

Birkhat Ha-Gomel: A Study in Cultural Context and Halakhic Practice

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"IF THERE'S NOTHING MORE POWERFUL THAN AN idea whose time has come, there is nothing more ubiquitously pervasive than an idea whose time won't go."¹ These words clearly articulate the dilemma not only of feminism in general, but also of Jewish feminism in particular. The idea whose time has come is twofold: the communal acknowledgement of the value of that which is distinctly feminine; and the religious recognition of woman as a public person. The notions whose time won't go are the converse: the lack, and downgrading, of rituals that celebrate the uniquely feminine, and the insistence in traditional circles that woman's public (religious) role, even when explicitly permitted, recommended, or required by Halakha, is not to be encouraged nor taught nor spoken about. The deeply ingrained axiom of rabbinic law, that the private sphere is more appropriately woman's,² has been relentlessly dissected, analyzed, and attacked by feminists and social theorists of all persuasions.³ These scholars question whether women should function less in the public sphere and more in the private arena. Illegitimate argumentation to this effect can raise the status quo to the level of prescriptive law. This argumentation is founded on several premises, primary among which is the notion that women may form relationships differently from men.⁴ This observation is then viewed as an established fact which can validly be used to justify legal decisions. Thus an illicit causal connection is established in both religious law and general societal attitudes. Elements of cultural development and historical context are downplayed, as what was the norm in social behavior becomes the norm forever and absolutely.⁵

The blessing of *birkhat ha-gomel* and the laws surrounding its recitation provide a paradigmatic case illustrating the reluctance of religious leaders to implement the very laws to which they claim adherence by basing halakhic decisions on this illegitimate or narrow type of legal reasoning. *Birkhat ha-gomel* is a blessing to be said upon emerging safely from a situation of danger. At one time, it seems to have been recited publicly by women after childbirth. The law requiring a woman to recite *birkhat ha-gomel* recognizes woman's autonomy and personhood and acknowledges her uniquely female contribution to the ongoing reproduction of society. The unwillingness of many communities under the influence of their rabbis to actualize women's recitation of *birkhat ha-gomel*, especially after childbirth, manifests a deeply ingrained animus against and discomfort with woman as an autonomous human being having a

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distinctive function and being a public person. I will give the background to *birkhat ha-gomel*, analyze some of the halakhic issues involved, discuss the responsa specifically about women, and briefly remark upon some current synagogue practices.

Birkhat ha-gomel, or the benediction for deliverance from a situation of danger, is one of the blessings of thanksgiving, or *birkhat hoda'ah*, that praises God for the good (or bad) which befall a person. The Babylonian Talmud states:

There are four [classes of people] who have to offer thanksgiving; those who have crossed the sea, those who have traversed the wilderness, one who has recovered from an illness, and a prisoner who has been set free . . . And he must utter his thanksgiving in the presence of ten, as it is written, "Let them exalt Him in the assembly (*kahal*) of the people (Ps. 107:32)." (Berakhot 54b, Soncino translation, 1960.)

The person offering the blessing states, "Blessed is God who bestows loving-kindnesses," while the assembly of people responds, "God who has bestowed all good upon you will yet bestow all good upon you, Selah." According to some early authorities,⁶ *birkhat ha-gomel* is said in place of the *korban todah*, or the ancient sacrifice of thanksgiving.

Two textual points of importance must be noted. First, the commentary says *tzrikhin*, "have to" or "must," rather than *hayavin*, "obligated," although here the meaning of the two terms is very close. The distinction appears to be that failure to implement an obligation is considered a sin of omission, while the non-performance of a strongly recommended *mitzvah* does not carry the same legal weight. What is the import of this for women? It seems omission is not as important as failure to perform a *mitzvah*, or commandment. This leads the way to women neglecting to say the blessing or even being barred from it. Second, the text states that *birkhat ha-gomel* must be recited in the presence of ten, using as proof-text the verse in Psalms, "Let them exalt God in the assembly of people." The phrase *kahal am*, or "assembly of people" is considered to consist of ten,⁷ but some authorities specify that it refers only to ten men, not to ten persons. This distinction has important practical implications for the recitation of *birkhat ha-gomel* by women.

