**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Deracheha: Women and Mitzvot**

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Dedicated in memory of Rabbi Jack Sable z”l and

Ambassador Yehuda Avner z”l

By Debbie and David Sable

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**Learning Torah II: Obligation**

**What is a woman's obligation in Torah study?**

**By Deracheha Staff; Laurie Novick, Director**

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# **Does Exemption Become Prohibition?**

There is no dispute that women are exempt from the Torah mitzva of *talmud* *Torah*.[[1]](#footnote-1) However, the mishna in Sota records two positions regarding the mitzva of *talmud* *Torah* for women on a rabbinic level. The context of the discussion in this mishna is a claim made about a suspected *sota* (lit., straying woman, viz. Bemidbar 5:11-31).

A *sota* is a player in a halachic tragedy: a woman witnessed secluding herself with a man other than her husband in violation of an official injunction issued at her husband's behest. The husband may pursue his claim all the way to the Temple, where, in a shaming ordeal, God's own name is erased into water that the woman drinks, in order to restore faith between the couple. If guilty of adultery, the woman and her illicit partner die a death administered by God. The mishna here explains that when a woman in this situation has other merits, those merits can suspend her Divine punishment for years:

Mishna Sota 3:4 From here Ben Azzai says: A man is obligated to teach his daughter Torah, [so] that if she drinks [the *sota* water] she will know that [it is] the merit [that] suspends [punishment] for her. Rabbi Eliezer says: Anyone who teaches his daughter Torah is teaching her *tiflut* [nonsense or lewdness].

In context, Ben Azzai maintains that a woman's learning Torah is significant specifically for the woman who has committed adultery and undergoes the *sota* ordeal. Through Torah learning, she (and possibly others) will not mistake a delay in punishment for a lapse in the execution of Divine judgment.

More broadly, Ben Azzai suggests that if a woman's Torah learning has positive effects even in this extreme and tragic case, her learning would be an asset in any life situation. Thus, a father must teach his daughter Torah in general. Perhaps her learning Torah may even prevent her from becoming a *sota* to start with. Ben Azzai does not challenge the Torah's exemption of a father from the mitzva of teaching his daughter. But he does extrapolate from the benefit in the *sota* case and posit a rabbinic-level obligation for the father to teach his daughter. In his eyes, the Torah leaves room for encouraging women's Torah study.

Rabbi Eliezer strongly disagrees. A father's teaching his daughter Torah causes more trouble than it prevents. He likens it to *tiflut*, which means lewdness, or nonsense (as opposed to piety, *perishut*).

As the Talmud explains, with knowledge comes cunning, which might lead to *tiflut*:

Sota 21b Rabbi Abbahu said: What is Rabbi Eliezer's rationale? It is written "I, wisdom, dwell [in] craftiness" (Mishlei 8:12). When wisdom has entered a person, craftiness enters with it.

Emphasizing *tiflut* as nonsense more than lewdness, Meiri, a medieval Provencal Talmudic commentator, compares the woman learning to a bell, which is hollow but can produce a loud clang.[[2]](#footnote-2) A woman is presumably a beginner; beginner's knowledge tends to be shallow; a false sense of mastery can be misleading, or even dangerous.

Though he does not couch his objection to women's Torah study in the halachic language of prohibition, Rabbi Eliezer discourages it strongly.

As he appears in a range of rabbinic sources, Rabbi Eliezer is a fiery character, particularly zealous about his vision of proper transmission of Torah from teacher to student.

A story in the Talmud Yerushalmi teaches us how firmly Rabbi Eliezer held this opinion. In Rabbi Eliezer's time, a Levi might form a relationship with a non-Levi, such that his family would personally receive all of the non-Levi's tithings over the course of the year. The matron of the following story was such a "patron" of Rabbi Eliezer's family, who were *Leviim*.

