

Section 14

Prayer

Adderet Eliyahu discusses both the text of the Karaite prayers and the laws governing prayer. Although the Karaite liturgy is rich, detailed, and meticulously compiled, there is no *halakhic* requirement to use the exact text adopted by the sages. Therefore, *Mikdash Me'at* will not cover the Karaite liturgy.¹ *Mikdash Me'at* will, however, discuss the laws pertaining prayer.

The topics covered in this section are:

1. The General Requirement to Pray
2. Required Times of Prayer
3. Required Aspects of the Prayer
4. Synagogues and *Batei-Midrash*
5. Praying when *Tameh*
6. *Tzitzit*

“Reason also dictates the mandatory nature of prayer, for man is dressed in his sins...and he must therefore constantly repent so that he may be saved from evil and this may not be accomplished except through prayer” -*Adderet Eliyahu’s Inyan Tefliah* Ch. 1

§14.1 The General Requirement to Pray

§14.1a Who is Required to Pray

The sages held that all adults share the same requirement to pray. All the laws detailed in this section apply to both men and women unless otherwise stated. Although children are not required to pray, they should participate in prayer from a young age so that they learn to pray.

§14.1b Deriving the Requirement to Pray

The requirement to pray can be derived through several sources. First, reason dictates the need for prayer. Because man constantly errs he must pray to God for forgiveness. In addition to reason, Scripture and *sevel hayerusha* necessitate prayer.

Scripture commands prayer in the verse “and you shall (*ve’avadta*) worship *Hashem* your God” (Exodus 23:25). Although *avodah* (“worship”) may refer to sacrifices as well as prayer, this command includes prayer. This is clear because the Torah commands elsewhere to “worship Him (*u’le’avdo*) with all your minds and all your souls” (Deuteronomy 10:12)². Serving God with one’s mind is a reference to prayer.

¹ Those interested in additional reading on the Karaite Jewish liturgy are encouraged to read *Karaite Liturgy and its Relation to Synagogue Worship*, by Rabbi Percy S. Goldberg.

² Another verse suggesting that prayer is required is “You shall worship (*tira*) Hashem your God and you shall serve him (*ta’avod otih*)” (Deuteronomy 6:13). The word *tira* is usually translated as “fear”, but in Biblical times the word also had the meaning of “worship.”

Finally, the requirement to pray can be derived from *sevel hayerusha*. Because prayer was commonly known Pre-Sinai, the Torah does not expound upon it in great detail. Rather, the details of prayer have been passed down through *sevel hayerusha*. Indeed, people prayed to God since the time of Adam as is evidenced by the writings of many different nations. *Adderet Eliyahu* states that for this reason, “the Torah was not careful to elaborate on the requirement to pray, the method of prayer, or the required times of prayer”³.

Notes on §14.1:

Adderet Eliyahu states that “the Torah was not careful to elaborate on the requirement to pray, the method of prayer, or the required times of prayer”⁴ because these were common knowledge prior to Sinai. The assumption that the Torah need not repeat something already well known pre-Sinai finds precedent in many other applications of *Sevel Hayerusha* (“Notes on §1.6”). Furthermore, it is historically plausible that “the requirement to pray” or certain aspects of how to pray (such as the 7 parts of prayer listed in §14.3) were known pre-Sinai.

Adderet Eliyahu also attributes “the times of prayer” to pre-Sinaitic custom. This claim is troubling, however. The *Adderet* holds that daily prayers should coincide with the times of the Temple’s daily offerings (§14.2). Yet these Temple sacrifices clearly do not predate the Torah.

How then could *Adderet Eliyahu* attribute the times of prayer to pre-Sinaitic custom? One possibility is that the daily sacrifices instituted at Sinai were themselves designed to coincide with pre-Sinaitic prayer times. In this view prayer is not based on sacrifices, rather both prayer and sacrifices are based on a common precursor: pre-Sinaitic prayer. This argument is supported by the fact that prayer and sacrifices achieve at least some of the same goals. For example, Scripture states: “we will render as offering the bulls of our lips” (Hosea 14:3). Under this view, the *Adderet’s* conclusion that prayer and sacrifices should share the same time is merely recognizing the fact that they share a common precursor; it is not attesting that sacrifice-times are the causal reason for the prayer times.

