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## WOMEN AND *MINYAN*

Over the past 15 years, a plethora of books, papers and articles have dealt with the status of women and Halakha from a variety of perspectives. One of the central issues raised is the inclusion of women in a *minyan*—the minimum quorum of ten individuals necessary for many religious rituals.<sup>1</sup> In this paper,<sup>2</sup> we shall review the major halakhic positions on this question in the hope of eliminating the confusion and misunderstandings which have continued to plague this issue. We trust as well that the reader will be convinced that “Women” and “*Minyan*” are not necessarily mutually exclusive terms.

### A. THE NECESSITY FOR A *MINYAN*

The mishna in *Megilla*,<sup>3</sup> which lists those rituals requiring a quorum of ten participants, reads as follows:

When less than ten are present, we do not repeat the *shema* and its attendant blessings in an abbreviated form; nor appoint a *hazzan* (to say *kaddish*, *barekhu* or repeat the *shemoneh esreh* with *kedusha*); nor do the priests bless the congregation; nor do we read the Torah in public; nor read the *haftara* from the Prophets; nor practice the funeral halts; nor pronounce the mourner's benediction, or the mourner's consolation (after burial), or the nuptial blessings; nor say *zimmun be-shem* (i.e., introduce the blessings after meals using the name of God).

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This paper was presented at the seventh annual Purim Frimer celebration (21 Adar 5744) which commemorates the release of Rabbi Dr. Norman E. Frimer, together with one hundred others, from the hands of the Hanafi terrorists after 39 hours of captivity in the B'nai Brith Building, Washington D.C. The author wishes to thank Prof. Dov I. Frimer for reviewing the manuscript and for his many valuable and insightful comments.

Although the necessity for a quorum of ten is common to all the rituals enumerated above, the basis for this requirement in each instance is not uniform. The Talmud (*Megilla* 23b) explains that the first few cases<sup>4</sup> listed in the mishna fall under the category of *devarim she-bi-kedusha*—acts or declarations of sanctification of the Holy One. Such acts require the presence of ten in accordance with the verse, “I shall be sanctified in the midst of the children of Israel.”<sup>5</sup> This verse is further linked to the term *edah* (community) which in the Scripture is applied to the ten sinful spies (Numbers 14:27); hence a community or congregation is established by ten participants. The Jerusalem Talmud,<sup>6</sup> on the other hand, draws a parallel to the ten brothers of Joseph who came to Egypt in search of food.

The Talmud gives a different rationale for the requirement of ten as a prerequisite for funeral halts and *zimmun be-shem*, namely, accepted protocol.<sup>7,8</sup> Some of the other cases have particular Scriptural sources. The requirement of ten for the groom’s blessings, for example, is derived<sup>9</sup> either from the verse, “He took ten men from the local elders,”<sup>10</sup> or the verse, “In congregations bless God.”<sup>11</sup>

In addition to the rituals mentioned in the mishna, the Sages required a *minyan* in the following three instances:

- 1) The recitation of the *Ha-Gomel* blessing<sup>12</sup>—based upon the verse “Let them exalt Him in the congregation of the people”;<sup>13</sup>
- 2) The reading of *Megillat Esther* on a day other than the fourteenth of Adar (or the fifteenth in walled cities)—in order to publicize the miracle of Purim;<sup>14</sup> and
- 3) Public martyrdom—which the Talmud<sup>15</sup> bases on the verse, “I shall be sanctified in the midst of the children of Israel.”<sup>5</sup>

The compilers of the various lists of the 613 commandments<sup>16</sup> understand the application of this last verse to public martyrdom as a bona fide derivation (*derasha*). Consequently, the requirement of ten for this *mitsvah* is a biblical obligation. Most commentators<sup>17</sup> contend, however, that the derivations cited in the other rituals—all of them blessings and prayers—are not true *derashot* but rather *asmakhtot* (mnemonic devices for rabbinic obligations).<sup>18</sup> As noted by Rabbenu Nissim Gerondi,<sup>17</sup> this logically follows from the fact that blessings and prayers are themselves only of rabbinic origin.