The long-held custom has been for a person who has been delivered from danger to say *birkhat ha-gomel* in the synagogue after the reading of the Torah; there ten men (persons) are gathered.⁸ The four situations of danger described in the Talmud apply to all persons, male or female; hence both men and women are required to say the blessing. A woman after childbirth is considered one who has recovered from an illness, i.e., in the third category, as indicated by the special prayer for a new mother's well-being made in the synagogue after childbirth.⁹ This means all women after childbirth (in addition to the other circumstances described in the text), according to the law, ought to recite *birkhat ha-gomel*. However, there are conflicting legal (halakhic) opinions concerning this

The Magen Avraham,¹⁰ one of the “later authorities,” or *aharonim*,¹¹ wrote a commentary on the legal code of the fifteenth century, the *Shulhan Arukh* (Set Table).¹² In it he comments upon the words of a contemporary, Rabbi Haim Benvenisti, whose legal work is known as the *Keneset ha-Gedolah*.¹³ Benvenisti states:

I am astonished at [the universal custom that women do not say the blessing of *birkhat ha-gomel*. It seems to me that this custom is in error, since *gomel* is a blessing of thanksgiving, and who exempted women from this [type of] blessing? And if [the custom of omission exists] because one must recite it [the blessing] before ten [men], and it is not honorable for a woman to stand before men, since “all glorious is the King’s daughter within the palace,”¹⁴ this argument is not adequate to exempt a woman from her obligation to recite this blessing. One may recite it without ten men, and therefore she should say it before one man or several women.¹⁵

The Magen Avraham’s comment is: “Perhaps [the authorities] refused to permit women’s recitation of this blessing because it is an option (*reshut*).”¹⁶ Several implications can be drawn from the interpretations of Benvenisti and the Magen Avraham.

First, both are surprised at the fact that Jewish women did not recite *birkhat ha-gomel*. From this can be deduced that their reading of the sources is that women should say *birkhat ha-gomel*. That is, they are noting a discrepancy between prescription and sociological description, viz., the status quo, the lived religious life in the seventeenth-century Polish and Turkish Jewish communities.

Second, Benvenisti attempts to explain the reason for the “mistaken custom” of women not reciting *birkhat ha-gomel*. Clearly, according to the source, women should not be exempt from its recitation. If one follows the opinion that one must say *birkhat ha-gomel* in a congregation of ten men, one may observe that this usually is not done by women. The customary separation of the genders in traditional Judaism has nurtured the concept that it is inappropriate—even shameful—for a woman to perform or speak (even a prayer) in public before men. However, there are alternative ways of facilitating the recitation¹⁷ of *birkhat ha-gomel* by women. The recitation of *birkhat ha-gomel* takes priority over presumed considerations of modesty and public recitation. The implication intended may be that woman can recite the blessing before ten men. If she, however, or the men, deem it improper, then the other options of saying *birkhat ha-gomel* before a group of women or a single man ought to be used.¹⁸

Third, there is an obvious difference of opinion between the two authorities as to the nature of the requirement to recite *birkhat ha-gomel*. According to Benvenisti, the thanksgiving expressed to God is an obligation; he states: “. . . this argument [of the inherent immodesty or dishonor of a woman standing before ten men] is not adequate to exempt a woman from her obligation” to recite this blessing.” He intensifies the more ambiguous “must” or “needs to”

in Berakhot, the original text, interpreting it as “is obligated to,” which has much stronger implications. The Magen Avraham, however, in attempting to understand the obvious disparity between what seemed to be a theoretical requirement—that women say the blessing after childbirth and at other appropriate times—but in fact was not observed in practice, assumes that rabbinic authorities did not permit¹⁹ women to recite the blessing since it was optional (*reshut*), and entailed the problem of the questionable propriety of a woman saying it before ten men. Otherwise, the custom of woman refraining from reciting *birkhat ha-gomel* remains for him both puzzling and illogical.

