

Women & Tzitzit

An Inquiry

Tim Hegg • TorahResource • June 2005

From ancient times, the manner in which women participated in the commandments was a matter of *halachic* discussion. This was not because women were considered inferior, nor because they were deemed less than full covenant members. The primary matter that confronted the Sages was the fact that most women are ritually unclean each month. This brought a conflict with time-bound commandments, such as celebrating one of the *moedim* on its assigned day. If such a festival fell during the time of a woman's impurity, she was exempt from performing the required commandments. From this the Sages logically extended the ruling to exempt women from all time-bound commandments.

For every commandment concerning the son to which the father is subject, men are liable, and women are exempt. And for every commandment concerning the father to which the son is subject, men and women are equally liable. For every positive commandment dependent upon the time [of year], men are liable, and women are exempt. And for every positive commandment not dependent upon the time, men and women are equally liable. For every negative commandment, whether dependent upon the time or not dependent upon the time, men and women are equally liable, except for not marring the corners of the beard, not rounding the corners of the head (Lev. 19:27), and not becoming unclean because of the dead (Lev. 21:1).¹

This did not mean that a woman was forbidden from such commandments, only that she received an exemption in light of her possible ritual impurity. This exemption from positive time-bound commandments is attributed to R. Simeon (ca. 220 CE).²

However, the Bavli contains a *baraita* which is very interesting. A *baraita* is a ruling that was well known by the Tannaim (the earliest generation of Sages) but was, for one reason or another, not included in the Mishnah compiled by R. Yehudah HaNasi. The *baraitot* are often introduced in the Talmud by the phrase "our Rabbis taught."

Our Rabbis taught: All must observe the law of tzitzit: priests, Levites, and Israelites, proselytes, women and slaves.³

So the earliest teaching of the Sages was that women were obligated to wear *tzitzit* just as men were.

Moreover, in b.*Menachot* 43a (the talmudic text which contains the *baraita* quoted above), we read that even Yehudah HaNasi (Judah the Prince, compiler of the Mishnah) considered the commandment of *tzitzit* to be incumbent upon women, for he attached *tzitzit* to the aprons of women in his household:

Rab Judah attached fringes to the aprons of [the women of] his household; moreover, he used to say every morning the blessing ['...and hast commanded us] to enwrap ourselves with the fringes.' But since he attached [the fringes to the womens' garments], obviously he is of the opinion that it is a precept not dependent on a fixed time; why then did he say the blessing every morning? — He follows Rabbi's view; for it was taught: Whenever a man puts on the tefillin he should make a blessing over them, says Rabbi. But if so, at any time [of the day whenever he puts on the garment he should say the blessing]? — Rab Judah was a most decorous person and would not take off his cloak the whole day long. Then why [did he say the blessing] in the morning? — That was when he changed from night clothes into day clothes.

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1. m.*Kiddushin* 1:7.
 2. cf. t.*Kiddushin* 1:10; b.*Menachot* 43a.
 3. b.*Menachot* 43a.

Similar to the notice that Rab Judah⁴ attached *tzitzit* to the aprons of the women in his house, in the Gemara to b.*Sukkah* 11a, we find the same said of Rab Amram the Pious:

...as in the case of R. Amram the Pious who attached fringes to the aprons of the women of his house. He hung them but did not cut off the ends of the threads.

The Yerushalmi (Jerusalem Talmud), in relating the rabbinic debate over whether women are exempt from certain of the positive commandments, offers an interesting comment on women and *tzitzit*. The issue at hand is whether the commandment to wear *tzitzit* is time-bound or not, and this relates directly to whether women are obligated to this commandment, for the Mishnah had already declared the *halachah* that women were exempt from time-bound commandments.

We learned in a Mishnah there [m.*Kiddushin* 1:7]: All positive commandments that time causes, men are obligated and women are exempt. And all positive commandments that time does not cause, both men and women are obligated. Which [of the mitzvot] is a positive commandment that time causes? For example, [dwelling in] a Sukkah, [holding a] lulav, [sounding a] shofar [on Rosh HaShanah] and [donning] tefillin. And which [of the mitzvot] is a positive commandment that time does not cause? For example, [returning a] lost object, sending away [the mother bird before taking her eggs or chicks] from the nest, [building a] fence [around one's roof], and [attaching] *tzitzit* [to one's garment].⁵

Immediately following this, the Yerushalmi notes that R. Shimon⁶ took the opposite view, and exempted women from the commandment of *tzitzit*:

But R. Shimon exempts women from the mitzvah of *tzitzit* because [in his opinion] it is a positive commandment that time causes, since a night garment is exempt from *tzitzit*.

But then the Gemara goes on to explain why the mitzvah of *tzitzit* is not dependent on time, and therefore is incumbent upon women as well as men:

R. Laya said: The reason of the Rabbis (in the *baraita* quoted above) is that if a garment were designated for one to wear by both day and night, it would require *tzitzit* [even if worn at night].

The issue of whether the mitzvah of *tzitzit* is time-bound relates to the phrase “and you shall look upon it and remember all the mitzvot of Adonai” (וּרְאִיתֶם אֹתוֹ וּזְכַרְתֶּם אֶת-כָּל-מִצְוֹת יְהוָה, Num 15:39). The reasoning of R. Shimon is that fringes on garments worn at night are not seen, and therefore are exempt from the mitzvah of *tzitzit*. Further, his reasoning is that this being the case, the mitzvah of *tzitzit* is a time-bound commandment (worn during the day and not at night) and therefore women are exempt the need to observe it.