Nevertheless, the postulate that sacrifice-times were intentionally set to match those of pre-Sinaitic prayers raises some difficult questions. Firstly, is it in fact historically accurate that pre-Sinaitic prayer was performed at the same times of day as the post-Sinai sacrifices? That is, was pre-Sinaitic prayer performed every morning and evening? I doubt this to be case. While most nations appear to have some tradition of prayer, the time of that prayer varies greatly between nations. Furthermore, even if most nations did indeed set prayer at these times, then what was their reason for doing so? Would that reason have been religiously significant enough to warrant setting the sacrifices to coincide with daily prayer?

Another possibility is that contrary to *Adderet Eliyahu’s* claim, the times of prayer are not in fact known through *sevel hayerusha*. Indeed, *Gan Eden* does not claim that the times of prayer were known through *sevel hayerusha*, despite the fact that *Gan Eden* accepts the premise that prayer was common since the time of Adam.

§14.2 Required Times of Prayer

Most of the latter sages (including Rav Bashyatzi) held that one should pray twice a day, at dawn (between first light and sunrise) and at *bein ha’arbayim* (ie: twilight, between sunset and nightfall). Scripture affirms that the *kohanim* would pray to God at these times, stating that the *kohanim* would

³ *Adderet Eliyahu* Inyan Tefilah Ch 1

⁴ *Adderet Eliyahu* Inyan Tefilah Ch 1

“rise every morning to thank and praise *hashem* and [do] likewise in the evening (“*erev*”)” (I Chronicles 23:30). The term “evening” (“*erev*”) may refer to twilight (§2.1), and morning may similarly include dawn. The fact that the daily sacrifices were offered at dawn and at twilight (Exodus 29:38-41) further suggests that these were the proper prayer times.

Some of the sages extended the time frame for prayer beyond twilight and dawn. These sages held that one could fulfill the requirement to pray by praying once between first light and noon and once between sunset and midnight. These sages argued that these extended prayer times reflect the fact that the daily sacrifices could remain on the altar long after they had been offered – even until noon.

In response to this argument, Rav Levi performed a careful analysis of the passage describing Ezra’s reading of the Torah. Ezra read the Torah “from light until midday” (Nehemiah 8:3). Rav Levi concluded that “light” must refer to a time shortly before sunrise because Ezra could not have seen the words of the Torah early at dawn. Furthermore, because Ezra read the Torah on *Yom Teruah* (Nehemiah 8:2), the Kohanim must have offered two supplementary offerings following the daily offering (i.e., one for *Rosh Chodesh* and one for *Yom Teruah*). Thus, to make room for these other sacrifices, the daily offering must have been removed from the altar well before Ezra began reading the Torah around sunrise. This is contrary to the view of the aforementioned sages who held that the offering would remain on the altar until noon.

On Friday nights one should pray before sunset although the evening prayer is usually set for twilight. This is consistent with the principle that we should prolong the holiness of Shabbat (§3.9).

Notes on §14.2:

Prayer and sacrifices share at least some of the same purposes, as Scripture states: “we will render as offering the bulls of our lips” (Hosea 14:3). Karaites frequently cite this verse to support the view that daily prayer should be performed at the times of the daily sacrifices. Interestingly, *Adderet Eliyahu* does not cite this verse and refrains from elaborating on why prayer and sacrifice should share the same time.

§14.3 Required Aspects of Prayer

In order to fulfill one’s requirement to pray twice daily (§14.2), prayer must fulfill several criteria. These are discussed in the subsections below. One has not fulfilled his legal obligation to pray if he has not prayed at the proper time (§14.2) and according to these criteria. Nevertheless, one may pray voluntarily without meeting these criteria.

