Women's Aliyyot: le-Khatteḥila, be-di-Avad and bi-She'at ha-Deḥak

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Introduction

For millennia, it was accepted without challenge that women could not halakhically receive *keri'at ha-Torah aliyyot*. This was based on a *baraita* cited in *Megilla* 23a which reads:

> תנו רבנן: הכל עולין למנין שבעה, ואפילו קטן ואפילו אשה. אבל אמרו חכמים: אשה לא תקרא בתורה, מפני כבוד צבור.
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> The Rabbis taught: All are eligible to receive one of the seven [Sabbath] *aliyyot*, even a minor and even a woman. However, the Sages said: A woman may not read from the Torah, because of the honor of the community.

Although this very source indicates that women are theoretically eligible to receive an *aliyya* and read their portion, in practical terms, however, this was ruled out because of the consideration of *kevod ha-tsibbur* (honor of the community). This negative ruling of the *Talmud* is cited in Maimonides' *Yad* and R. Joseph Caro's *Shulḥan Arukh*[1] and in all subsequent codes—without exception. Nevertheless, over the past decade and a half, there have been several attempts to reopen this issue. Two major approaches have been suggested—one penned by R. Mendel Shapiro[2] and

1. Maimonides, *M.T.*, *Hilkhot Tefilla*, sec. 12, par. 17; R. Joseph Caro, *Shulḥan Arukh*, *O.Ḥ.*, sec. 282, par. 3.
2. See (a) R. Mendel Shapiro, "*Qeri'at ha-Torah* by Women: A Halakhic Analysis," *The Edah Journal* 1:2 (*Sivan* 5761), 1–55, online at http://tinyurl.com/35d9bx. This article was reprinted in *Women and Men in Communal Prayer: Halakhic Perspectives*, Chaim Trachtman, ed. (JOFA/Ktav: New York, 2010), 207–290. (b) R. Mendel Shapiro and R. Yehuda Herzl Henkin, "Concluding Responses to *Qeri'at ha-Torah* for Women," *ibid.*, 1–4, online at http://tinyurl.com/377f9x; (c) R. Mendel Shapiro, "Communications," *Tradition* 40:1 (2007), 107–116; (d) R. Mendel Shapiro, "Response to Shlomo Riskin," *Meorot* 7:1 (Tishrei 5769), 2–12,

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the other by R. Prof. Daniel Sperber[3]—which attempt to build a case for women's *aliyyot* at a normative halakhic service in the modern period.[4] They argue that the change in women's social status in contemporary society should impact upon the contemporary halakhic relevance of *kevod ha-tsibbur*—such that *bona fide aliyyot*, with their attendant blessings, should no longer be out of bounds for women. R. Shapiro further posits that if the major barrier to women getting *aliyyot* is *kevod ha-tsibbur*, then the community should be sovereign to forgo its honor. Prof. Sperber, on the other hand, maintains that if there is a community of women who are insulted by their not receiving *aliyyot,* then *kevod ha-beriyyot*, the honor of the individual, should trump *kevod ha-tsibbur*, the honor of the community. The proposals of Rabbis Shapiro and Sperber were quickly put into action in various "egalitarian halakhic" or "Partnership" *minyanim* (e.g., *Shira Ḥadasha* in Jerusalem and *Darkhei Noam* in Manhattan) where women were called to the Torah and served as *ba'alei keri'a*.

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online at http://www.yctorah.org/content/view/436/10/ and reprinted in *Women and Men in Communal Prayer* ibid. 389–406.

3. See (a) R. Daniel Sperber, "Congregational Dignity and Human Dignity: Women and Public Torah Reading," *The Edah Journal* 3:2 (*Elul* 5763), 1–14, online at http://tinyurl.com/2rstyz; (b) R. Daniel Sperber, "*Kevod ha-Tsibbur u-Kevod ha-Beriyyot*," *De'ot* 16 (*Sivan* 5763, June 2003), 17–20 and 44, online at http://tora-voda.org.il/files/sperber16.pdf; (c) R. Daniel Sperber, *Darkah shel Halakha—Keri'at Nashim ba-Torah: Perakim bi-Mediniyyut Pesika* (Jerusalem: Reuven Mass, 2007); (d) R. Daniel Sperber, "Congregational Dignity and Human Dignity: Women and Public Torah Reading," in *Women and Men in Communal Prayer*, *supra* no. 2a, 27–205.

4. It should be emphasized that we are discussing a Torah reading where there is a *minyan* of men present. If there are only women attending, as in a women's *tefilla* group, the *birkot keri'at ha-Torah* recited are clearly *berakhot le-vattala*; see Aryeh A. Frimer and Dov I. Frimer, "Women's Prayer Services: Theory and Practice. Part 1—Theory," *Tradition*, 32:2 (1998), 5–118; online at: http://tinyurl.com/cj8ow9n.