היום)," despite the fact that this does seem to fall into the category of a positive timebound commandment, from which women are supposed to be exempt (see above, Mishnah Kiddushin 1:7). We should note that this is not the only case of an amora stating that a woman is liable for a positive timebound commandment. There are three places in the Bavli where the amora R. Yehoshua ben Levi states that women are obligated for this type of commandment: 1) lighting Hannukah candles (Shabbat 23a); 2) drinking four cups of wine on Pesah (Pesachim

108a); 3) reading Megillat Esther (Megillah 4a).<sup>15</sup> It does not seem that these amoraim considered the mishnah from Kiddushin, which exempts women from positive timebound commandments, to be fully encompassing. They allowed for certain mitzvot to fall outside of its parameters.

Abaye (section three), who lived a generation after R. Ada bar Ahavah, seems to have a different response to the mishnah from Kiddushin. This mishnah is now in his eyes fully prescriptive—women are not obligated in *any* positive timebound commandments. Therefore, he interprets their obligation for *kiddush hayom* to be only “*derabbanan*” of rabbinic and not biblical status. This is an invention of Abaye’s, meant to preserve the functionality of R. Ada bar Ahavah’s ruling and yet to harmonize it with the mishnah in Kiddushin. Note that according to this interpretation, Abaye is not reflective of a change in women’s status, neither in his eyes nor in any sort of reality he is trying to describe. That is to say, he does not have some personal agenda to demote women’s obligation, nor is he commenting that in his world women do not participate in *kiddush hayom*. Rather, he engages in the usual activity of amoraim—harmonizing one literary source with another.

Rava raises two difficulties on Abaye (section four). First, there is no such category as liable “*derabbanan*” when it comes to women’s performance of commandments. Second, R. Ada bar Ahavah specifically states “from the Torah.” Rava (section five) therefore defends the notion that women are obligated by the Torah for *kiddush hayom* by creating his own midrash. This midrash seems, at least in Rava’s eyes, to mitigate the contradiction between R. Ada bar Ahavah’s statement and the mishnah from Kiddushin. Women are generally exempt from positive timebound commandments unless there is some specific text or perhaps reason for them to be obligated (as there was in the cases of megillah, Shabbat candles and the four cups of wine, see citations above).

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<sup>15</sup> The obligation for women to read (or at least hear) the megillah is also found in Yerushalmi Megillah 2:5, 73b. It is likely that this is the original context of his statement and that the Babylonian editors moved it from the context of Megillah to Shabbat candles and the four cups at the seder. We should note that these passages obligate women to hear the megillah even though Tosefta Megillah 2:7 specifically exempts them (see above).

For the issue of birkat hamazon, to which we are about to return, the importance of this section is that it introduces the notion of women being rabbinically liable for a mitzvah. Despite the fact that Abaye's position was rejected, the very possibility that a woman would be obligated for a mitzvah, but that her obligation would be lesser than that of a man, is the basis for the question that opens the second part of the sugya.

Tannaitic source

Ammoraic source

Stammaitic source

## Section Two

QUESTION

(1) Ravina said to Rava : Women's obligation in birkat hamazon—is it from the Torah or from the rabbis?

(1) אמר ליה רבינא לרבא: נשים בברכת המזון, דאורייתא או דרבנן?

EXPLANATION

(2) What is the practical difference? To exempt others from their obligation. If you say that it is from the Torah, then her biblical obligation can exempt another biblical obligation. But if you say it is from the rabbis, then she is not obligated in the matter, and anyone not obligated in a matter cannot fulfill the obligation for others. What [is the ruling]?

(2) למאי נפקא מינה - לאפוקי רבים ידי חובתן. אי אמרת דאורייתא - אתי דאורייתא ומפיק דאורייתא, ואי אמרת דרבנן - הוי שאינו מחוייב בדבר, וכל שאינו מחוייב בדבר - אינו מוציא את הרבים ידי חובתן. מאי?

ANSWER

(3) Come and learn: In truth they have said, a son may bless for his father and a slave may bless for his master, and a woman may bless for her husband. But the sages have said: Let a curse be brought upon a man whose wife and children bless for him.

(3) תא שמע, באמת אמרו: בן מברך לאביו, ועבד מברך לרבו, ואשה מברכת לבעלה; אבל אמרו חכמים: תבא מארה לאדם שאשתו ובניו מברכין לו.

STAMMAITIC EXPLANATION

(4) It goes well if you say that her obligation is from the Torah, her biblical obligation can exempt another biblical obligation. But if you say her obligation is from the rabbis, can one with a rabbinic obligation fulfill the obligation for one with a biblical obligation?

(4) אי אמרת בשלמא דאורייתא - אתי דאורייתא ומפיק דאורייתא, אלא אי אמרת דרבנן - אתי דרבנן ומפיק דאורייתא?

DIFFICULTY

(5) And according to your reasoning—is a minor obligated?

(5) ולטעמך, קטן בר חיובא הוא?

STAMMATIC EXPLANATION

(6) Rather what are we dealing with here? For instance he ate only an amount that would make him obligated in birkat hamazon from the rabbis, and the one with a rabbinic obligation could fulfill the obligation for one with a rabbanic obligation.