§14.3a Contents of Prayer

One’s prayer must include 7 parts in order to fulfill the requirement to pray. These parts should be completed in the order listed:

1. **Praise (*shevach*)**. Namely, praising of God for his many great deeds.
2. **Thanks (*hoda’a*)**. Namely, thanking God for creating and maintaining the world.
3. **Confession (*vidui*)**. Namely, confessing one’s sins.

4. **Request (*bakasha*)**. Namely, requesting forgiveness for one's sins.
5. **Supplication (*techina*)**. Namely, begging God to forgive our sins on account of his loving-kindness. This portion is different from the "request" part of the prayer because in "supplication" one begs God to forgive our sins on account of *His* abundant mercy and loving-kindness. By contrast, when we "request" God to forgive our sins we emphasize our tendency towards sin on account of our own mortality⁵.
6. **Crying out (*tze'aka*)**. As in the verse "My voice will go out to God and I will cry out" (Psalms 77:2).
7. **Calling out (*kri'a*)**. As in the verse "to you God I will call out" (Joel 1:19).

Only a minority of the sages held the last two parts of the prayer to be a requirement.

§14.3b Sources of Prayer

The sages differed regarding the proper sources for the words used in prayer. Some believed that one should exclusively use extra-biblical songs and poems. Others believed that one should exclusively use passages from Scripture. Still others held that one is required to use passages from Scripture but may also use extra-biblical sources. *Adderet Eliyahu* concludes that this last opinion is correct noting that the most renowned sages agreed with this opinion.

§14.3c Language of Prayer

The sages differed regarding the proper language for prayer. Some of the sages believed that it was permissible to pray in any language. Most of the sages, however, argued that one must pray in Hebrew to fulfill one's obligation to pray.

The sages who held that it is permissible to pray in any language pointed to the fact that Daniel prayed in Aramaic (Daniel 2:20-23). In response to this point, those sages advocating Hebrew prayer argued that Daniel did so only because he wanted the Chaldeans who were with him to understand his prayer⁶. He would have prayed in Hebrew to fulfill his obligation, however. These sages further argued that one must pray in Hebrew because only in Hebrew can one call out God's actual name. This is an act that Scripture requires⁷: "for then I will pour upon the nations a clear language that they might all call upon the name of *Hashem*" (Zephaniah 3:9). These sages understood the "clear language" mentioned in this verse as a reference to the Hebrew tongue.

§14.3d Prayer Positions

⁵ I thank Eli Shemuel for helping clarify the distinction between *bakasha* and *techina* to me.

⁶ It is unclear from the Scriptural text whether Daniel was praying in front of Chaldeans. However, if he were praying in front of Chaldeans, he would have had good reason to have them understand the prayer. In his prayer, Daniel repeatedly thanked God for revealing the meaning of the Chaldean King's dream. He may have done so to let all know that he himself possessed no magical power to interpret dreams. In short, Daniel wanted to emphasize that this power came from God. This suggestion is supported by the fact that Joseph acted similarly. When Pharaoh speaks of Joseph's ability to read dreams, Joseph protests that "[this ability] is not in me; God will give Pharaoh an answer" (Genesis 41:16).

⁷ This opinion appears to suggest a requirement to pronounce the tetragrammaton. Yet it was my impression that by the time of *Adderet Eliyahu*, most of the sages held one should not speak the name. This issue requires more research.

The *Adderet* also discusses the different prayer positions such as standing and prostration. While the *Adderet* cites Scriptural references to these movements, I am unsure whether it intends them as a requirement.

§14.3d Direction of Prayer

When praying inside the Temple (§14.4a), worshippers would face west, in opposition to most nations who prayed towards the rising sun. When praying outside the Temple, one should face the (former) location of the Temple. This practice is supported by the Psalmist: “prostrate towards his holy mount” (Psalms 99:9). It is further affirmed by King Solomon (I Kings 8:29) and implemented by Daniel who would pray towards Jerusalem (Daniel 6:11).