The halakhic argumentation on this issue continued into our century. The Kaf Ha-Haim,²¹ whose legal compendium was written for the twentieth-century Sephardic communities of Baghdad and Jerusalem, says the following:

Women are obligated in *birkhat ha-gomel* . . . but it is not for her to make the blessing before ten [men] like a man does, since it is not honorable for a woman to stand before men. Therefore she should recite the blessing from the women’s gallery in the synagogue so ten men in the synagogue will hear her, or before ten of her [male] relatives and friends; if not, she should say the blessing without God’s name.²²

The assumption here is that *kahal-‘am*, or “assembly of the people,” is constituted only by ten men. For were a woman to recite the blessing before a group not containing ten males, God’s name would be omitted, as is the custom in Judaism where a blessing requires the presence of the “community.”

In contrast are the words of the late-nineteenth, early-twentieth century rabbinic authority, Rabbi Meir Ha-Cohen, who authored (and is known as) the *Afishnah Berurah*.²³

It is a widespread custom that women do not recite *birkhat ha-gomel*, and the reason is that it is said before ten [men] and to do so is not the way of women, but there are those who have written that it is correct that she should recite the blessing before ten [men]—at the very least before women and one man.²⁴

Several conclusions may be drawn from the above. First, from the earlier authorities’ astonishment that women did not recite the blessing, which was seen as an obligation, comes the viewpoint that its non-observance is widespread. Thus is validated the concept that the longer an action or behavior is maintained as standard and expected ideal practice, even if it violates the original prescribed observance, the more likely it will become normative (real). Second, the *Mishnah Berurah* obviously defines *kahal-‘am* as consisting of either ten men or a group of women and at least one man. This is different from the earlier opinion of the Kaf Ha-Haim, for whom *kahal-‘am* (the community) is only a male category.

A somewhat earlier authority, writing in the nineteenth century and known as the Arukh Ha-Shullian,²⁵ expresses a viewpoint both similar to and different

from these two perspectives. He states:

It is customary for women not to recite *birkhat ha-gomel* and there is no reason for this [emphasis mine]. It only seems to be because the custom is to say the blessing during the Torah reading; therefore [people] imagine that women are not obligated in this blessing. Thus it is correct that women should recite the blessing. Perhaps [the reason women don't recite it is] because it is written "in an assembly of people" [he-*kahal* 'am], and women are not designated as *kahal* and to recite the blessing before ten men is improper and therefore women were prevented from doing it.²⁴

As in the earlier citations, the Arukh Ha-Shulhan is trying to understand why women did not observe what for him is an obvious obligation and constitutes correct religious behavior.

From the confusion about what women should do and what women in fact did arose the custom for a husband to recite *birkhat ha-gomel* for his wife after childbirth. Halakic authorities wavered on accepting this innovation, some asserting its wrongfulness, since the man has no obligation and the woman is an autonomous person. Others proclaimed the appropriateness of a husband acting in his wife's behalf, based on the principle of *ishto ke-gufa* ("his wife is as himself").²⁷

Several things can be learned from this survey of responsa. First, all the cited authorities agree that women ought to recite *birkhat ha-gomel*, and are forced to find an explanation for the custom among women in most Jewish communities not to do so. Some of the reasons given seem somewhat contrived, but they constitute legitimate attempts to make sense of socioreligious behavior that contravenes prescribed law. In the development of Halakha, there are many examples of cultural factors influencing the non-actualization of a law deemed ideal from a theoretical framework. In the area of women and Halakha, for instance, three or more women are obligated or have the option (there are two opinions) of saying the grace after meals, or *birkhat ha-mazon*, with an introduction called *zimun*. However, until the last two decades or so, *zimun* for women was hardly ever utilized. Many halakic authorities from the early Middle Ages on question the discrepancy between the talmudic sources and the actual behavior of women, resorting even to assuming that the ignorance of women is a substantial contributing factor.²⁸ In attempting to understand why certain observances—or lack of them—are different from their articulation in rabbinic sources, commentators on these sources were compelled to recognize the power and pervasiveness of cultural attitudes.²⁹