Talmud Yerushalmi Sota 3:4 A matron asked Rabbi Eliezer: Why is there one sin in the story of the [golden] calf, but they die for it three [types] of death? He said to her: A woman's wisdom is only in her spindle, as it is written, "And every woman wise of heart wove [for the *mishkan*] with her hands" (Shemot 35). His son Hyrkanos said to him: For the sake of not answering her one matter from the Torah, you have lost for me 300 measures [roughly 360 liters] of the [Levite] tithe per annum. He [Rabbi Eliezer] said to him [his son]: [Better that] matters of Torah be burnt and they not be transmitted to women.

Rabbi Eliezer defies his son's matron's request. Even at considerable personal cost, Rabbi Eliezer will not teach Torah to a woman. Women's wisdom belongs outside the world of Torah learning, whether directed to the home realm, as spinning typically was, or towards communal Jewish material culture, as was the original spinning for the *mishkan*, the desert tabernacle.

In the continuation of the story, Rabbi Eliezer answers the matron's question for his students. He does not challenge her knowledge of Scripture or her question's acuity. Rather, he flatly refuses to explain complex Torah matters to women.

Although Halacha often does not follow Rabbi Eliezer's rulings, his statement that a father should not teach his daughter Torah is widely accepted, presumably because, later in the same mishna, Rabbi Yehoshua seconds Rabbi Eliezer's opinion.[[3]](#footnote-3)

### ● Why was Rabbi Eliezer so wary of women's Talmud Torah? (See Appendix 1 below.)

# **Women's Obligation**

The widely accepted ruling of Rabbi Eliezer is that women should not learn Torah. However, other sources imply that women did study Torah and may even be required to do so.

The Talmud records that in the time of King Chizkiya every boy, girl, man, and woman was expert in the laws of purity and impurity.[[4]](#footnote-4) This assertion would seem to contradict Rabbi Eliezer's opposition to women's learning Torah.

Similarly, as mentioned above, the Torah clearly obligates women to attend the Torah reading of *hakhel*. That obligation would also appear to contradict Rabbi Eliezer's position. In this case, the Talmud provides a possible explanation for the apparent contradiction.

Chagiga 3a "Assemble the people: the men, the women, and the children…[that they should hear and that they should learn, and they will fear the Lord your God, and they will be careful to perform all the words of this Torah]." If 'the men' come to 'learn,' 'women' come to 'listen,' 'children'—why do they come? In order to give reward to those who bring them.

Rabbi Elazar Ben Azarya breaks down the verse regarding *hakhel* into units that he then lines up with each other. The phrase "in order that they will learn" corresponds to "the men," and "in order that they will hear" to "the women." In *hakhel*, men learn, while women merely listen.

Tosafot explain the difference between listening and learning in light of the end of the *hakhel* verse, which highlights mitzva performance.

Tosafot Sota 21b And it appears that its explanation [is] that [it is] a mitzva for the women to hear in order that they [can] know [how] to fulfill [the] command….

The obligation of women in *hakhel*, then, is to understand the Torah in order to fulfill *mitzvot*, not to learn Torah as a field for theoretical study. From Rabbi Elazar's deliberate assignment of listening (not learning) to women, the Talmud Yerushalmi infers that he rejects the view that a father must teach his daughter Torah.[[5]](#footnote-5) Rabbi Elazar Ben Azarya may join Rabbi Eliezer in objecting to women's study for its own sake, advocating women's study only for practical purposes.

Perhaps Rabbi Eliezer's objection to women's study would still allow for women's exposure to Torah in order to observe *mitzvot*. That understanding of Rabbi Eliezer would resolve the apparent contradiction between his position and the commandment of *hakhel*.

The early-thirteenth century pietistic work Sefer Chasidim makes exactly this argument:

Sefer Chasidim 313 A man is obligated to teach his daughters the *mitzvot*, such as halachic rulings. And that which they said, that he who teaches a woman Torah is as though he teaches her *tiflut*, that [refers specifically to] depth of Talmud and reasons for commandments and secrets of the Torah. Those we do not teach to a woman and to a minor. But the laws of *mitzvot* he should teach her, for if she will not know the laws of Shabbat, how will she keep Shabbat? And similarly all *mitzvot*, in order to perform [them and] to be careful [in observing] the *mitzvot*.