§14.4 Synagogues and *Batei Midrash*

§14.4a Synagogues

When the Temple stood it was a place of prayer as it is written: “my house will be called a house of prayer for all peoples” (Isaiah 56:7). Nevertheless, we are also required to set up houses of worship outside the Temple. Indeed, the Torah states that we are to pray to God even in the Exile: “you will seek *Hashem* your God from there and you will find Him” (Deuteronomy 4:29). In Jeremiah, God similarly confirms the effectiveness of prayer in the Exile. God states when discussing the Babylonian Exile: “and you shall call out to me and go and pray to me and I will hear you” (Jeremiah 29:12). Furthermore, the Psalmist extolls the virtues of praying in large groups: “bless God in assemblies!” (Psalms 68:27). Thus, we are required to set up communal houses of prayer outside the Temple.

Rav Levi further argued that the literal construction of synagogues is referenced in the verse “and I will be to you as a diminished sanctuary (*mikdash me'at*) in the lands that you have gone to” (Ezekiel 11:16). In Rav Levi's view, the phrase “diminished sanctuary” refers to synagogues because they are diminished versions of God's sanctuary in Jerusalem. Most other sages, however, believed instead that the verse was assuring that God would watch over his exiled people. In their reading the phrase “I will be to you as a diminished sanctuary” refers to God's continued presence among the Israelites. Just as God dwelt amongst the Israelites in the sanctuary in Jerusalem⁸, so too He promises to continue to dwell among his people in the Exile.

§14.4b *Batei Midrash*

We are to build and furnish *batei midrash* (houses of learning) in every community. This is required because without places of learning the Torah and *mitzvot* would become lost. The earlier sages held the construction of *batei midrash* to such import that they permitted transforming a synagogue into a *beit midrash*. By contrast, they forbade building a synagogue if it meant that the community could not support a *beit midrash*.

⁸ The claim that God dwelt in the sanctuary is consistent with the verse: “And they shall make for me a sanctuary (*mikdash*) and I shall dwell among them” (Exodus 25:8).

In addition to building *batei midrash* in every community, we are required to ensure that all may properly use a *beit midrash*. Thus, poor students must be furnished with books and provided for financially.

§14.4c *Tumah and Personal Conduct in Synagogues and Batei Midrash*

One should act respectfully in and around synagogues and *batei midrash* in order “to glorify the place of [God’s] sanctuary” (Isaiah 60:13). For the same reason, one should be ritually pure (*tahor*) in these places. One should refrain from joking, doing business, or eating in synagogues or *batei midrash*.

Notes on §14.4c:

Modern Karaites continue to maintain ritual purity in the synagogue, although the precise practice varies by synagogue. Different synagogues may treat access to the synagogue, the prayer room, the Torah, and the *heikhal* (the stage at the front of the prayer room) differently. Access to anyone of these is sometimes restricted to those who transmit impurity, but not those who are impure but do not transmit impurity.

Adderet Eliyahu cites the concept of glorifying the sanctuary (Isaiah 60:13) as evidence that synagogues should remain pure. I find this explanation lacking for two reasons. First, the concept of “glorifying the sanctuary” does not necessarily include ritual purification. Second, while synagogues are admittedly similar in some respects to “the sanctuary” in Jerusalem, they are not necessarily similar in every respect. Even if we accept that “glorifying the sanctuary” includes maintaining ritual purity, we need not conclude that similar “glorification” is required for the synagogue.

Many Karaites today derive the need for ritual purity in the synagogue from a different source. They consider the synagogue to be a “diminished sanctuary” (Ezekiel 11:16) and therefore argue that only one who is *tahor* (ritually pure) may enter. I find this explanation problematic as well. As previously argued, drawing an analogy between synagogue and sanctuary does not necessitate them being similar with regards to ritual purification. Second, the reference in Ezekiel to the “diminished sanctuary” (Ezekiel 11:16) is unlikely to be a reference to literal synagogues (§14.4a).