(6) אלא, הכא במאי עסקינן - כגון שאכל שיעורא דרבנן, דאתי דרבנן ומפיק דרבנן.

AMORAIC MIDRASH

(7) R. Avira expounded, sometimes he said it in the name of R. Ami and sometimes in the name of R. Asi: the ministering angels said in front of the Holy One, blessed be He: Master of the Universe, it says in your Torah, *Who does not show favorites and does not take bribes* (Deuteronomy 10:17). But do you not show favor to Israel, as it says, *May God show His favor to you* (Numbers 6:26).

(7) דרש רב עוירא, זמנין אמר לה משמיה דרבי אמי וזמנין אמר לה משמיה דרבי אסי: אמרו מלאכי השרת לפני הקדוש ברוך הוא: רבונו של עולם, כתוב בתורתך: אשר לא ישא פנים ולא יקח שחד (דברים י:יז) והלא אתה נושא פנים לישראל, דכתיב: ישא ה' פניו אליך (במדבר ו:כו). אמר להם: וכי לא אשא פנים לישראל? שכתבתי להם בתורה: ואכלת ושבעת וברכת את ה' אלהיך (דברים ח:י), והם מדקדקים [על] עצמם עד כזית ועד כביצה.

He said to them: Why should I not show favor to Israel? For I have written in the Torah, *And you shall eat, and you shall be satisfied and you shall bless the Lord your God* (Deuteronomy 8:10). And they are stringent upon themselves and bless even when they only eat the amount of an olive or an egg.

The sugya opens with Ravina's question whether or not birkat hamazon for women is considered "derabbanan," of rabbinic status or "deorayta," of biblical status. The question itself is surprising for several reasons. First of all, as Rava said above, the obligations set forth for women in the mishnah were all understood to be equal to those of men. While much later halakhic authorities begin to claim that women's obligation for prayer is different from that of men, nowhere else do we hear of such a claim in classic rabbinic

literature.<sup>16</sup> Why should birkat hamazon be any different? Second, earlier in the sugya it was “obvious” that women are obligated in birkat hamazon. Why should the level of their obligation be questioned now?

There are three points that serve as the background for Ravina’s question. The first is Abaye’s comment above. Ravina lived slightly later than Abaye and, as can be seen here, was one of Rava’s students. Abaye and subsequently Ravina seem to be open to the lack of equality between a man and a woman’s obligation in the performance of certain mitzvot. Second, in general amoraim, and especially later amoraim, increasingly categorize mitzvot as rabbinic or biblical.<sup>17</sup> In an earlier period, while there is some such categorization, there is more of an emphasis on whether or not one is obligated to perform a given commandment.<sup>18</sup> In the amoraic period, there is a greater emphasis on determining whether a mitzvah that is to be performed is done so out of rabbinic command or because of a biblical mitzvah. Finally, Ravina’s question may arise specifically with regard to birkat hamazon due to general anxieties about a woman’s role at a meal, an issue we explored above.

If this last explanation is correct, than the stammaitic comment (section four) that follows is an accurate reflection of Ravina’s intent. The point of Ravina’s asking whether or not a woman’s obligation is rabbinic is to question her ability to recite the blessing on behalf of men, who are certainly obligated biblically. A woman will recite birkat hamazon no matter the level of her obligation. But if her obligation is lesser in status than that of men, then she will not be able to fulfill the blessing for men.

More specifically, the stam in section two posits that what lies behind Ravina’s question is her ability to discharge the obligation of the רבנים. Above we saw that in the Tosefta, as explained by Lieberman, the word רבנים was not

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<sup>16</sup> See Judith Hauptman, “Women and Prayer: An Attempt to Dispel Some Fallacies,” *Judaism* 42:1 (1993) 94-103.

<sup>17</sup> See Benjamin De Vries, *Toldot Halakha Hatalmudit* (Tel Aviv: Abraham Zioni Publishing House, 1966), 69-95.

<sup>18</sup> The obligation to eat bitter herbs on Pesah is a good example. The Mekhilta de-Rabbi Ishmael Pisha 6 establishes that one is obligated to eat maror even without the pesah sacrifice, meaning even after the destruction of the Temple. It says nothing about the level of obligation. Bavli Pesahim 120a says that without a pesah sacrifice the obligation for maror is rabbinic.

synonymous with אחרים, any others. Rather it was specific—a woman cannot exempt the *multitudes*, i.e. the public, from their obligation, even though she can exempt her husband. In consequence, Lieberman notes that word as it used in the Bavli here (section two) is not precise; the Bavli means to say אחרים, and indeed this is the version preserved in the commentary of R. Asher.