The question of women and *minyan* stems from the unanimous ruling that the quorum for those rituals designated as *devarim she-bi-kedusha*<sup>4</sup> must consist of ten male adult freemen—to the exclusion of women, children and slaves.<sup>19, 20</sup> Several different reasons have been offered for this ruling. One suggestion is that since the Talmud Bavli<sup>7</sup> derives the number ten from the number of sinful spies reporting to

Moses,<sup>5</sup> the individuals constituting a *minyan* for a *davar she-bi-kedusha* must be of the same status as the spies—male adult freemen.<sup>20</sup> A similar conclusion can be drawn regarding the Talmud Yerushalmi's derivation<sup>6</sup> from the brothers of Joseph, who were all male.<sup>21</sup> Others have pointed out that the source text for *devarim she-bi-kedusha* uses the words "*benei Yisrael*,"<sup>5</sup> which is loosely taken to mean "children of Israel" but is more literally translated as "sons of Israel." Hence it is not surprising that this verse is understood halakhically to require males.<sup>22</sup>

These *derashot*, however, relate exclusively to those rituals<sup>4</sup> which have been considered *devarim she-bi-kedusha*. It is still necessary to determine whether or not women may constitute the *minyan* quorum for those cases cited in the mishna<sup>3</sup> but not so categorized. Furthermore, we have seen that the above-mentioned derivations, even as they relate to *devarim she-bi-kedusha*, are only *asmakhtot* and the resulting laws rabbinic. It is important, therefore, to determine the logical reason for these rabbinic rules.

An examination of the many sources concerning the participation of women in a *minyan* reveals fundamentally three schools of thought. The first contends that women may participate in a *minyan* whenever their obligation is equal to that of men. The second contends that under no conditions may women constitute part of a *minyan*? The third school distinguishes between a *minyan* that is a precondition for fulfilling an obligation, from which women are excluded, and one that is necessary for publicizing a miracle or the fulfillment of a ritual obligation in which women may participate.

## B. THE FIRST SCHOOL

The first school of scholars defines *minyan* as ten individuals of equal maximal obligation. Accordingly, women cannot constitute a *minyan*, whether together with men or wholly on their own, for those rituals in which they are either not obligated or lack the maximal obligation of men. On the other hand, they may indeed participate in a *minyan* for the performance of those *mitsvot*, whether of biblical or rabbinic authority, where they share an equal obligation with men. In the words of Meiri:<sup>23</sup> "In matters that require ten, there are those who claim that since the obligation of women is equal to that of men, they may constitute the quorum." Many *rishonim*<sup>24</sup> and *aharonim*<sup>25</sup> share this view and for the sake of clarity and convenience, I shall list them by topic.

1. *Public prayer*. Although women are obligated to pray, they are not obligated to participate in *public* prayer.<sup>26–29</sup> By the reasoning

presented above, they are accordingly ineligible to constitute a *minyan* for any obligation that is part of the public prayer service, such as *kaddish*, *kedusha*, *barekhu*, the repetition of the *shemoneh esreh* and the priests' blessing.<sup>29</sup> Thus, R. Reuven Margalioth writes,<sup>29</sup> "Public martyrdom (in whose quorum women may be counted<sup>30</sup>) is not comparable to public prayer; a woman may not participate in the *minyan* for public prayer because she is not obligated in the latter."

The status of women according to this explanation is similar to that of an *onen* (the mourner in the hours between death and burial), who does not participate in the constitution of a *minyán* because he is exempt from all positive obligations, including public prayer.<sup>31</sup> Interestingly, there is a discussion among the *aharonim* whether an *onen* may recite *kaddish*; those who permit it also allow his inclusion in the *minyan* for the recital of the *kaddish*.<sup>32</sup> This further demonstrates the interrelationship between obligation and *minyan* eligibility.