Nevertheless, I believe that the practice of maintaining a ritually pure synagogue is commendable even if not required. I base this view on the Torah’s commandments regarding ritual purity in a war camp. When at war anyone impure by seminal emission must stay outside the camp (Deuteronomy 23:11). The Torah explains the reason for this practice: “*Hashem* your God walks in the midst of your camp to deliver you and to deliver your enemies to you, therefore your camp shall be holy” (Deuteronomy 23:15). We may conclude from these verses that ritual purity is conducive to welcoming God’s “presence”. Because we want to welcome God’s “presence” when praying, we should maintain ritually pure synagogues. Citing these same passages, some of the sages went so far as to argue that we *must* be ritually pure when praying *even outside the synagogue* (§14.5).

The commandments regarding seminal emission in a war camp are relevant to purity in the synagogue in a second way. Namely, these verses support the Karaite view that there is merit in guarding ourselves from a particular form of *tumah* even if one has already contracted *tumah* of another form. Given the nature of war, it can be assumed that most soldiers in camp would be *tameh met* (impure through corporal contact). Nevertheless, only those soldiers impure through seminal emissions are required to leave the camp. This indicates that there is benefit in avoiding each form of *tumah* independent of whether one has contracted another form. This is highly relevant to Karaite practice in synagogues, because today without the Temple we do not have the means of ritually purifying those who are *tameh met*.

§14.5 Praying when *Tameh*

Although the sages agreed that the synagogue should not contain *tumah* (§14.4c), they differed as to whether a worshipper may be *tameh* if praying outside the synagogue. Those sages forbidding such prayer argued that because sacrifices cannot be performed when *tameh* (Leviticus 15:31), then all the more so prayer cannot be performed when *tameh*.⁹ Indeed, Scripture appears to have a higher regard for prayer than for sacrifices because the Psalmist states: “I will praise God with song and magnify him with thanksgiving and this shall please *Hashem* more than a bull with horns and hooves” (Psalms 69:31-32). These sages also cited the command to remove soldiers impure from seminal emission from the war camp (Deuteronomy 23:11-15) as proof for their position. In particular, they believed the reason given for the removal of these soldiers, that God “shall not see within you a detestable thing and leave from you” (Deuteronomy 23:15) indicates that if one is to entreat God’s presence in any situation one should be ritually pure¹⁰.

Other sages permitted praying outside the synagogue when *tameh*. These sages did not hold the Psalmist statement that prayer in some situations pleases God more than sacrifices (Psalms 69:31-32) to indicate that prayer requires as much purity as sacrifices. Rather, they held that the Psalmist was alluding to the superior ability of prayer to atone for sin¹¹. Furthermore, these sages argued that because we are commanded to pray in the Exile (§14.4a) and we are generally in a state of *tumah* in the Exile¹², one need not be *tahor* to pray. Finally, these sages pointed to the fact that Elisha successfully prayed to revive a deceased boy (2 Kings 4:33). Elisha must have been *tameh met* at the time because Elisha prayed in same room as the boy’s body (2 Kings 4:32-33)¹³. In response to this argument, some of the sages requiring purity in prayer argued that purity is only needed to fulfill one’s daily requirement to pray (§14.2) but not required for supplementary prayers.

Notes on §14.5:

Modern Practice

Today most Karaites hold that it is permissible to pray when impure. Some synagogues even have a segregated “side-room” where people who are ritually impure but do not transmit impurity may pray.

Rav Daniel al-Kumisi

Rav Daniel al-Kumisi (10th century) was among those sages who believed one must be ritually pure to pray. Rav Kumisi explains that *sacrifices* may only be made in the “chosen place by the hands of a man from the chosen Tribe . . . in holy vestments.” Rav Kumisi then contrasts sacrifice with prayer, “which is permitted to any man that is clean [*tahor*], is clad in any clean, but not holy, garments, and is in any clean place”. See Leon Nemoy, *The*

¹⁰The Adderet states that these sages cited Deuteronomy 23:15 as evidence for their position. It does not, however, elaborate. The summary above is my understanding of their argument.