The key to this shift in meaning is found in the fact that the version of the baraita quoted by Rava in section three in order to answer Ravina's question does not contain the line found in the Tosefta, "Women, slaves and children cannot aid the multitudes (רבים) in fulfilling their obligation" but does contain the second line, that a woman can bless for her husband. Taken together these two lines in the Tosefta demonstrate the distinction between the רבים, whose obligation she cannot fulfill, and her husband, whose obligation she can fulfill. In the Bavli, which does not contain this first line of the baraita, the distinction does not exist. To Rava and to the *stam*, either a woman is liable for birkat hamazon and she can bless for *any* man, or she is not liable and she cannot bless for *any* man (unless he too is not liable, as we shall see below). Rava uses this version of the baraita to prove that women are liable for birkat hamazon, since they can exempt any other person. Thus the original amoraic core of the sugya would have consisted of Ravina's opening question followed by Rava's response from the abbreviated baraita found in section three. The *stam* explained Ravina's question in section two and Rava's answer in section four.

The other difference between the baraita in the Tosefta and the version in the Bavli is that in the Bavli there is an additional line: "let a curse come upon a man whose wife or children bless for him." The origin of this line is found in Mishnah Sukkah 3:10 which reads:

### Mishnah Sukkah 3:10

משנה סוכה ג:

One who has a slave, a woman, or a minor read [the Hallel] to him, he must repeat after them what they say, and a curse be upon him.

מי שהיה עבד או אשה או קטן מקרין אותו  
עונה אחריהן מה שהן אומרים, ותהי לו  
מאירה.

This line has a slightly different meaning in the context of Hallel in Mishnah Sukkah.<sup>19</sup> It is easier to understand why a husband whose wife must recite Hallel for him is cursed than why a husband whose wife must recite birkat hamazon for him is cursed because of two key differences between these prayers. First, Hallel is probably (although not necessarily) recited in the synagogue and thus it is a more public affair. In ancient times it would have been perceived as exceedingly shameful for a husband (or for any man) to require a woman to read for him in such a setting. In contrast, birkat hamazon can be (but is not always) more of a private affair, as explained above. While a man whose wife must recite birkat hamazon for him might feel ignorant, shame is usually a publicly experienced emotion and thus would not be as powerful when experienced in the home. Second, Hallel is written Scripture. The verb used in the Mishnah is “read for him”, which can mean that she is reading a text that her husband simply cannot read. That is not to say that written scripture was so readily available that Hallel would have always or even normally been read from a scroll. But at least the possibility exists. Furthermore, the biblical text of Hallel was more widely-known than a rabbinic text such as birkat hamazon would have been. A woman reading Hallel for her husband implies that he cannot even read the familiar text of Hallel. In contrast, blessings were transmitted only orally. Thus the woman *recites* for her husband. While this does imply that she knows how to recite birkat hamazon and is more learned than him, at least there is no implication that he is completely illiterate.

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<sup>19</sup> In Yerushalmi Berakhot 3:6, 6b, this mishnah from Sukkah is cited in juxtaposition with the baraita concerning women and children blessing birkat hamazon for others but only in the Bavli is the curse also applied to a woman who recites birkat hamazon for her husband. Further evidence as to the origin of this line can be found in the fact that the same baraita concerning birkat hamazon is quoted in Bavli Sukkah 38a, immediately following the mishnah concerning Hallel. It is not commented upon there by any amoraim, and thus it seems likely that the editors in Sukkah brought it from Berakhot due to the already existent similarity. Thus the curse line originated in Mishnah Sukkah in the context of Hallel, in Yerushalmi Berakhot Mishnah Sukkah was quoted in the context of a baraita concerning women and birkat hamazon, and in Bavli Berakhot the curse line was added to the baraita itself. From there, the baraita concerning birkat hamazon was cited but not commented upon in Bavli Sukkah.

As is almost always the case in these situations, we cannot know who added this line to the baraita or when it was added, but it does seem to have been added before Rava, a mid-fourth century amora. Rava cites the baraita as concrete proof that a woman does have a biblical obligation to recite birkat hamazon because, as the stam notes in section four, if her obligation were only of rabbinic origin, she would not be able to aid a man in fulfilling his obligation.

Sections five and six contain a refutation of the proof that Rava cites in section three. The language and terms indicate that the provenance of these lines is stammaitic. The stam seems to agree with Abaye from the previous section of the sugya, that women's obligation for these commandments is rabbinic. The stammaitic strategy is to compare the obligation of a woman to that of a minor, whose obligation is clearly not biblical (again, according to the stam, similar to the Yerushalmi cited below). Since the baraita allows a minor to bless for his father, the stam must assume that the man being described himself has only a rabbinic obligation to recite birkat hamazon. And if so, the woman's obligation may be rabbinic as well. Importantly, nowhere else in the entire corpus of rabbinic literature do we directly learn that there is such a thing as a *rabbinic* obligation for a man to recite birkat hamazon, i.e. an obligation to recite birkat hamazon when a biblical obligation does not exist. The stam invents such a notion by drawing on R. Avira's statement, found in section seven.

The original context of R. Avira's statement is clearly an explanation of Mishnah Berakhot 7:2 (the same mishnah that discusses women and the *zimmun*):

**Mishnah Berakhot 7:2**

How much [must one have eaten] in order for them to recite an invitation?

As much as an olive.

Rabbi Judah says: as much as an egg.

משנה ברכות ז:ב

עד כמה מזמנין?

עד כזית.

ר' יהודה אומר עד כביצה.