But the Yerushalmi, while noting the dissent of R. Shimon, nonetheless upholds the *halachah* of the *baraita* (as found in b.*Menachot* 43a) that both men and women are required to observe the mitzvah of wearing *tzitzit* on the basis that a garment that is worn both during the day and at night is required to have *tzitzit*, and therefore the commandment is not time-bound. As far as we can tell from the extant rabbinic literature, R. Simon was the only dissenting voice exempting women from the mitzvah of *tzitzit*, and we may be fairly certain, therefore, that in the late 2nd Temple period, and for some years following the destruction of the Temple, the majority opinion was that both men and women were under obligation to fulfill the mitzvah of *tzitzit*.

Some have questioned whether the commandment was originally given to males only, or to the whole congregation of Israel (thus men and women alike), based upon the understanding the *b'nei Yisrael* (בְּנֵי יִשְׂרָאֵל)

4. This is Judah b. Ezekiel (Yehudah b. Yechizkel) who lived 220–290 CE).

5. y.*Berachot* 37a.

6. It is not certain which R. Shimon the Yerushalmi references in this text.

should be understood as “sons (not daughters) of Israel.” This, however, is a misunderstanding of what *b’nei Yisrael* means, and even the rabbinic literature speaks to this issue. Note Sifre on Numbers 15:37.

ויאמר ה' אל משה. ועשו להם ציצית. (מנחות מג) אף הנשים במשמע
make for themselves tzitzit.” Thus also women are obligated.”

Most importantly, note how the phrase “children of Israel” (בְּנֵי יִשְׂרָאֵל, *b’nei Yisrael*) surely includes both genders in the very context of Numbers 15 itself.

- vv. 2–3 uses *b’nei Yisrael* in connection with the command to offer sacrifices. Women as well as men offered sacrifices, for women were required to bring a sacrifice for purification after giving birth to a child (Lev 12:6).
- vv. 15–20 uses *b’nei Yisrael* in connection with offering the first fruits of the land. There is every indication that this was incumbent upon both men and women, for all who have produce from the Land are obligated to give the first fruits as an offering.
- v. 26 uses *b’nei Yisrael* to designate the “congregation of Israel.” Here, the term relates to the fact that the congregation as a whole (including the alien) is forgiven of unintentional sin. This clearly includes women as well as men.
- v. 29 uses *b’nei Yisrael* as an all inclusive term, that there should be “one Torah” (one rule/procedure) for anyone who sins unintentionally. This clearly includes women as well as men.
- v. 32 uses *b’nei Yisrael* to designate the nation of Israel: “while the sons of Israel were in the wilderness...” Surely women as well as men were part of the nation who were in the wilderness.

Thus, every time that *b’nei Yisrael* is used in Numbers 15, it is an all inclusive term. The only conclusion one can reach is that when v. 38 states that the commandment of tzitzit is for *b’nei Yisrael*, it includes the women.

Beyond the immediate context of Num 15, we may also note Ex 13:2 and Num 3:12 –

- Ex. 13:2 “Sanctify to Me every firstborn, the first offspring of every womb among the sons of Israel, both of man and beast; it belongs to Me.”
- Num. 3:12 “Now, behold, I have taken the Levites from among the sons of Israel instead of every firstborn, the first issue of the womb among the sons of Israel. So the Levites shall be Mine.

The phrase “the womb among the sons of Israel” (רְחֵם מִבְּנֵי יִשְׂרָאֵל, *rechem mib’nei Yisrael*) clearly shows that *b’nei Yisrael* is not gender specific. Some of the *b’nei Yisrael* have wombs! Given these data, it is clear that the *tzitzit* commandment given in Num 15:37–41 should be understood to include both men and women.

Summary

I have sought first to give examples from the rabbinic literature that outline the *halachah* from the viewpoint of the Sages, and then to show that the commandment of *tzitzit* in Num 15:34–41 is applied to all of Israel, both male and female.

1. The *halachic* debate contained in the rabbinic literature is not over whether women are allowed to wear *tzitzit* but if they are required to do so, and if required, whether they also must say the blessing associated with putting on a garment with *tzitzit*. The majority of the early Sages ruled that women were obligated to wear *tzitzit* and that the blessing should be said, just as was the case for men.
2. The only one to voice a dissent from the majority was R. Shimon, and though eventually his dissension became the standard *halachah*, this was a ruling that came later and was not an accepted rabbinic axiom in the early centuries.
3. The fact that R. Judah, an authority in matters of *halachah*, is noted to have attached *tzitzit* to the aprons of the women of his household shows that the earlier practice of women wearing *tzitzit* was the accepted norm.
4. The ruling that women were exempt from time-bound commandments on the basis that they were ritually impure each month, and that this may therefore be applied to the wearing of *tzitzit* as well, simply does not follow. For if such were the case, one might reason that a male who is ritually unclean is exempt, but that would foil the very purpose of the *tzitzit*, i.e., to remind him of the laws of purity, and especially that he could not enter the Temple precincts while in a state of ritual impurity. Moreover, there is nothing in the rabbinic literature to suggest that ritual impurity was thought to exempt anyone from the mitzvah of *tzitzit*.
5. It is clear from Num 15:37–41, the primary text from which the mitzvah of *tzitzit* is derived, that the commandment is given to all of Israel, male and female alike.
6. The conclusion, then, is that the mitzvah of *tzitzit* is incumbent upon both men and women. This conclusion is supported:
 - a) First, and foremost, by the written Torah, i.e., Num 15:37–41. The plain and obvious reading of the text leaves no doubt about that.
 - b) Second, even the rabbinic rulings make it clear that in the earlier strata of the literature, the *halachah* of the majority ruled that both men and women were obligated to the mitzvah of *tzitzit*.