Second, the expectation that women ought to recite this blessing manifests an understanding—however faint by our standards—of woman as autonomous person. It is clear from the responsa that there is either an obligation or strongly-based custom for a woman to say *birkhat ha-gomel*. No one can act for her. Woman is perceived as a full spiritual being whose relationship with God must be molded by her own efforts. Therefore others cannot act on her

behalf. The ideal form of the law on *birkhat ha-gomel* recognizes the responsibility woman has to speak in her own voice; her personhood is affirmed. This is so despite the limitations on women's independence and autonomy evident in other areas.³⁰

Third, the reasons in the responsa why women customarily fail to recite *birkhat ha-gomel* hinge on the public/private question: Can a woman recite the blessing publicly before ten? This theme, which appears in various forms in all the responsa cited, relates to the discomfort of men with women in the public sphere. This discomfort is the result of many factors: the strict differentiation of gender roles; and the illegitimate extrapolation of value from this fact. That is, since the work of the world has been divided into tasks suitable exclusively for men and others exclusively for women, the world ought always to be so structured. An additional variable is that women thus become unaccustomed to the public role, and men to seeing and accepting women as competent public persons. Finally, and perhaps most essentially, is the hierarchy of power, of weakness, submission, and passivity as opposed to initiative, domination, and action. There is a strong sexual basis to this hierarchy; the cultural limitations placed on womanhood can be seen to derive from a fear of the power of female sexuality and nurturance.³¹ This, in turn, may be a projection of the male's fear of his own sexuality. Somehow the world seems safer and less threatening when both men and women know their proper places. The public arena is normative, as is maleness; women, relegated to the private sphere, are "other." And "otherness," as Simone de Beauvoir saw most clearly, implies alienation from power.³² Lastly, a study of the responsa demonstrates that what people actually do has a significant impact on how religious law, custom, and culture develop. Tradition is the outcome of a dialectical process involving law, custom, and cultural context. The religious view that law alone determines practice is demonstrated to be untrue in the above analysis.

Why has the recitation of *birkhat ha-gomel* by women almost completely atrophied? Especially after childbirth, it seems to me, the blessing of thanksgiving offers a unique opportunity for the proclamation of the value of a distinctly feminine experience and contribution to society. Among Lubavitch Hasidim, women after childbirth routinely recite *birkhat ha-gomel* in the synagogue during the Torah reading; the same is true in some synagogues in Israel.³³ On occasion it has been done elsewhere.³⁴ But *birkhat ha-gomel* for women remains a "special request" option. Among mainstream traditional Jews, it is not recited as a matter of course and is still not expected and accepted practice. Among the Conservative synagogues I polled, rabbis told me they don't have enough *allyot* (i.e. stops in the Torah reading when a person is called up to offer the blessing on the Torah);³⁵ or women don't need to recite *birkhat ha-gomel* since they are more publicly involved in the Conservative service, or the rabbis only inform certain women for whom the blessing would be "meaningful" about the option of reciting it. These seem to be weak excuses for more

powerful underlying determinants. It must be noted that in many Conservative synagogues, men do not routinely say *birchat ha-gomel* either. Perhaps deference is valued more highly than giving the opportunity (to congregants) to offer the prayer of *birchat ha-gomel*. Certainly calling extra people up to the Torah lengthens the service and increases the possibility of noise and distraction from the reading. Or perhaps the motivation is absent due to lack of awareness. The middle-aged daughter of a prominent Conservative cantor told me she never heard of reciting *birchat ha-gomel* after childbirth, and rarely saw the blessing said at all in her father's synagogue. Obviously, not knowing led to not doing. But young people, it seems, were deliberately not taught. *Birchat ha-gomel* appears to have a low priority in some Conservative synagogues.