R. Avira praises Israel for offering such a strict interpretation of “and you shall be satisfied” from Deut 8:10. His statement has nothing to do with categorizing men’s obligation as biblical or rabbinic. This is the stammaitic interpretation of his statement, one which the rishonim found exceedingly problematic and controversial. But this is the nature of the stammim, as we have seen throughout our analysis of Babylonian sugyot. The stam is willing to create a new halakhic category, in this case a rabbinic obligation for men to recite birkat hamazon, as long as through that category a difficulty can be solved—how can women recite birkat hamazon for their husbands if the former have a rabbinic obligation and the latter’s obligation is biblical?

Finally, we might also be able to detect a stammaitic halakhic “agenda” in this resolution. Yerushalmi Berakhot also asks how a minor can bless for his father.

**Yerushalmi Berakhot 3:3, 6b**

ירושלמי ברכות ג:ג, ו ע"ג

And a son [can recite birkat hamazon] for his father?

וקטן לאביו?

Did not R. Aha say in the name of R. Yose son of R. Nehorai: Anything said about a minor’s [obligation] is only in order to educate him.

לא כן א"ר אחא בשם ר' יוסי ביר' נהוראי: כל שאמרו בקטן כדי לחנכו.

You can solve this by saying that he (the father) answers amen after him.

תיפטר בעונה אחריהן אמן.

Like that which is taught there: The one whose slave or wife or son reads for him [the Hallel] must answer after them whatever they say. And a curse be upon him. But they (the sages) said a curse should be upon the twenty year old who needs a ten year old.

כיי דתנינן תמן: מי שהיה עבד או אשה או קטן מקרין אותו עונה אחריהן מה שהן אומרים ותהא לו מאירה. אבל אמרו תבוא מאירה לבן עשרים שצריך לבן עשר.

We cannot be certain whether the traditions found in the Yerushalmi were known in Babylonia.<sup>20</sup> But if they were, it is significant that the stam does not

<sup>20</sup> For a review of the scholarly debate see Alyssa Gray, *A Talmud in Exile: the Influence of Yerushalmi Avodah Zarah on the Formation of Bavli Avodah Zarah* (Providence: Brown Judaic Studies, 2005), 9-15.

choose to accept the Yerushalmi's answer as to how a minor could bless for his father—that his father repeats the words after him. Had the *stam* answered his own question, “can a minor be obligated” (section five) in this manner, then Rava's answer to the original question could have stood. A child, whose obligation can only be rabbinic, could recite the *birkat hamazon* with his father repeating the words after him, and the simple meaning of the *baraita* with regard to a woman could have been retained—a woman is obligated biblically to recite *birkat hamazon* and therefore she can aid her husband in his fulfillment of the *mitzvah*. Thus the *stam* goes one step further than the transmitter of the *baraita*, who added the line “let a curse be brought upon a man...” This transmitter, who seems to have preceded Rava, believed, assumedly, that it was not respectable for a husband to have his wife recite the *birkat hamazon* for him, but that she was legally empowered to do so. Rava, who quoted the *baraita*, answered that a woman is indeed obligated by the Torah to recite *birkat hamazon*. In contrast, the *stam* believes that in general this is not even possible. The only case in which a wife could recite *birkat hamazon* on behalf of her husband is when his obligation is only rabbinic and therefore matches hers. And even then—“let a curse be brought upon a man whose wife and children bless for him.”

## The Impact of the *Stam* on Halakhah

The *stammaitic* resolution found in section six had substantial impact on two areas of halakhah. First, as we just stated, had the *sugya* ended with Rava's answer to Ravina's question (section three), the halakhah would have clearly been that women are obligated by the Torah to recite *birkat hamazon*. They would have been able to aid anyone in discharging their obligation.

Second, this is the only *sugya* in which we learn that someone who has not eaten to satisfaction is liable for *birkat hamazon* only from rabbinic authority. Indeed, as the *rishonim* point out, there are other places in the Talmud in which it is clear that as long as one ate an olive's worth of food, he is liable and can bless for others who ate to their satisfaction.<sup>21</sup> To solve this problem most *rishonim* reluctantly resolve that even if the man's

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<sup>21</sup> See the discussion of the *Baal HaMeor* and the *Ramban* on the *Rif*.

obligation is only rabbinic because he did not eat to his satisfaction, he can fulfill the obligation of any man, even one who did eat to his satisfaction. In other words, while most rishonim do accept the halakhah embedded in this stammaitic comment—men who eat less than an olive’s worth of food are liable to recite birkat hamazon only from rabbinic authority—they utterly reject any implications this has on a man’s behavior. The only implication it has is for a woman’s and a child’s behavior.<sup>22</sup> Women can bless for their husbands and minors can bless for their fathers only if the adult male ate to less than satisfaction.