¹¹ It is unclear to me whether these sages held that prayer had a superior or equal ability to atone for sins. Regardless of the theological position they adopted, their argument still holds.

¹² See Ezekiel 4:13.

¹³ *Tumat met* is transmitted to all those in the same room as a corpse.

Pseudo-Qumisian Sermon to the Karaites, American Academy for Jewish Research, Proceedings Vol. XLIII 1976, p. 64.

§14.6 Blessings

The Torah commands that we bless God after eating: “and you will eat and be satisfied and bless *Hashem* your God for the good land that He has given you” (Deuteronomy 8:10). We should likewise bless God *before* eating or enjoying any other benefit. For example, we should bless when acquiring a house or upon seeing a friend. Adderet Eliyahu recommends that the following general blessing be used for most things: “Blessed are you Adonai our God for all was a result of His words” (“*Baruch ata Adonai eloheinu melech haolam shehakol nihiyeh bidvaro*”). Furthermore, it suggests that specific blessings be used for bread and wine: “Blessed are you ... who brings bread from the earth” (“*baruch ata Adonai..hamotzi lechem min ha’aretz*”) and “Blessed are you...who creates the fruit of the vine” (“*baruch ata Adonai..boreh pri hagafen*”).

§14.6 Tzitzit

§14.6a The General Requirement

The Torah commands us to wear four fringes on our clothing: “you shall make for yourselves twisted cords upon the four corners of your garment with which you cover yourself” (Deuteronomy 22:12). Each of these fringes is referred to as *tzitzit*: “you shall make for yourselves *tzitzit* on the corners of your clothing in all your generations” (Numbers 15:38).

Furthermore, we are to “put on the fringe of each corner a thread of blue” (Numbers 15:38). This thread of blue is the essence of the commandment of *tzitzit* because upon seeing the blue thread we “will remember all the *mitzvot* of *Hashem*” (Numbers 15:39)¹⁴. This association is based on the fact that the specific shade (“*techelet*”) used in *tzitzit* resembles the blue of the heavens.

§14.6b Timing of the Commandment

Tzitzit should be worn throughout the day because the Torah specifies that one is to wear *tzitzit* “on the garment with which you cover yourself” (Deuteronomy 22:12). However, the *Adderet* notes that it is no longer customary to wear *tzitzit* throughout the day for fear of persecution. Rather they are worn only on a *tallit* when in prayer. The *Adderet* strongly discourages this limited application of the commandment. Rav Afendopolo mentions that Rav Bashyatzi and other sages of his generation started a movement to revive the practice of wearing *tzitzit* throughout the whole day¹⁵.

Although we should wear *tzitzit* throughout the day, one need not wear *tzitzit* at night. This is because we wear the *tzitzit* so that we might see them (Numbers 15:39).

¹⁴ Hebrew grammar dictates that the subject of this verse is the thread of blue and not the *tzitzit* themselves.

¹⁵ Rav Afendopolo mentions this in the *Adderet's* section on oaths (*Adderet Eliyahu* Inyan Shevua Ch 14). The section on oaths was written by Rav Afendopolo after Rav Bashyatzi's death.

Notes on §14.6b:

Both *Adderet Eliyahu* and *Gan Eden* state that one need not wear *tzitzit* at night. Rav Levi, however, makes no mention of such an exemption¹⁶. Although I have heard that Karaites in Egypt would generally not wear *tzitzit* for evening prayers, Israeli Karaites generally wear *tzitzit* for both evening and morning prayers. Those who have begun wearing *tzitzit* even outside prayer similarly make no distinction between day and night. At the Karaite synagogue in Daly City, California, *tzitzit* are also worn during evening prayers.

§14.6c Who is Obligated in Wearing Tzitzit

Only men are obligated to wear *tzitzit* because the commandment is introduced with the phrase “speak to the sons of Israel [“*b’nai Yisrael*”] saying” (Numbers 15:38).