For Jewish women involved in the tradition, the "idea whose time has come" is the regular recitation of *birchat ha-gomel*, in all designated situations, but especially after childbirth. The "idea whose time won't go" is the ambivalence—in both modern Orthodox and Conservative synagogues—toward making such recitation a usual, accepted, expected part of the communal prayer experience. The mythology of woman as private rather than public person lingers on—not only in the religious literature, but also in deeply ingrained societal attitudes.¹⁶

For centuries the parallel oppositions of inner/outer space, female/male, nature/culture, home/society, nurture/action, emotional/rational, recipient/giver have framed our cultural outlook. They remain often unarticulated assumptions of social, religious, and cultural history, and have deeply influenced the notion in Judaism that woman's intrinsic nature is private.¹⁷

In the Jewish legal tradition, however, women are not routinely treated as non-persons. Can we then infer that much of the elimination of women from public prayer—in fact the neglect of women's prayer in general¹⁸—in the responsa is more culturally than legally mandated?

The discussion of *birchat ha-gomel* demonstrates that the myth of woman as private person is not an idea held sacred in the responsa. It is an idea whose time must go, to make room for those ideas whose time has come. What must go is our interpretation of cultural custom as the absolute law, what must come is a more thorough search of the law to find support for new or renewed behaviors that more accurately reflect its versatility and variations.¹⁹

NOTES

1. Elizabeth Janeway, *Man's World, Woman's Place: A Study in Social Mythology* (New York: Dell, 1971), p. 7.

2. The verse frequently cited as a prooftext is *Kol kevodo b'telekh penima*, "All glorious is the King's daughter within the palace" (Ps. 45:14).

3. See for instance Elizabeth Janeway, *op. cit.*; Carol Gilligan, *In A Different Voice* (Cambridge, Mass.: Harvard University Press, 1982); Judith Plaskow, *Standing Again at Sinai: Judaism from a Feminist Perspective* (San Francisco: Harper & Row, 1990); the various essays in Elizabeth Koltun, ed., *The Jewish Woman* (New York: Schocken Books, 1976; Sivanah Heschel, ed. *On Being a Jew*,

15th Feminist (New York: Schocken Books, 1983); Judith Plaskow and Carol P. Christ, coeditors, *Womanspirit Rising* (San Francisco: Harper & Row, 1979); *Weaving the Histories* (San Francisco: Harper, 1987); Rachel Blau, *Women and Jewish Law* (New York: Schocken, 1984); Blu Greenberg, *On Women and Judaism* (Philadelphia: Jewish Publication Society, 1981); Moshe Meiselman, *Jewish Woman in Jewish Law* (New York: Ktav, 1978); Friederig and Schapiro, ed., *The Modern Jewish Woman* (New York: Lubavitch, 1981); Maggie Scarf, *Unfinished Business: Pressure Points in the Lives of Women* (New York: Ballantine Books, 1980); Jean Baker Miller, *Toward a New Psychology of Women*, second edition (Boston: Beacon Press, 1986).

4. See, for instance, Carol Gilligan, *op. cit.*; Maggie Scarf, *op. cit.*; and Moshe Meiselman, *op. cit.*

5. The relationship of historical and cultural factors in the ongoing formation of Halakhah is the crucial issue here.

6. The early authorities are called *rishonim*, they are generally understood to be commentators on the Gemara and writers of responsa literature from the eleventh to fifteenth centuries. The *rishon* holding the opinion cited here is the *Rosh* on Berakhot 59.