Finally, this sugya is a case in which R. Yitzhak Alfasi (11<sup>th</sup> century, North Africa), known more famously as the Rif, simply ignores the stammaitic sections of the sugya and rules according to what he perceives to be the simple meaning of the texts, specifically the mishnah and the baraita. This is a common phenomenon with the Rif’s rulings<sup>23</sup> and in this case he is supported by the Raavad (12<sup>th</sup> century Provence) and Nachmanides<sup>24</sup> (12<sup>th</sup> century, northern Spain) as well. All three rule that women are simply obligated to recite birkat hamazon without qualification. In contrast, Maimonides (12<sup>th</sup> century, Spain and Egypt) adds that we are not sure whether this obligation is biblical or rabbinic, thereby restoring the stam’s comments to the sugya. Since this is also Rabbenu Asher’s (13<sup>th</sup> century, Germany and then Spain) ruling, as well as that of the Tosafot and many other rishonim, the eventual halakhah as encoded in the Shulkan Arukh is made to fit the stammaitic comments in section six. In this case, as in many others, the stam’s comments end up having a decisive influence on halakhic history.

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<sup>22</sup> Later halakhic authorities (see Mishnah Berurah Orah Hayyim 184:15) apply this issue to the case of one who is not sure whether he recited birkat hamazon. If birkat hamazon is rabbinic because the person ate to less than his satisfaction, then he would not be obligated to recite birkat hamazon. However, the rishonim rule that if one is not sure if he recited birkat hamazon, he must go back and recite it. See Rambam, Laws of Blessings 2:14.

<sup>23</sup> See Israel Ta-Shma, *Hasifrut Haparshanit Latalmud* (Jerusalem: Hebrew University Magnes Press, 1999), 1:145-146.

<sup>24</sup> See their comments on the Rif in *Hasagot HaRaavad* and *Milhemet Hashem*.

## Conclusion

The topic of women's obligation in birkat hamazon showcases the variety of critical techniques available to the modern Talmudic scholar. Textual analysis allowed us to tease out a tension that existed in the tannaitic period between women's personal obligation to recite birkat hamazon and the rabbinic reluctance to allow them to play a public role in banquet ritual. We showed that this tension was very much reflective of the Greco-Roman period in which the rabbis lived. We find in rabbinic literature some of the same conversations recorded in Greek literature—should women recline in the presence of men? Should they drink wine? Should they be counted among the active participants in the formal banquet? Understanding the historical context allowed for a richer understanding of why these questions arose with such intensity in tannaitic literature.

Moving on to the talmudic period, we saw how the harmonistic tendencies of the amoraim came into play with this question. How can one source exclude women from public ritual (Mishnah Kiddushin) yet other sources obligate them (R. Ada b. Ahava)? Thus Abaye and Ravina invented the notion that women might be obligated to perform certain mitzvot (sanctification of the day and birkat hamazon), but that their obligation could be less than that of men. The stammaim applied this distinction with greater fervor, and their demotion of women to a lower level of obligation left an indelible impact on halakhah. Thus textual analysis and cultural comparison come together to provide a rich opportunity to understand the history of this particular halakhah.

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## Feminist/Gender Interpretation of Rabbinic Literature

Alieza Salzberg

The chapter on women's obligation to recite birkat hamazon provides an opportunity to explore some of the techniques that scholars in the field of feminist/gender studies have applied to the study of rabbinic literature. As we concluded, originally women had a personal obligation to thank God for the food they had eaten, but the sages were anxious about women's overt participation in public banquets and legislated accordingly. Although our analysis focused on the development of the texts and halakhot, source analysis

also allowed for the recovery of viewpoints that would not have been otherwise available had the Bavli's sugya and the stam's voice overshadowed all other sources and voices. This is a common technique among modern feminist scholars, many of whom are trained in the field of source criticism, or use the work of critical scholars as the basis for their own analysis.<sup>25</sup> Along with the search for fissures in the text, feminist thinkers have been fascinated by knowledgeable and dynamic women, mostly wives and daughters of sages, who occasionally appear in the Talmud. What can these characters teach us about women's roles in the usually male-dominated arenas of Torah study and ritual? Answers to these questions have been complicated by modern scholars of aggadah (rabbinic legend) who have called into question our ability to recover even a kernel of historical truth from this literary genre.<sup>26</sup> Stories concerning learned women such as Beruriah the wife of Rabbi Meir or Yalta the wife of Rav Nahman are not simple recordings of the lives of these women and the role they actually played in the world of the men with whom they are described as interacting.

However, rejection of the historicity of the Talmudic record engenders questions which may be even more illuminating: If Talmudic legends are not historical records or even echoes thereof, then what are they? One answer that scholars have given is that these literary creations provide the rabbis with the opportunity to imagine the impact that their exclusionary halakhot have on women. Through the actions and voices of women in these stories, rabbis can express anxieties about their own systematic exclusion of women from the realms of Torah study and other mitzvot, without rocking the foundations of their own religious lives by directly critiquing their own halakhic system. In addition, by imputing certain dangerous or more extreme claims to women, the rabbis create space for these more countercultural voices within the Talmud.<sup>27</sup> Thus while scholars no longer believe that actual

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<sup>25</sup> See Tal Ilan, "Feminist Interpretations of Rabbinic Literature: Two Views," *Nashim* 4 (2001), 11-13.

<sup>26</sup> See Jeffrey Rubenstein, *Talmud Stories: Narrative Art, Composition, and Culture* (Baltimore: Johns Hopkins University Press, 1999), 3-15.