According to Sefer Chasidim, there is an obligation for a father to teach his daughter Halacha, so that she can keep it. Sefer Chasidim argues that, from the outset, Rabbi Eliezer had in mind only to rule out the depths of Talmud study, philosophical speculation about *mitzvot*, and *kabbala*. Those areas of study are off limits to women; Halacha-oriented learning is not.

# **Text Study vs. Informal Transmission**

Though Rabbi Eliezer might concede that women must learn Torah at least to the extent necessary for fulfilling Halacha, how to accomplish that goal remains unclear. Even if women must learn practical halachot, perhaps this should not be accomplished through text study. Torah study is not exclusively textual. As discussed in [our introduction](https://etzion.org.il/en/women-and-halacha-why-it-important-women-engage-directly-halachic-texts), there are two classic modes for transmitting Judaism, text study and mimesis, the latter referring to learning through informal, imitative transmission.

Maharil, great halachic authority of late-fourteenth to early-fifteenth century Ashkenaz, argues that women do and should learn Halacha chiefly through mimesis.

Responsa Maharil siman 199 And if [you suggest formal study in order] that they should know to perform *mitzvot*, they can learn the key points and the rules through received tradition. And when they have a doubt they will ask a halachic authority. As we see in our generation, that they are quite expert in the laws of salting and rinsing [meat after slaughter] and removing the sciatic nerve and the laws of *nidda* and the like, and everything through the received tradition from their environment.

To put his comments in context, it is important to note that Maharil is wary in general of disseminating halachic works to the unlearned masses. He actively opposes the composition of halachic summary books in the vernacular.[[6]](#footnote-6) He defends his opposition to mass textual study by arguing that women traditionally develop real halachic expertise through informal transmission.

While he concedes that a mimetic tradition is fallible, he believes that rabbinic intervention, and not text study, should correct any errors:

New Responsa Maharil 93 Leave it to them, to the daughters of Israel, [for] if they are not prophetesses, they are daughters of prophetesses. And from their youth they are expert in accordance with their mothers and their teachings. And the root of most rabbinic stringencies is that many daughters and wives of the unlearned are lenient. Therefore, it is incumbent upon every sage and student of the sages to inform them and to separate them from that which is prohibited and to guide them in the straight path, at the least the members of his household, and they will inform their friends…

Other halachic authorities disagree, advocating formal study as a means for women to perfect knowledge of practical *mitzvot*. For example, a student of Rav Yitzchak of Corbeil, a major Tosafist who preceded Maharil by roughly a hundred years, cites Rav Yitzchak as follows:

Sefer Mitzvot Katan (SeMa"K), Introduction [H]e also wrote for women the *mitzvot* that apply to them, positive and negative, and they will benefit from reading and learning them precisely, just as occupation with Talmud benefits men.

The claim is that women's mitzva performance has as much to gain from text study as does men's.

Interestingly, Maharil himself cites this ruling as partial grounds for women to make the blessings on Torah each morning (an issue we'll revisit in a forthcoming *shiur*).[[7]](#footnote-7) Although Maharil disagreed with this position, he recognized its halachic plausibility.

In his glosses to the Shulchan Aruch, Rema rules that women are obligated to learn the laws applying to us:

Rema Y. D. 246 And in any case the woman is obligated to learn laws that apply to a woman.

Rema does not resolve the debate. He gives no indication of *how* women should approach learning these laws, through mimesis alone or also through text study.

### ● How Should Women Learn Torah? (See Appendix 2 below)

**Next Week**: Learning Torah III: Openings:

What early opportunities developed for women’s formal Torah study? On what basis?

**Further Reading**

1. Wolowelsky, Joel, ed. *Women and the Study of Torah*. New York: Ktav, 2001.

2. Harvey, Dr. Warren Z., "The Obligation of Talmud on Women According to Maimonides," *Tradition* 19:2 (Summer 1981), pp. 122-130.

<http://traditionarchive.org/news/originals/Volume%2019/No.%202/The%20Obligation%20Of%20Talmud.pdf> .