2. *Reading of the Torah.* The *rishonim* and *aharonim* disagree as to whether the public reading of the Torah has the status of a *davar she-bi-kedusha*.<sup>4</sup> In any event, the majority opinion is that women are exempt from this obligation.<sup>33</sup> The noted *posek* and author of *Pri Megadim*, R. Joseph Teomim,<sup>34</sup> utilizes this fact to explain why women do not constitute a *minyan* for this purpose: "Women are not obligated in the reading of the Torah, so how could they constitute (the quorum)?" A similar statement is found in *Responsa Orah la-Tsaddik*.<sup>33</sup> In reaction to a colleague's suggestion, the author queries: "Who told you that [a woman] can be included in a *minyan* for the reading of the Torah in the same way that she can be for the reading of the *megilla*? The cases are not comparable, for women are obligated in the reading of the *megilla*, but not in the reading of the Torah." Again we find *minyan* and obligation linked.

3. *Parashat Zakhor.* *Parashat Zakhor* (Deuteronomy 25:17–19) is read from the Torah with a *minyan* on the Shabbat before Purim.<sup>35</sup> There is a well-known dispute among halakhic authorities on whether women are included in this obligation,<sup>36</sup> though the majority opinion seems to be that they are not.<sup>37</sup> Interestingly, several authorities<sup>38</sup> support the exemption of women from this *mitsvah* based on an incident recorded in *Berakhot* 47b where the noted Tanna R. Eliezer freed his non-Jewish slave so that he could be included in a *minyan*. R. Asher b. Yehiel (Rosh) *ad locum* suggests the possibility (which he quickly rejects) that the slave was freed for the purpose of reading *Parashat Zakhor*. These scholars,<sup>38</sup> in the spirit of the "first school," argue that were women and likewise slaves<sup>39</sup> obligated to hear the *zakhor* reading, the slave could have joined the *minyan* without being freed.

On the other hand, the *Hatam Sofer*,<sup>36</sup> like his mentor R. Natan Adler, maintains that women are indeed obligated to hear *Parashat Zakhor*. Nonetheless, he too acknowledges the interdependence between obligation and *minyan*. In his extensive discussion of the case of R. Eliezer, he notes that according to the conclusion of the Rosh the slave was freed for the purpose of a regular public Torah reading in which women and slaves are not obligated and therefore do not constitute a *minyan* for this purpose. For *Parashat Zakhor*, however, women can be counted for the quorum since they are obligated like men. Clearly, the *Hatam Sofer* too views eligibility for constituting a *minyan* as a natural corollary of obligation.<sup>40-43</sup>

4. *Megilla*. There is a controversy as to whether women's obligation to read *Megillat Esther* is equivalent to that of men. *Halakhot Gedolot* maintains that it is not; a woman's obligation is to hear the *megilla*, not to read it. Therefore, she cannot read the *megilla* for a man, who has a greater obligation. Rema (*Orah Hayyim* 689:2) follows this opinion. *Tur* and *Beit Yosef* (*ad locum*), on the other hand, cite other authorities who maintain that there is no distinction between the obligation of men and women and, therefore, women may discharge the obligation for men.

The presence of a *minyan* is preferred, though not absolutely required, whenever the *megilla* is read, provided it is done so on its designated date, i.e., the fourteenth of Adar generally and the fifteenth of Adar for walled cities. However, it is a necessary condition for reading the *megilla* with its attendant blessings at other times.<sup>44</sup> In addition, the concluding benediction "*ha-rav et riveinu*" requires a *minyan* at all times.<sup>14b</sup> Rabbenu Nissim (Ran)<sup>45</sup> writes: "There is an opinion that although [women] may discharge the obligation [for men], they may not constitute the *minyan* of ten. . . . I, however, [disagree, for] . . . how could it be that they can discharge the obligation of men but not join them in the constitution of the *minyan*? They definitely can constitute the quorum." Similarly, Meiri<sup>45</sup> states: "For the reading of the *megilla*, [women] can constitute the quorum and discharge the obligation of the community, since their obligation in this matter is equal." This opinion is also quoted in *Sefer ha-Mikhtam*<sup>45</sup> as the position of "several authorities" and cited by later codifiers as well.<sup>46</sup> Interestingly, several *rishonim*<sup>47</sup> recommend against counting women in a *minyan* for *megilla* because of "immodesty," implying that they are technically eligible since they are obligated. We will have more to say about this shortly (section B.7).