<sup>27</sup> Scholars have noted that this technique is used with other marginal figures throughout rabbinic literature. Such marginal figures are allowed to ask the dangerous questions that rabbis would have found risky to even voice. See Christine Hayes, "Displaced Self-

history can be gleaned from aggadah, these texts have become a rich source of the intellectual history of those who composed them.<sup>28</sup>

Turning our attention beyond stories of women to the broader picture of rabbinic culture, feminist scholars recognize that this culture was at its core male centered — privileging the power of men, scholars, fathers, kings, male images of God, etc. Previous generations of feminist scholars tended to either “apologize” for the overall character of rabbinic literature, or attack the male dominated rabbinic culture.<sup>29</sup> In contrast, many modern feminist scholars find themselves somewhere in between —admitting that rabbinic culture generally excluded women, but also searching for evidence of their presence and their voices, a task that Ilana Pardes calls “excavation.”<sup>30</sup> Applying close textual analysis can reveal hidden layers of meaning that have been embedded in the texts, both intentionally and unintentionally. Sometimes we discover an alternate opinion the authors were trying to silence, a counter-voice that pushes against the majority.<sup>31</sup> On other occasions, behind the veil of the text we can discern the worries and anxieties that male rabbis were trying to work through concerning the role of women in their world.<sup>32</sup>

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Perceptions: The Deployment of Minim and Romans in b. Sanhedrin 90b-91a,” *Religious and Ethnic Communities in Later Roman Palestine*, ed. Hayim Lapin (Bethesda: University Press of Maryland, 1998), 249-289; Richard Kalmin, *Jewish Babylonia between Persia and Roman Palestine* (New York: Oxford University Press, 2006), 110-116.

<sup>28</sup> See our chapter on R. Pinhas b. Yair.

<sup>29</sup> Judith Hauptman, *Rereading the Rabbis: A Woman's Voice* (Boulder: Westview Press, 1998); Judith Romney Wegner, *Chattel or Person? The Status of Women in the Mishnah* (New York: Oxford University Press, 1988).

<sup>30</sup> Ilana Pardes uses the word “excavation” to describe a feminist reading strategy for the Bible, though it applies to Talmud scholarship as well. See her cogent methodological overview in *Countertraditions in the Bible: A Feminist Approach* (Cambridge: Harvard University Press, 1992), 1-13.

<sup>31</sup> Daniel Boyarin devotes a chapter of his groundbreaking work *Carnal Israel* to teasing out a counter voice to the absolute rabbinic exclusion of women from Torah study. See *Carnal Israel: Reading Sex in Talmudic Culture* (Berkeley: University of California Press, 1993), 167-196.

<sup>32</sup> An excellent example can be found in Ishay Rosen-Zvi's analysis of the Mishnaic Sotah ritual. He demonstrates that the Mishnaic description reimagines the biblical test of the sotah in a manner which emphasizes her sexuality and presumes her guilt. The Mishnah does not reflect a historical portrayal of the second Temple but instead serves the ideological purpose of controlling the invisible power of women's sexuality. See *The Mishnaic Sotah Ritual: Temple Gender and Midrash* (Leiden: Brill, 2012).

Importantly, feminist readers are not neutral, dispassionate literary archaeologists, chipping away at the ancient world. Rather, alongside the literary and academic tools at their disposal, they use their passion and political concern as guides for their literary excavation of these male-dominant texts. As Charlotte Fonrobert, a contemporary scholar at the forefront of source-critical Talmudic feminist criticism, writes, “The most powerful claim brought forth by feminist thinking in the Jewish context has perhaps been the claim that these texts belong to women also, that they are part of women’s heritage, religious commitments and aesthetic pleasures... This claim and the related emergence of women scholars of Talmud already has begun to change the ‘face’ of the text, as women move from being spectators in the talmudic beit midrash to being participants in it.”<sup>33</sup>

As an example of the feminist study of rabbinic sources, we will examine the character of Yalta, one of the most famous and oft-studied women in rabbinic literature.<sup>34</sup> A story in tractate Berakhot deals with her exclusion from partaking in the ritual cup of wine at the conclusion of birkat hamazon. Our analysis of this story will not just demonstrate feminist reading strategies, but will also deepen our understanding of the focus of the previous sugya, namely women’s relationship to birkat hamazon.

### Bavli Berakhot 51b

Bavli Berakhot 51b records a baraita that lists ten requirements pertaining to the cup of wine used during birkat hamazon and then adds an eleventh: “Some say, He [also] sends it—the cup—to the members of his household... as a present so that his wife may be blessed.” The following story appears after the baraita:

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<sup>33</sup> “Feminist Interpretations of Rabbinic Literature: Two Views,” *Nashim* 4 (2001), 10.

<sup>34</sup> See Rachel Adler, *Engendering Judaism* (Philadelphia: Jewish Publication Society, 1998), 21-60; Tal Ilan, *Mine and Yours are Hers: Retrieving Women’s History From Rabbinic Literature* (Leiden: Brill, 1997), 121-130; Judith Baskin, *Midrashic Women: Formations of the Feminine in Rabbinic Literature* (Hanover: Brandeis University Press, 2002), 83-87; Tamara Or, *Massekhet Betsa: A Feminist Commentary on The Babylonian Talmud* (Tubingen: Mohr Siebeck, 2010), 122-134.