3. Zolty, Shoshana. *And All Your Children Shall Be Learned: Women and the Study of Torah in Jewish Law*. Northvale, NJ: Jason Aronson, 1997.

4. גוטל, הרב נריה. "תלמוד תורה לנשים", מתוך **טל לישראל**, ערך: מיכאל שטיגליץ, עמ' 41‑64. מרכז שפירא: המכון התורני אור עציון, תשס"ה.

5. הנקין, הרב יהודה. **שו"ת בני בנים***,* חלק ג, סימן י"ב. צור אות: ירושלים, 1998.

6. רוזנפלד, ב., עורך. **האשה וחינוכה**. כפר סבא: אמנה, 1980.

7. שבט, הרב ארי יצחק, "אגרת חדשה של הרב קוק בנושא תלמוד תורה לנשים." מתוך **מאורות ליהודה**, ערך: מ. רחימי. אלקנה: אורות ישראל, תשע"ב, עמ' 343‑362.

<http://asif.co.il/download/haravarishvat%20(2).pdf>

8. שילת, מ., עורך. **את עלית: אוצר שיחות מהרבי מליובאוויטש זצ"ל לנשים ונערות**, פרקים ג-ד. כפר חב"ד: מ. שילת, תשע"ד.

9. Sources gathered by Rav Dr. Aryeh Frimer:

<http://archive.bermanshul.org/frimer/SpireBW200_1S040.pdf>

### ● Appendix 1: Why was Rabbi Eliezer so wary of women's Talmud Torah?

*One possible approach to this question is historical. We might be tempted to suggest that the inferior social and educational status of women in his day shaped Rabbi Eliezer's perspective on women learning Torah.*

*However, Rabbi Eliezer's wife, Imma Shalom, appears in the Talmud as a thoughtful and powerful personality of great lineage. In the story cited above, the matron's social status is high; Rabbi Eliezer's own son depends on her generosity. Furthermore, Rabbi Eliezer recognizes that the matron's questions are good questions. Indeed, they are worthy of answers, when his* male *students ask them.*

*Even were it simple to historically contextualize Talmudic statements, these biographical points would confound efforts to do so here.*

*A second approach to understanding Rabbi Eliezer's perspective is essentialist, highlighting perceived essential distinctions between men and women. It is clear from his reference to women's wisdom at the spindle that Rabbi Eliezer sees women's fields of wisdom as distinct from men's.*

*Elsewhere, the Talmud presents a debate about nature versus nurture and cognitive maturity (for making vows). One position claims that male cognitive development proceeds faster than females', because a boy's educational opportunity advances him.[[8]](#footnote-8) A second view, associated with Rabbi Yehuda Ha-nasi, claims that females develop cognitively faster than males, for essentialist reasons:*

Nidda 45b There is more discernment [*bina*] in a woman than in a man.

*Halacha rules in accordance with the position that a female's vows are considered binding at an earlier age than those of males. Many rabbis have seized on and developed the essentialist idea brought to justify that ruling. For example, the Maharal of Prague contrasts a woman's* bina*, which he translates as raw intelligence, with a man's more abstract intelligence.[[9]](#footnote-9) Rav Kook references* bina *too, arguing that women have less need for formal study than men.[[10]](#footnote-10)*

*Rav Baruch Ha-levi Epstein, author of the Torah Temima, suggests that the Talmudic dictum, "*Nashim da'atan kala alehen*," "Women, their minds* [da'atan] *are light [i.e., easily susceptible to influence from outside pressures],"[[11]](#footnote-11) implies that women have a cognitive disadvantage compared to men. Rav Epstein attempts to reconcile a woman's* da'at *deficit with her surplus* bina *by suggesting that* bina *and* da'at *represent different types of thinking. So, for example, he considers Torah* she-be'al peh *to be essentially less suited to a woman's* bina *than Torah she-bichtav.[[12]](#footnote-12)*

*Translating these essentialist ideas into a more current idiom, one could argue that men and women, on the whole, have different cognitive styles. Our sages may relate to these in their different formulations of men's and women's relationship to study.[[13]](#footnote-13)*