Even blind men must wear *tzitzit*. This is because the command to see the *tzitzit* is given in the plural: “and you (plural) will see them and remember all the *mitzvot* of *Hashem*” (Numbers 15:39). Thus, one who is blind should wear *tzitzit* so that others see them.

Notes on §14.6c:

A majority of the sages held that only men are commanded to wear *tzitzit*. This view is based on the fact that the commandment is given to “the sons of Israel” (Numbers 15:38). Rav Levi ben Yefet (the son of Rav Yefet), however, held that women too are obligated in this command.¹⁷ He argued that the phrase “sons of Israel” (“*b’nai Yisrael*”) is a gender neutral term that can include both men and women. A better translation of this phrase given Rav Levi’s position is “children of Israel”.

In particular, Rav Levi noted that many commandments given to “*b’nai Yisrael*” clearly apply to women. For instance, God tells Moshe and Aharon “speak to “*b’nai Yisrael*” saying: these are the living things that you shall eat from all the beasts that on the earth” (Leviticus 11:1-2). The laws regarding *tumah* due to child birth are introduced in similar fashion: “speak to *b’nai Yisrael*: if a woman conceives and births a male she shall be unclean seven days as in the days of her menstruation she shall be unclean...” (Leviticus 12:2).

Furthermore, it should be noted that the reason for the commandment of *tzitzit* applies equally to women. We are to wear *tzitzit* to “remember all the *mitzvot* of *Hashem*” (Numbers 15:39). Surely, women should also remember the *mitzvot*.

Aside from Rav Levi, however, I am unaware of any other classical sage requiring women to wear *tzitzit*. This is despite the fact that Rav Levi’s reading of “*b’nai Yisrael*” as a gender neutral term should have been an obvious possibility to many sages. Although one might argue that most sages illegitimately avoided this reading due to Rabbanite influence, the sages frequently disagreed with the Rabbanites regarding the legal status of women.

Thus, although I believe Rav Levi’s arguments to be exceptionally strong, I think one should adopt Rav Levi’s position cautiously. In particular, I think it is worthwhile to investigate traditional Israelite clothing at the time the Torah was given. Deuteronomy 22:12 specifies that Israelites are to make their *tzitzit* on the “four corners” on the garment with which they cover themselves (*kesut*). Although it is clear that at least some womens’ garments were called *kesut* (Exodus 21:10), perhaps only men would wear four-cornered *kesut* in Sinaic times. Had this been the case, the command to wear *tzitzit* would have clearly been intended for men only. Such a historical background, if

¹⁶ *Sefer Mitzvot* P. 786-802 (Rav El Gamil’s publication)

¹⁷ Rav Levi ben Yefet lived in the late 10th Century or early 11th Century.

accurate, might explain why the sages initially read the phrase “sons of Israel” in this context to mean Israelite males. It should be clarified that I am unaware of any of sage actually arguing for gender-specificity based on traditional Israelite clothing. I am merely speculating as to how the decision to read “*b’nai Yisrael*” as “sons of Israel” with respect to this commandment may initially have developed.

Before adopting Rav Levi’s position, it is also worthwhile to consider the prohibition on cross-dressing (§11.4f, Deuteronomy 22:5). Today, *tzitzit* are overwhelmingly considered to be a male garment. Thus, women may in fact be prohibited to wear *tzitzit*, even if women initially had been commanded to wear such a garment. It may very well be more important for Jewish women to refrain from cross-dressing than for them to wear *tzitzit*. This position is supported by the fact that negative mitzvot are more severe than positive ones (§1.3). Furthermore, cross-dressing is associated with no less a sin than idolatry (§11.4f).

On the other hand, assuming women were initially obligated to wear *tzitzit*, then the association of *tzitzit* as a male garment is a cultural norm that developed through wide-spread violation of a *mitzvah*. Could the prohibition on cross-dressing truly protect an errant cultural norm?

Resolving these questions would require, at a minimum, investigating the original cultural and legal context of the commandment and, if necessary, determining how the prohibition on cross-dressing evolves with changing cultural practice.