- (1) Ulla was once at the house of R. Nahman. He (Ulla) ate bread and said birkat hamazon. He handed the cup of blessing to R. Nahman.
- (2) R. Nahman said to him: Send the cup of blessing to Yalta.
- (3) He [Ulla] said to him: R. Yohanan said the following: The fruit of a woman's belly is blessed only from the fruit of a man's belly, as it says: *He will also bless the fruit of your belly* (Deuteronomy 7:13). It does not say the fruit of her belly, but the fruit of your (masc.) belly.
- (4) It was also taught in a baraita: Rav Natan said: From where do we know that the fruit of a woman's belly is only blessed from the fruit of a man's belly? Because it says: *He will also bless the fruit of your belly*. It does not say the fruit of her belly, but the fruit of your (masc.) belly.
- (5) Meanwhile Yalta heard, she rose in anger and went to the wine house and broke four hundred jugs of wine.
- (6) R. Nahman said to him: Let the Master send her another cup.
- (7) He sent her [a message]: All that [wine can be counted as] the cup for [making] the blessing.
- (8) She sent to him: Gossip comes from peddlers and vermin from rags.
- (1) עולא אקלע לבי רב נחמן. כריך ריפתא בריך ברכת מזונא. יהב ליה כסא דברכתא לרב נחמן.
- (2) אמר ליה רב נחמן: לישדר מר כסא דברכתא לילתא.
- (3) אמר ליה הכי אמר ר' יוחנן: אין פרי בטנה של אשה מתברך אלא מפרי בטנו של איש, שנאמר: וברך פרי בטנך (דברים ז: יג), פרי בטנה לא נאמר, אלא פרי בטנך.
- (4) תניא נמי הכי: ר' נתן אומר: מנין שאין פרי בטנה של אשה מתברך אלא מפרי בטנו של איש? שנאמר: וברך פרי בטנך. פרי בטנה לא נאמר, אלא פרי בטנך.
- (5) אדהכי שמעה ילתא קמה בזיהרא, ועלתה לבי חמרא, ותברא ד' מאה דני דחמרא.
- (6) אמר ליה רב נחמן: נשדר לה מר כסא אחרינא.
- (7) שלח לה: כל האי נבגא דברכתא היא.
- (8) שלחה ליה: ממהדורי מילי ומסמרטוטי כלמי.

This story opens with Ulla passing the cup to his host, Rav Nahman, ignoring the baraita's instruction to pass the cup of blessing after birkat hamazon to the wife. R. Nahman gently but forthrightly rebukes his colleague, telling

him to pass the cup to his wife Yalta. Ulla's justification for his refusal to pass the cup to Yalta reveals that the technical dispute concerning the ritual reflects a deeper debate about women's fertility and God's blessings. Ulla's (overly) literal and ideological reading of Deuteronomy 7:13 is based on the fact that "your belly" is in the masculine in the original Hebrew. To Ulla, this implies that fertility is solely a male blessing. God's relationship with a woman's fertility is mediated through her husband, and it is for this reason that he, not she, should drink the wine. R. Nahman clearly disagrees with the midrash, since he sends her the cup of blessing. We can also assume that he disagrees with its theological implications as well—a woman's fertility is blessed directly through God and thus she should drink the wine to symbolically receive the blessing.

At this point in the story, rather than remain a passive participant who receives or does not receive the cup of wine from the male diners, Yalta forcefully takes action. In a dramatic demonstration of her discontent, she rises from the table (section five) and destroys 400 jugs of wine, symbolically rebelling against the male co-option of fertility and the rituals symbolizing it.<sup>35</sup> She will not remain seated at the table while two men debate her fertility, whether she is blessed directly or indirectly through God. While her anger is most directly pointed at Ulla, she does not participate in the halakhic debate, as does her husband. Instead of engaging the two men at the table, she chooses to take action.

R. Nahman attempts to ease the tension by suggesting that Ulla send her another cup (section six). Notably the more measured and civil response is ascribed to the calm rabbi, who has less at stake than his wife. Ulla ignores R. Nahman's request because he believes it does not matter whether Yalta drinks the wine or spills it, for God's blessing of fertility does not flow through the woman. Instead he sends a message down to Yalta in the wine cellar (section seven), "All that [wine can be counted as] the cup for [making] the blessing." Ulla uses the Middle Persian loan word *נבגא*, umixed wine,

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<sup>35</sup> Bavli Eruvin 54a describes Beruria in a similar manner, lacking control over her emotions and violently lashing out in anger. See Shulamit Valler, "Women's Talk - Men's Talk: Babylonian Talmud Eruvin 53a-54a" *Revue des Etudes Juives*, 162 (2003), 421-445.

to refer to the wine that has spilled on the floor from the smashed barrels.<sup>36</sup> He is in essence saying that a woman drinking the cup of blessing is akin to spilling wine on the floor—there is no value to such an act, and it is just a waste of wine.