It should be emphasized that all of these opinions agree that women can constitute a *minyan*, and not because the eligibility

requirements regarding *megilla* are less rigorous than elsewhere (which is indeed the conclusion reached by the third school discussed below). On the contrary, they are eligible because their obligation is equal to that of men for this purpose. This is in contradistinction to other cases where they are ineligible for the *minyan* because their obligation is inferior to that of men or because they are exempt altogether.

5. *Zimmun be-Shem*. Three or more men who eat a meal including bread are obligated to recite the blessing after the meal (*birkat ha-mazon*) together, prefacing this recitation with the *zimmun* introduction. In the presence of ten men there is an additional obligation of *zimmun be-shem*, namely to invoke the name of God by adding “*Elokeinu*” to the *zimmun* text. It is clear from the Talmud (*Berakhot* 45b) that three women who eat together may also constitute a *zimmun* quorum, although *Tosafot* and Rosh (*ad locum*) disagree as to whether a women’s *zimmun* is optional or obligatory.<sup>48</sup> The consensus<sup>49</sup> follows *Tosafot*, that a women’s *zimmun* is optional, although the Vilna Gaon<sup>49</sup> nevertheless favors Rosh’s stance that women too are obligated in *zimmun*. The Talmud does not, however, discuss the status of ten women who eat together. Maimonides seems to be the first to raise the question and rules that women may not in fact perform *zimmun be-shem*.<sup>50</sup> Despite some dissenting opinions among the *rishonim* (*vide infra*), the view of the Rambam is unanimously cited by all the later codifiers.

Maimonides gives no clear source for his ruling. Some argue that invoking God’s name transforms the *zimmun* into a *davar she-bi-kedusha* from which women are excluded.<sup>51</sup> Others have suggested that the obligation of adding God’s name to the *zimmun* in the presence of a *minyan* derives from the verse “In congregations bless God,” and women do not have the status of a “congregation.”<sup>11, 52</sup> We have, however, argued above (and will cite further evidence in Section 6) that such derivations are merely *asmakhtot*, but not true rationales for the exclusion of women from these rabbinic rituals. A more fundamental reason given in the *Sefer ha-Me’orot*, *Sefer ha-Menuha* and *Arukh ha-Shulhan* is that women are not obligated in *zimmun* and hence cannot constitute a *minyan* for *zimmun be-shem*.<sup>53</sup> It is clear that these codifiers belong to the first school and base the ineligibility of women on their exemption from obligation.

We have noted above that despite the unanimity among *aharonim*, there are *rishonim* who disagree with the Rambam as to the status of ten women who ate together. Thus the *Meiri*, *Sefer ha-Me’orot* and *Shiltei ha-Gibborim* cite opinions allowing ten women to perform *zimmun be-shem*.<sup>54</sup> Interestingly, *Shiltei ha-Gibborim*

quotes this opinion in the name of Rosh, which would be in line with Rosh's view (cited above) that women are indeed obligated in *zimmun*.

It should be obvious then, that those authorities who obligate women in *zimmun*, yet rule against their doing so *be-shem*, must necessarily subscribe to one of the other schools of thought discussed below concerning women's *minyan* eligibility. This is true, for example, for the Gaon of Vilna who, as we will shortly see (section C), belongs to the second school.

