YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**TORAH STUDY**

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**Shiur #11: Women, Children and the Purpose of Torah Study**

Who is bound by the mitzva of *talmud Torah*? The Gemara (*Kiddushin* 29b) analyzes the Mishna’s statement that every father is obligated to teach his son Torah.

“To teach him Torah” — from where do we know this? Because it is written (*Devarim* 11:19) “And you shall teach (*ve-limadtem*) your sons.” And if his father did not teach him, he must teach himself, for it is written (ibid. 5:1), “And you shall study” (*u-lmadtem*).

How do we know that she [the mother] has no duty [to teach her children]? Because *ve-limadtem* and *u-lmadtem* are written the same: whoever is commanded to study, is commanded to teach; whoever is not commanded to study, is not commanded to teach.

And how do we know that she is not bound to teach herself? Because *ve-limadtem* and *u-lmadtem* are written the same: the one whom others are commanded to teach is commanded to teach oneself; and the one whom others are not commanded to teach, is not commanded to teach oneself.

How then do we know that others are not commanded to teach her? Because it is written: “And you shall teach them your sons” — but not your daughters.

Still, medieval authorities dispute whether women nonetheless remain obligated in a limited scope of Torah study. *Sefer Chasidim* (313, 835) contends that women are obligated to learn the laws that are practically relevant to them. Maharil (199) disagrees, arguing that women can suffice by observing the practices of their mothers. Rema (*YD* 246:6) rules in accordance with *Sefer Chasidim*. It is unclear, however, how we are to understand the nature of this obligation. According to *Sefer Chasidim*, are women entirely exempt from the obligation of *talmud Torah* and bound to study relevant *halakhot*, or are they in fact partly obligated in the mitzva of *talmud Torah*?

It would appear that this question is subject to a dispute among the Acharonim. *Beit Ha-Levi* (1:6) and *Avnei Nezer* (*YD* 352) maintain the former view. In the *Beit Ha-Levi*’s formulation, women’s study of relevant laws is merely a *hekhsher mitzva*, preparation to fulfill the commandment. That they are obligated to study these *halakhot* has no bearing on the mitzva of *talmud Torah* per se.

*Beit Yosef* (*OC* 47) disagrees, arguing that women are obligated in *talmud Torah* vis-a-vis practically-oriented *mitzvot*. On this basis, *Beit Yosef* rules that whereas women are generally not permitted to recite *birkhot ha-mitzva* upon a mitzva from which they are exempted, they nonetheless are obligated to recite *Birkhot Ha-Torah* prior to Torah study. *Beit Yosef*’s ruling is predicated on the assumption that there are two aspects of the mitzva of *talmud Torah*: Torah for its own sake, and Torah for the sake of mitzva observance. When the Gemara *Kiddushin* exempts women from the obligation of *talmud Torah*, it does so merely in regard to the former, namely the intrinsic obligation of Torah study. According to *Sefer Chasidim* and Rema, they remain obligated in the practice-oriented dimension of this mitzva.

Professor Zev Harvey offers another significant, if not entirely convincing, suggestion along similar lines, in an article originally published in 1981.[[1]](#footnote-1) Professor Harvey points to an apparent contradiction regarding the position of Rambam. On the one hand, Rambam clearly rules that women, generally speaking, ought not be taught Torah. At the same time, Rambam maintains that study of Halakha, which “everyone may know, small and great, man and woman, the broad-minded and the narrow-minded,” is a necessary prerequisite for the study of metaphysics (*Hilkhot Yesodei Ha-Torah* 4:13). In this passage, Rambam suggests that women can access *talmud Torah* on a high level. What is more, such study is a crucial starting point on the path toward achieving the love of God, a mitzva in which women are obligated. Harvey argues that apparently, there must be some distinction that Rambam intends to draw, and that, far from prohibiting or even exempting women entirely from the obligation to study, Rambam in fact obligates women in study on the basis on the mitzva of *ahavat Hashem*. As to the precise nature of Rambam’s distinction, Harvey leaves that question open.