7. See *Gilyon Ha-Shas* on Berakhot 54b; Rashi on Ketubot 76.

8. Other reasons are given in the *Encyclopedia Talmudic*, vol. 4, S.Y. Zevin, ed. (Jerusalem: Talmudic Encyclopedia Pub. Ltd., 1962), p. 318.

9. *Me'ahava*.

10. Abraham Eisenberg, Polish rabbi (1637-1683).

11. The period of the *aharonim* is approximately from the sixteenth century to the present.

12. Compiled by Joseph Caro (1488-1475), with glosses by Moses Isserles (1525-1572).

13. Rabbi Haim Benvenisti of Turkey (1603-1673) was known as the Keneset Ha-Gedolah, the name of a unique halakhic work he authored. It consists of analyses of the codes of the Tur and Beit Yosef.

14. Psalms, 45:14. See footnote 2. But note the talmudic dictum, *Divre Torah me-divre kabbalah lo yaffinin*, i.e., principles of law cannot be derived from the Prophets or Writings. Nonetheless, this verse from Psalms is frequently cited as "proof" of the preferred or mandated private arena of women's activities, as well as of woman's intrinsic "nature."

15. Quoted in Elyakim Ellinson, *The Woman and the Commandments*, pt. 1 (Jerusalem: The Jewish Agency, 1979 [Hebrew]), p. 137. The translation is mine. Also cited with addition in *Magenet Aretz: Shulchan Arukh, Orach Haim* (New York, 1939), which contains the commentary of the Magen Avraham, p. 164 (Hebrew).

16. *Loc. cit.*

17. See *Encyclopedia Talmudic*, *op. cit.*, for a discussion of these options.

18. Why does Benvenisti say, "before one man or several women"? It is clearly preferable to recite *birchat ha-gomel* before as many persons as possible ("an assembly"), minimally ten. But if one follows the minority ruling (or the "after the fact" ruling), one has met the requirements of the proper recitation of the blessing even if said before a group smaller than ten (see *Encyclopedia Talmudic*, *op. cit.*, p. 118). And if "modesty" is a problem when a woman is before an assembly of men, she may recite the blessing before even one man, or as many women as she wishes (fewer or greater than ten).

19. As quoted in Ellinson, *op. cit.* The word used is *nihtaya*.

20. Note his reasoning. Rabbinic authorities have the power to prohibit that which is optional.

21. Rabbi Ya'akov Haim Soffer of Baghdad and Jerusalem (1870-1939).

22. Ellinson, *op. cit.*, p. 137. The translation is mine.

23. Rabbi Meir Ha-Cohen Israel (Kagan) (1838-1933).

24. Ellinson, *op. cit.* The translation is mine.

25. Rabbi Michel Halevi Epstein (1829-1908).

26. *Arukh Ha-Shulchan*, pt. 1 (New York: Feldheim, 1950), *siman* 219, 6, p. 173.

27. See Ellinson, *op. cit.*, pp. 137-138.

28. The discussion about women and *siman* occurs primarily in two places in the talmudic literature, Berakhot and Erukhin. See Mishnah Berakhot 6:2, T.B. Berakhot 35b and Erukhin 1a, especially Tosafot on Berakhot 35b. For a summary of various early and later authorities, see Ellinson, *op. cit.*, pp. 77-80 and Joel B. Wolowelsky, "The Eating Fellowship: An Exploration," *Tradition* 16, Spring 1977, pp. 75-82.

29. For other examples affecting women's issues see Naomi G. Cohen, "Women and the Study of Talmud," *Tradition* 24, Fall 1988, pp. 28-38; Arceh A. Frimer, "Women and Minyan," *Tradition* 23, Summer 1988, pp. 54-78; Rochelle L. Millen, "Women and Kiddush: Reflections on Responsa," *Moshav-Jachad* 10, Spring 1979, pp. 193-203; Elizabeth Plaskow, *Standing Again at Sinai: Judaism from a Feminist*