6. *Martyrdom*. The Talmud (*Sanhedrin* 74a) discusses the laws of *kiddush ha-shem*, i.e., the sanctification of God's name through martyrdom. It concludes that, with the exception of murder, idolatry and forbidden sexual relations, one may under threat of death transgress in private even biblical commandments. However, in periods of religious persecution and forced conversions or when the transgression will be performed in public, one is obligated to martyr oneself rather than transgress even a minor commandment. The Talmud further clarifies that "Less than ten [Jews] is not considered to be in public . . . as is written,<sup>5</sup> 'I shall be sanctified in the midst of the children of Israel.'" We have noted previously that in the case of martyrdom this derivation is *bona fide*<sup>16</sup> (not an *asmakhta*), referring specifically to martyrdom in public.<sup>55</sup>

Women share this obligation equally with men. Numerous authorities,<sup>56</sup> therefore, conclude that women may be included in the *minyan* for this purpose. R. Yaakov Emden, for example, writes:<sup>56</sup>

It remains to be determined whether the presence of ten women is considered to be "in public." It is clear that, even though the term "children (sons) of Israel" is used concerning this *mitsvah*, women are definitely commanded to sanctify the name of God equally with men, and hence regarding this *mitsvah* they are not excluded from the class of "men." Therefore, it is "in public" before them as well.

R. Emden, as well as many others,<sup>56</sup> rejects the very possibility that women might be obligated in this *mitsvah* but not included in the audience necessary to give it its public quality. It is clear to them that quorum eligibility follows naturally and inexorably from obligation.<sup>57</sup> This is despite the fact that there is no greater act of sanctification—no greater *davar she-bi-kedusha*—than martyrdom. We must perforce conclude that, in the view of the first school, the unanimous exclusion of women from the quorum of *devarim she-bi-kedusha*<sup>19, 20</sup> is limited to those rituals incorporated in the public prayer service—from which women are exempted.

The situation is now rather paradoxical. After all, the necessity for a *minyan* to sanctify God's name either through *kiddush ha-shem*

(martyrdom) or via the *davar she-bi-kedusha* public prayers or rituals is derived from the same verse,<sup>5</sup> “I shall be sanctified (*venikdashti*) in the midst of the children of Israel.” Nonetheless, while many authorities include women in the quorum for public martyrdom, they are ineligible with regard to public prayer! In reality though, as we stated at the outset, the verse is actually referring only to martyrdom; it is borrowed for rabbinic *davar she-bi-kedusha* prayers and rituals only in a secondary sense, as an *asmakhta*. Such a mnemonic device cannot itself serve as the basis for deciding the eligibility of women. The scholars of the first school accept equality of obligation as the most appropriate criterion.

7. *Modesty Considerations.* Finally, we should perhaps include in the first school all those scholars who recommend against counting women for a *minyan* together with men for a particular *mitsvah* merely out of fear that such a practice might encourage immodesty.<sup>58</sup> I have already cited the opinion of the *Sefer ha-Ittur*<sup>47</sup> concerning *megilla* that “just as women can form a *zimmun*, but do not join men in constituting this quorum (because of immodesty), so too their inclusion in a *minyan* (for *megilla*) is not recommended.” Similarly, R. Simcha ha-Levi Bamberger<sup>59</sup> writes: “Women are disqualified rabbinically from inclusion in a *minyan*, even for those *mitsvot* in which they are obligated, because association with them is improper.” R. Yitshak Palache<sup>60</sup> cites the ruling of *Sefer Kol Bo* that “women may discharge the obligation (of *megilla*) for men. Nonetheless, it is not proper to include them in the *minyan*; for wherever ten are required, the intention is for ten men.” R. Palache explains that “he is concerned lest their inclusion lead (the men) to be in seclusion (*yihud*) with them.”

According to this approach, were it not for the possible violation of the rules of modesty, women could indeed be included in any *minyan* together with men, provided their obligation is equal to that of the men. One could further argue that their inclusion in a *minyan* is valid after the fact (*bediavad*), since women are technically eligible to constitute the quorum. Similarly, it is possible that ten women might be able to constitute a *minyan* on their own, since there is then no violation of the rules of modesty, as we have already seen regarding *zimmun*. We will pursue these very points further in section F.

