

Important Women — A Socio-Halakhic Definition

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We read in the Babylonian Talmud (*Pesachim* 108a):

אשה אצל בעלה — לא בעיא הסיבה. ואם אשה חשובה היא — צריכה
הסיבה. בן אצל אביו — בעי הסיבה.

A woman in the presence of her husband is not required to recline [during the *seder* on the night of Passover]. If she is an important woman (*ishah chashuvah*), she is required to recline. A son in the presence of his father is required to recline.

The obvious questions relating to this statement are: Why is a woman in the presence of her husband not required to recline, and what is the definition of an "important woman"? The Rashbam offers two possible answers to the first question:

אשה אינה צריכה הסיבה — מפני אימת בעלה וכפופה לו. ומפרש
בשאלות דרב אחאי לאו דרכיהו דנשי למיזגא.
"A woman is not required to recline" — on account of fear/awe
of her husband, and her subordination to him. And in the *She'iltot*
[Q&A] of Rav Achai Ga'on it is explained that it is not the way
of women to recline.

Obviously, the explanation of the Rashbam is difficult for many of us to accept. Subordinate? The *She'iltot*, at least at first glance, is a little easier to deal with. Evidently, it was not a customary practice for ordinary women to recline, and therefore they were not required to do so. Important women, who were accustomed to recline, were required

to do so. It seems that this explanation is merely technical. However, it is also puzzling. Why would the custom of reclining be related to one's importance? We will return to this question later.

What would be a practical ramification of the disagreement between the Rashbam and the *She'iltot*? The most obvious example is the obligation of a woman who is single, divorced or widowed. According to the Rashbam's reading, these women would be required to recline, while according to the *She'iltot* no women (other than important ones) would ever be required to recline.

Which explanation was accepted by later authorities? The Bach [author of *Beit Haim*], in what is perhaps the most disturbing source on this topic, writes (*Orach Chayim* 472):

אשה חשובה צריכה הסיבה — שם בגמרא. ולפירוש השאלות נחא, ראשה חשובה אורחה למזגא. אבל לפרשב"ם קשה דאף אשה חשובה צריך שתהיה עליה אימת בעלה. ועוד דאימת בעלה ודאי אינו כ"כ כאימת האב על הבן ואף עפ"כ חייב להסב. הלכך נראה עיקר כפי השאלות. ומה שנמצא בגמרא שלנו "אשה אצל בעלה לא בעי הסיבה" ט"ס הוא והתלמיד הגיהו ככה ע"פ פי' רשב"ם. והעיקר דאפילו אלמנה וגרושה לא בעיא הסיבה כפי השאלות, אם לא כנשים חשובות. ובשם התוס' כתבו דשלנו כולן חשובות הן.

"An important woman is required to recline" — [The source for this is] there in the *Gemara*. And according to the *She'iltot* this makes sense, for an important woman is accustomed to recline. But according to the Rashbam there is a difficulty, for an important woman must also be in awe of her husband. Furthermore, certainly the awe of her husband is not as great as the awe in which a son holds his father, and nevertheless the son is obligated to recline [in the presence of his father]. Therefore, it would seem that the more correct understanding is that of the *She'iltot*. And the fact that our [version of] the *Gemara* reads "a woman in the presence of her husband" is a scribe's error,¹ and students made this correction based on the

¹ In support of this possibility, it should be noted that the phrase "in the presence of her husband" appears neither in the *Yerushalmi* nor in the *Rosh* or the *Rif*.

explanation of the Rashbam. The accepted position is that even widows and divorcees are not required to recline, in accordance with the explanation of the *She'iltot*, unless they are important women. And it is written in the name of the *Tosafot* that all our women are important.

Clearly, the Bach assumes that children's awe for parents is greater than that of wives for husbands. However, he also assumes that all women, including important ones, should be in awe of their husbands. Both of these considerations lead him to reject the explanation of the Rashbam in favor of that of the *She'iltot*.

Are these explanations as different as they seem? Why was it not the custom of women to recline? If we keep in mind that the reclining referred to in the Talmud is what we would call reclining, and probably involved lying down and being served by a beautiful woman (as in the Roman portrayals of feasts), it is probable that this type of reclining was, indeed, usually reserved for men. If this is indeed the case, both reasons would be based upon the inferior status of women. However, there is a built-in exception. The exemption from reclining applies to women in general, but not to the *ishah chashuvah*.

We now turn to the question of the definition of *ishah chashuvah*. There are numerous possibilities that are offered by various commentaries. The *Kesef Mishneh* cites Rabbeinu Manoach (*Hilkhot Chametz UMatzah* 7:8) as follows:

כתב הר"ר מנחם: "אשה חשובה" כלומר שאין לה בעל, והיא גברת הבית. א"נ שהיא חשובה בפרי ידיה, בת גדול הדור, אשת חיל יראת ה'. א"נ אשה חשובה שיש לה עבדים ושפחות, שאינה צריכה להתעסק בתיקון המאכל ועניני הבית.

Rabbeinu Manoach writes that the meaning of "important woman" is that she has no husband and is the head of household. Alternatively, she is important by virtue of the fruits of her hands, the daughter of the leaders of her generation, a woman of valor and God-fearing. Or she is important in that she has men servants and maid servants, so that she does not have to busy herself with cooking and housework.

Bach has offered us a smorgasbord of options which
up as follows. An "important woman" is important by
or:

sition as head of household;
yn praiseworthy accomplishments;
eage;
igiosity;
ancial status.