In truth, Professor Harvey’s reading of Rambam seems strained. It is difficult to see how Rambam would write so negatively regarding women and Torah study in *Hilkhot Talmud Torah* (1:13) if he intends to obligate women in some parts of the obligation of Torah study. Since *Hilkhot Talmud Torah* is dedicated to the topic, why would he leave his true thoughts on the matter for the esoteric *Hilkhot Yesodei Ha-Torah?* More likely, Rambam means to say that women can achieve a basic level of understanding of Halakha, but that, at least in Rambam’s time, they were likely to misconstrue that meaning and therefore, as a general rule, should not be taught Halakha.

Still, Professor Harvey’s larger point about *talmud Torah* and *ahavat Hashem* remains. One might argue that once we make the claim that women may be taught *Torah She-be’al Peh* in contemporary times, women who study Torah fulfill not only the mitzva of *talmud Torah* but also that of *ahavat Hashem*. What is more, as we demonstrated in previous *shiurim*, for Rambam and others, love of God is an essential component of the mitzvaof Torah study. Thus, from the perspective of *ahavat Hashem*, we can make the argument that women ought to — and do — have an essential share in this mitzva.[[2]](#footnote-2)

**Children**

All minors are exempt from *mitzvot*, but as we have seen, *talmud Torah* is special. The study of children is lauded by the Gemara as being of the utmost significance. In the final quarter of the day, God Himself studies with children (*Avoda Zara* 3b). Children are considered God’s “anointed ones” (*Shabbat* 119b). Jerusalem was destroyed because the children neglected their study. The world only exists because of the study of children; we do not interrupt their study even for the construction of the Temple, and we destroy any town that does not set their children to learning (ibid.). Divine anger is transmuted to compassion when God sees the study of children and Torah scholars (*Kalla Rabbati* 2:2). According to one *midrash*, before engaging in prayer, Mordekhai gathers the Jewish children for study (*Sifrei De-aggadeta*, *Esther* 4).

What is more, there are halakhic discussions surrounding the parameters of the urgency of children’s learning. To take just one example, *Megilla* 29a rules that we cancel Torah study for funerals and weddings. Rosh (*Moed Katan* 3:61) cites the view of R. Yom Tov of Joigny, who rules that, in light of the *sugya* in *Shabbat*, this ruling does not apply to yeshivastudents.

Why is children’s study so highly valued in rabbinic literature? One might suggest that without the learning of children, the future is lost. While this seems a reasonable explanation, some of the *sugyot* imply that even more is at stake. Quite literally, children’s learning is the foundation of the world. Hearkening back to R. Chayim Volozhin’s conception of *talmud Torah* as upholding the world, we might suggest that this is particularly true of children. Indeed, *Nedarim* 32a, which declares that if not for Torah study the universe would collapse and which Rav Chayim cites to great effect, closely parallels the passage which states that the world only subsists due to the breath of young Torah students.

On this basis, Maharal (*Netivot Olam*, *Netiv Ha-Torah* 10, s.v. *Ve-al*) suggests that children are particularly well-positioned to “uphold” the world due their lack of sin (see *Shabbat* 119b). Adults, by definition, are stained by sin and therefore not purified by the physicality of this world. Children, who are untainted, are not constrained by this impurity and are better positioned to play this cosmic role. It therefore emerges that the Gemara’s treatment of children’s Torah study dovetails particularly well with R. Chayim’s position regarding the existential importance of *talmud Torah*.

1. *Tradition* 19:2. Available at <https://www.lookstein.org/professional-dev/obligation-talmud-women-according-maimonides/>. [↑](#footnote-ref-1)
2. HaRav Amital makes a similar argument, contending that women are in fact obligated to study nowadays due to the larger imperative of *avodat Hashem*. See his article, “In Depth Torah Study,” available at <http://etzion.org.il/en/depth-torah-study>. [↑](#footnote-ref-2)