*A third approach to understanding Rabbi Eliezer sees his perspective as rooted in his oft-repeated, rigid view on the proper transmission of Torah from teacher to student.[[14]](#footnote-14) Statements to this effect appear in a few passages. Rabbi Eliezer was opposed to divergence from the teacher-student model in which he himself learned and taught. Female presence among the students would be another example of unacceptable divergence from the tradition he fought to conserve.*

### ● Appendix 2: How Should Women Learn Torah?

*While women are not obligated in the formal mitzva of* Talmud Torah*, women are obligated to learn practical* halachot*. Rabbi Eliezer's opposition to women's study of Torah does not preclude learning* halachot*. The question has long been: how?*

*Mimetic learning is well suited to preserving custom and detail. However, it can also lend itself to misunderstanding or to exaggeration over time, in the direction of leniency or of stringency.*

*The debate regarding which is the most effective corrective for the shortcomings of informal transmission*—*rabbinic intervention alone or a combination of rabbinic intervention and formal study*—*is long-standing. Unsolicited rabbinic intervention is unlikely to be heeded or to be comprehensive. Formal study may have deeper reach, but can also lead to* *mistaken conclusions, unless there is ongoing expert guidance.*

*The debate about how women should learn continues today.*

1. See however, Rav Efraim Halivni, *Bein Ha-ish Le-isha*. Jerusalem: Shai, 2007. He argues that the midrashic teaching in Kiddushin 30a that takes *'beneichem'* to exclude grandchildren is a dissenting opinion, opposed to that of the Sifrei. [↑](#footnote-ref-1)
2. Beit Ha-bechira, Sota 20a And she thinks that she has achieved [deep knowledge] and clangs like a bell to show her wisdom to all. [↑](#footnote-ref-2)
3. Mishna Sota 3:4 Rabbi Yehoshua says: A woman prefers one measure and lewdness to nine measures and piety. [↑](#footnote-ref-3)
4. Sanhedrin 94b They checked from Dan to Be’er-Sheva and did not find an ignoramus. From Gevat to Antipras and did not find a male or female child man or woman who were not expert in the halachot of impurity and purity. [↑](#footnote-ref-4)
5. Talmud Yerushalmi Sota 3:4 And Ben Azzai is not like Rabbi Elazar Ben Azarya. [↑](#footnote-ref-5)
6. New Responsa Maharil 93. [↑](#footnote-ref-6)
7. New Responsa Maharil 45b. [↑](#footnote-ref-7)
8. Nidda 45b R. Shmuel son of Yitzhak said: Since the boy is found in his teacher's home, cunning enters him first.

   Note that the term "cunning" here does not seem to have the same negative connotation as it did in the passage from Sota discussed above. [↑](#footnote-ref-8)
9. Maharal, Chiddushei Aggadot, Nidda 45b For the man has *sechel* and exceeding wisdom—namely, abstract intelligence—but a woman is more prepared to receive raw intelligence. [↑](#footnote-ref-9)
10. הרב ארי יצחק שבט, "אגרת חדשה של הרב קוק בנושא תלמוד תורה לנשים." מתוך **מאורות ליהודה**, ערך: מ. רחימי. אלקנה: אורות ישראל, תשע"ב, עמ' 343‑362.

    <http://asif.co.il/download/haravarishvat%20(2).pdf> [↑](#footnote-ref-10)
11. For example, Shabbat 33b. [↑](#footnote-ref-11)
12. Torah Temima Devarim 11 Note 48 For the faculties of knowledge and discernment are different…and therefore even though women have strength of extra discernment but their knowledge…is light… [↑](#footnote-ref-12)
13. For the classic work on gender differences in learning, see Carol Gilligan, *In a Different Voice: Psychological Theory and Women’s Development*. Cambridge: Harvard University Press, 1982. [↑](#footnote-ref-13)
14. For example:

    Sukka 28a And I never said anything that I didn't hear from my Rabbi. [↑](#footnote-ref-14)