### C. THE SECOND SCHOOL

The second school rejects categorically the inclusion of women in any *minyan* quorum whatsoever. The basis for this opinion is the



Talmud's statement (*Berakhot* 45b) regarding a *zimmun* of three women that "A hundred women are like two men." Rashi *ad locum* understands the Talmud to be exploring the possibility of an optional two-man *zimmun*. In this regard, the Talmud points out that even a hundred women are no more obligated in *zimmun* than are two men. Yet, three women can form an optional *zimmun* and perhaps the same is true for two men. Accordingly, the Talmud's statement has no implications regarding other *mitsvot* that require a quorum. Indeed, it is Rashi's interpretation which is presumably adopted by the first school.<sup>61</sup>

The *Tosafot* and other *rishonim*<sup>62</sup> prefer to generalize the Talmud's statement, arguing that it means to preclude women from the *minyan* of public prayer "and everything that requires ten." Numerous *aharonim*<sup>63</sup> maintain the position of the *Tosafot* and apply it to various ceremonies. For example, the *Responsa Binyan Tsiyyon*,<sup>63</sup> explicitly rejecting the first school, excludes women from the *minyan* of *parashat zakhor*: "Even though [women] are obligated in the reading [of *parashat zakhor*] they are not eligible to complete the *minyan*. This is not dependent on obligation."

This position is also maintained by the *Responsa Torat Hesed*<sup>63</sup> regarding *parashat zakhor*; by the *Sefer ha-Roke'ah*,<sup>62</sup> *Tsafenat Pa'ane'ah*<sup>63</sup> and *Minhat Hinnukh*<sup>63</sup> regarding the laws of martyrdom; and by the Gaon of Vilna<sup>63</sup> and R. Shlomo Zalman of Liady<sup>63</sup> regarding *zimmun be-shem*.

A variety of explanations have been offered as to why the sages chose not to allow women to constitute a *minyan*. *Sefer ha-Masbir*<sup>63</sup> suggests that *Hazal* simply followed the Torah's lead which refrained from counting women in any of the various censuses. R. Yosef Engel<sup>63</sup> maintains that the concept of community is dependent on inheritance and possession of the Land of Israel, for land is what ultimately binds individuals together into a community. Since women did not participate in the inheritance of the Land, they do not constitute a community. R. Gedalia Felder<sup>63</sup> suggests that in order to be part of the community, one must be totally available at any moment for service to the community. Women, however, generally have prior obligations to their husbands and families; the principle of uniformity (*lo pelug*) rules out the inclusion of unmarried women. R. Moshe Meiselman<sup>1c</sup> discusses *minyan* in light of role-playing in Jewish life. He offers the opinion that men have been delegated the more public role, necessary for the constitution of a *minyan*, whereas women have been delegated more private roles. This is the intention of the verse (*Psalms* 45:14), "All the honor of the king's daughter is within."

## D. THE THIRD SCHOOL

The last school of scholars contends that it is necessary to differentiate between two types of *minyanim*. Normally, the sages required ten male adults as a prerequisite for the performance of particular rituals, generally communal in nature. However, in certain cases, the *minyan* is not intrinsic to the performance of the *mitsvah*, for the obligation is essentially the individual's. Rather the *minyan* is needed only to give "publicity" to the performance. In such a case, women are counted even if their obligation is not equivalent to that of men. (This, of course, is in sharp contrast to the first school.)

The reading of the *megilla* is apparently the first case to which this distinction was applied. Ramban,<sup>64</sup> contending that the purpose of the *minyan* in this case is solely to publicize the miracle of Purim, concludes that the requirements for the constitution of this *minyan* are less stringent than in other cases. Ran<sup>64</sup> in this regard writes:

The Ramban has written . . . that all the cases listed (in *Megilla* 23b) are obligations of the community, and are therefore not performed unless ten, or at least a majority [of the ten], are obligated therein, e.g., if they have not yet heard *barekhu* or *kaddish*. However, for *megilla*, the need for ten is only in order to publicize the miracle. Therefore, we read it in the presence of ten for the sake of a single individual even though the others have already fulfilled their obligation.