However we understand R. Nahman's silence or Ulla's cool remark, neither rabbi responds with anger or violence. Only Yalta acts with rage at the obtuseness of her rabbinic fellow diners. It is as though she was saying—do not sit there and calmly debate my fertility as if this is one of your theoretical/philosophical/midrashic debates. The cup of blessing may be a ritual, but a woman's relationship to fertility is real and consequential. Call me simply a vessel, she implies, a vessel for a man's blessed seed. But if that vessel is broken your precious seed will end up worthless, spilled all over the floor, just like I did to your wine.

Yalta does engage in speech following Ulla's comment, but this speech is not the cool voice of dispassionate halakhic discourse. Rather, she counters Ulla's message with an insult, "Gossip comes from peddlers and vermin from rags." In a scathing verbal attack on the source of her anger, she deems Ulla a peddler who spreads rumors, as filthy as the vermin spread from a dirty rag. Tal Ilan cleverly suggests that Yalta's proverb is a subversive reading of Ben Sira 42:13: "From a garment comes a moth, and from a woman the wickedness of women."<sup>37</sup> Ben Sira poetically claims that wickedness is spontaneously generated from women just as moths were believed to be spontaneously generated from garments. Yalta takes the misogynist verse and applies it to Ulla, a rabbi who "peddles" his worthless rabbinic aphorisms. The "Torah" that Ulla believes he is spreading, considered the domain of men throughout rabbinic literature, is described as "gossip," a realm generally associated with women.<sup>38</sup> Ulla, believing himself to be the "man" associated with Torah and with the blessing of fertility, is demoted to the role of peddler, a gossipmonger trading in worthless and even dangerous

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<sup>36</sup> Shaul Shaked, "Between Iranian and Aramaic: Iranian Words Concerning Food in Jewish Babylonian Aramaic," *Irano-Judaica V*, ed. Shaul Shaked and Amnon Netzer (Jerusalem: Ben-Zvi Institute, 2003), 128.

<sup>37</sup> See *Integrating Women into Second Temple History* (Tubingen: Mohr Siebeck, 1999), 171-174.

<sup>38</sup> See Mishnah Sotah 6:1; Bavli Kiddushin 49b.

words. Ulla tried to usurp the woman's role by rendering fertility a male blessing;<sup>39</sup> Yalta turns the table, converting the male role, the valued art of spreading Torah, into the lowly female-associated art of gossip.

It is worth paying attention, too, to the symbols invoked in this story, as feminist scholars have noted. It is no accident that Yalta signals her rebellion against the male co-option of fertility and rituals by breaking jugs of wine. Wine jugs are used elsewhere in the Talmud to represent the female body, fertility, and women's sexuality. Elsewhere, the Talmud records the custom of dancing with a sealed cask of wine at the wedding of a virgin and an open cask of wine at the wedding of a widow or divorcee (B. Ketubot 16a). The closed cask represents the virgin's sealed virginity and the well-kept potential of her fertility. In another passage, (B. Ketubot 10b), a woman's virginity is examined by passing her over a vat of wine. A virgin is a closed cask, exuding no smell, whereas a non-virgin is an open cask, whose smell flows out of her mouth. And so in destroying her husband's precious store of wine out of anger at being excluded from the blessing of fertility, Yalta symbolically destroys his ability to control her fertility. The breaking of the jugs signifies that she is destroying the boundaries that contain her sexuality and fertility, breaking free of male control.

Again, we should emphasize that this is not "Yalta's" unmediated voice speaking through the text. After all, Talmudic texts were written by men for a male audience, and the women they depict are—at least in part—male creations. The pure, unmediated voice of an actual Talmudic woman is sadly irrecoverable. The best the feminist scholar can hope for is to gain insight into how the rabbis imagined that a woman of Yalta's social and intellectual standing might react to her exclusion from the blessing of fertility and its attendant ritual. Nevertheless, this is an important "fissure" in the general rabbinic exclusion of women that comprises the bedrock of halakhah. It is

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<sup>39</sup> Anthropologists suggest that while both men and women are needed to conceive, the visibility of childbearing and the subsequent relationship between mother and baby threatens male power. Hence culture has sought to limit women's role to a natural process, distancing them from religious, familial and national meaning. See Sherry B. Ortner, "Is Female to Male as Nature Is to Culture?" *Feminist Studies* 1 (1974), 5–31.

a moment when rabbis realize that their usurping of women's fertility may backfire, causing "all that wine to be spilled."<sup>40</sup>

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<sup>40</sup> Charlotte Fonrobert offers similar reflections on her analysis of the Yalta story from Niddah 20b. Yalta is portrayed as questioning the rabbis' authority to determine whether a woman's blood is menstrual. Fonrobert outlines two different feminist approaches to the text. The first reads Yalta as a "protofeminist hero of protest, whose lonely voice somehow made it into the canon of rabbinic literature." The second approach perceives "her story as an index of a more systematic problem in the rabbinic science of women's blood." While Fonrobert defends both approaches, she adopts the latter, as we have in the analysis of the Yalta birkat hamazon story. See *Menstrual Purity: Rabbinic and Christian Reconstructions of Biblical Gender* (Stanford: Stanford University Press, 2000), 118-127.