These suggestions seem reasonable and quite
However, a later source forces us to question our
the Rema, basing himself on earlier medieval rabbinic
s (*Orach Chayim* 472:4):

וכל הנשים שלנו מיקרי חשובות (מרדכי ריש פ' ע"פ ורבינו
לא נהגו להסב כי סמכו על דברי ראב"ה דכתב דבזמן הזה
(ד"ע).

Women are called important (Mordechai and Rabbeinu
(. However, they have not been accustomed to recline
they rely on the Ra'avyah who wrote that nowadays
I not recline (in my opinion).²

It is clear that despite the declaration that "all our women are
nevertheless, "they are not accustomed to recline." He suggests that
relying on the opinion of the Ra'avyah. The Ra'avyah felt that
no one is obligated to recline, neither men nor women. The
ion, that the women made their decision consciously as a result
of halakhic analysis, is obviously anachronistic and untenable (as
Feinstein states, see below), and I believe the Rema himself was
a "limud zechut" — an attempt to justify seemingly non-halakhic
part of halakhically committed individuals. I would like to
give suggestion. In Talmudic times when the law was formulated,
of a status to warrant their reclining. By the time their status had
was no longer done while reclining, and even the male reclining
become somewhat illogical, since there was no true expression
is mode of eating. However, having started to do this when it was
n, the men continued with the custom. Women, never having had
egin with, did not assume it once their status had improved.

Here is a very interesting twist indeed. The Rema declares that *all* our
women are important. However, it is clear that none of the suggested
explanations can be generalized to cover all women. It is not possible
that suddenly all women became heads of household, or extraordinarily
accomplished, or of impressive lineage, or of remarkable religiosity,
or possessed of wealth.

Therefore, we must conclude that "*chashuvah*" is actually to
be translated in the most straightforward and general way —
"important." An important woman was a woman of relatively high
status, sociologically speaking. In the course of time, all women were
deemed important. Indeed, Rav Moshe Feinstein formulates this quite
explicitly (*Iggerot Moshe, Orach Chayim* vol. 5, #20):

והב"ח הקשה להרשב"ם בפירוש עצמו שהוא מטעם אימת בעלה: הרי
גם אשה חשובה צריך שתהא עליה אימת בעלה! ולא מובן קושייתו. וכי
הוא מצווה ורצון החכמים שתהא אימת בעלה בדברים בעלמא שאינו
נוגע לו, וגם בבטול מצווה? וגם אין זה דבר טוב לפני הבעל שיקפיד על
אשתו, כדחזינן שכמה מאות בשנים שלא מקפידין על זה, כדאיתא בב"י
בשם הר"י בשם התוס', שכל הנשים חשובות הן וצריכות הסיבה, וגם
מהמרדכי הביא כן. ולא שייך לפרש שכל הנשים נעשו חשובות ממש,
דהבעל צריך לכבדן אף מדרך העולם. אלא בהכרח שהוא מצד שהכירו
במשך הזמן שאין להאינשי במה להתגאות נגד נשותיהן, והנשי הכירו
צורך הגדול שיש להאינשי בהן. והמיעוט חשובות שהיו בכל הזמנים
היו נשי כאלו שהכירו צורך הבעל בהן, כמו שיש להו צורך בבעליהן,
והכירו שגם בעליהן יודעין זה.

The Bach raised a question concerning the Rashbam's opinion
that the reason [that a woman does not recline] is fear of her
husband, for [the Bach says] an important woman also must fear
her husband. His question is incomprehensible (*lo muv'an*). Is
it a *mitzvah* and the wish of the Sages that she should fear her
husband in everyday matters that do not concern him, particularly
when disregarding a *mitzvah* is at stake? Furthermore, it is not a
good thing for a husband to be exacting towards his wife, and
we see that for the last several hundred years they [husbands] do
not insist on this [lack of reclining], as we see in the Bet Yosef in

the name of the Ri in the name of the *Tosafot* [where it is stated] that all of our women are important and are required to recline, and the Mordechai cites this as well. It is not possible to explain that all women have literally become important, which would require that their husbands respect them even as they would [respect important people] in everyday life. Rather, we must conclude that over the course of time they [everyone in society] recognized that men have no reason to feel superior to their wives (*she'ein l'ha'inshi b'mah l'hitga'ot neged neshoteihen*), and women recognized the great need that their husbands had for them. The minority [of women] who were important in all times were those women who recognized the need of their husband for them, which is the same as their need for their husbands, and, who knew that their husbands were aware of this as well.

Rav Moshe Feinstein is saying that men and women are and always were fundamentally equal, but this fact came to be recognized only in the course of time. In other words, over the course of time women's sociological status has undergone a change. Whereas the application of this change in Rav Moshe Feinstein's *teshuvah* (responsum) is limited to a case where earlier rabbinic authorities already noted the change, it certainly opens up possibilities for re-evaluating other halakhic statements relating to women which may have been sociologically based (such as *kevod hatzibur*³ and *zila milta*⁴). This is not to suggest that Rav Moshe Feinstein would have expanded the application of his statement, but rather, that the logic behind his statement lends itself to broader application as well.

3 See Talmud, *Megilah* 23a, and Rabbi Yehuda Herzl Henkin, *Bnei Banim* 2:10 and 2:11. He translated 2:10 into English in his *Responsa on Contemporary Women's Issues* (Hoboken: Ktav, 200), chapter 9.

4 See Channa Lockshin, "Zila Milta and Women's Megillah Reading," *JOFA Journal*, IV/1 (Winter 2003), pp. 6, 9.
Available at <http://www.jofa.org/pdf/JofaWinter2003.pdf>.