R. Aaron ha-Levi (Ra'a)<sup>64</sup> uses this same reasoning to allow an additional leniency, namely the inclusion of women in the *minyan*. Despite Rema's hesitancy<sup>65</sup> to follow Ra'a's lead, a great many prominent authorities,<sup>66</sup> citing the view of the third school, do indeed permit the inclusion of women in the *minyan* for the reading of the *megilla* and recitation of the blessing "*ha-rav et riveinu*" that follows it.<sup>14b</sup> Similarly the *Sefer ha-Berit*<sup>67</sup> states that since the *minyan* recommended for circumcision is in order to publicize the *mila*, women are included. *Rav Pe'alim*<sup>68a</sup> and R. Ovadia Yosef<sup>68b</sup> allow the inclusion of women in the *minyan* for the special lighting of the Menorah in the synagogue, which was instituted to further publicize the miracle of Hanukkah. Women are also counted in the audience of ten necessary for the status of the public desecration of Shabbat.<sup>68a</sup>

## E. THE MINYAN ELIGIBILITY OF WOMEN FOR THE HA-GOMEL BLESSING

Having discussed the various approaches to the question of women and *minyan*, we can turn now to analyze an issue not explicitly

discussed by the *rishonim* or the early *aharonim*, namely the inclusion of women in the *minyan* quorum of *birkat ha-gomel* (the *Ha-Gomel* blessing). This benediction acknowledges the hand of God in natural miracles and is recited by one who has survived a life-threatening experience, be it a dangerous illness, operation, childbirth, or serious accident. Since the purpose of the *minyan* is to publicize the miracle of salvation, some codifiers maintain that the presence of a *minyan* in this case is only recommended (*le-khat'hila*).<sup>69</sup> Nevertheless, the consensus of *posekim* is that a *minyan* here too is obligatory and a necessary prerequisite.<sup>70</sup>

Women too, despite the widespread impression to the contrary, are obligated by the majority of *posekim* to recite this blessing in the presence of a *minyan*.<sup>71</sup> The question therefore arises as to whether they can constitute the *minyan* for this purpose. The second school quoted above, which never allows the inclusion of women in a *minyan*, would obviously reply in the negative in this case as well. However, according to the first school, since their obligation is equal to that of men, it follows that they should be eligible for the *minyan*. They should likewise be eligible according to the third school, since the purpose of the ten in the case of this blessing is to publicize the natural miracle of salvation.

As noted above, the *rishonim* and early *aharonim* do not explicitly discuss women's *minyan* eligibility in this regard. *Keneset ha-Gedola* (*Orah Hayyim* 219), however, states: "The need for ten is only recommended. . . . A woman who cannot recite the blessing in the presence of men may recite it without ten, but before at least one man or [several] women. If she recited it in private, she has discharged her obligation." *Keneset ha-Gedola* is of the minority opinion which maintains that a *minyan* is optional for *birkat ha-gomel*. More importantly for our purposes, he considers reciting this blessing before other women to be equivalent to reciting it before one man,<sup>72</sup> suggesting that women do not constitute a *minyan* here.

Nevertheless, many contemporary authors have concluded that in this instance ten women or nine women and one man do indeed constitute a valid *minyan*.<sup>73</sup> They derive this from the fact that *Mishna Berura* and others<sup>74</sup> cite the ruling of *Keneset ha-Gedola*, not as "before women or one man," but as "before women and one man." While some have found such a halakhic position problematic,<sup>73b</sup> we believe it to be in accord with either the first or third schools as explained above.

## F. INCLUSION OF MEN AND WOMEN TOGETHER

Now that we have clearly established that there are a variety of instances where according to the first and third schools women may

