

The Scope of Torah: Aggadah, Normativity, Madda, Part I:

Why Study Torah?

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1. Rambam, Laws of Torah Study, chapter 1 (trans. chabad.org)

6. At what age is a father obligated to teach [his son] Torah? When he begins to speak, he should teach him *Torah tzivah lanu Moshe...* ([Deuteronomy 33:4](#)) and *Shema Yisrael...* (*ibid.* 6:4).

Afterwards, he should teach him [selected verses], little by little, verse by verse, until he is six or seven - depending on his health - [at which time] he should take him to a teacher of young children.

7. If it is local custom for a teacher of young children to take payment, he should be paid. [The father] is obligated to pay for his instruction until he can read the entire written Torah. In a place where it is customary to receive a wage for teaching the written Torah, one is permitted to do so. However, it is forbidden to take a wage for teaching the Oral Law, as [implied by [Deuteronomy 4:5](#)]: "Behold, I have taught you laws and statutes, as God commanded me." [Our Sages teach that Moses was implying:] Just as I learned at no cost, so, too, have you been taught from me at no cost. Teach the coming generations in a like manner. Teach them at no cost as you have learned from me."

[Nevertheless,] if a person cannot find someone to teach him at no cost, he must pay for his studies, as [implied by [Proverbs 23:23](#)]: "Buy truth." May he charge to teach others? We learn [*ibid.*]: "but do not sell." Thus, it can be derived that it is forbidden to charge to teach Torah even though one's teacher charged to instruct him.

8. Every Jewish man is obligated to study Torah, whether he is poor or rich, whether his body is healthy and whole or afflicted by difficulties, whether he is young or an old man whose strength has diminished.

Even if he is a poor man who derives his livelihood from charity and begs from door to door, even if he is a husband and [a father of] children, he must establish a fixed time for Torah study during the day and at night, as [[Joshua 1:8](#)] commands: "You shall think about it day and night."

9. The greater Sages of Israel included wood choppers, water drawers, and blind men. Despite these [difficulties], they were occupied with Torah study day and night and were

1. רמב"ם הל' תלמוד תורה פרק א

הלכה ו

מאימתי אביו חייב ללמדו תורה משיתחיל לדבר מלמדו תורה צוה לנו משה ושמע ישראל, ואחר כך מלמדו מעט מעט פסוקים פסוקים עד שיהיה בן שש או בן שבע הכל לפי בוריו, ומוליכו אצל מלמד התינוקות.

הלכה ז

היה מנהג המדינה ליקח מלמד התינוקות שכר נותן לו שכרו ה, וחייב ללמדו בשכר עד שיקרא תורה שבכתב כולה *, מקום שנהגו ללמד תורה שבכתב בשכר מותר ללמד בשכר, אבל ו תורה שבעל פה אסור * ללמדה בשכר שנאמר ראה למדתי אתכם חוקים ומשפטים כאשר צוני ה' וגו' מה אני בחנם למדתי אף אתם למדתם בחנם ממני וכן כשתלמדו לדורות למדו בחנם כמו שלמדתם ממני, לא מצא מי שילמדו בחנם ילמדו בשכר שנאמר אמת קנה, יכול ילמד לאחרים בשכר תלמוד לומר ואל תמכור, הא למדת שאסור לו ללמד בשכר אף על פי שלמדו רבו בשכר.

הלכה ח

כל איש מישראל חייב בתלמוד תורה בין עני בין עשיר בין שלם בגופו בין בעל יסורין בין בחור בין שהיה זקן גדול שתשש כחו אפילו היה עני המתפרנס מן הצדקה ומחזור על הפתחים ואפילו בעל אשה ובנים חייב לקבוע לו זמן לתלמוד תורה ביום ובלילה שנאמר והגית בו יומם ולילה.

הלכה ט

גדולי חכמי ישראל היו מהן חוטבי עצים ומהן שואבי מים ומהן סומים

included among those who transmitted the Torah's teachings from [master] to [student in the chain stretching back to] Moses, our teacher

10. Until when is a person obligated to study Torah? Until the day he dies, as [Deuteronomy 4:9] states: "Lest you remove it from your heart, *all* the days of your life." Whenever a person is not involved with study, he forgets.

11. A person is obligated to divide his study time in three: one third should be devoted to the Written Law; one third to the Oral Law; and one third to understanding and conceptualizing the ultimate derivation of a concept from its roots, inferring one concept from another and comparing concepts, understanding [the Torah] based on the principles of Biblical exegesis, until one appreciates the essence of those principles and how the prohibitions and the other decisions which one received according to the oral tradition can be derived using them. The latter topic is called *Gemara*.

12. How is the above expressed? A person who is a craftsman may spend three hours each day involved in his work, and [devote] nine hours to Torah study: In those nine hours, he should spend three reading the Written Law; three, the Oral Law; and three, meditating with his intellect to derive one concept from another.

The "words of the prophetic tradition" are considered part of the Written Law; and their explanation, part of the Oral Law. The matters referred to as *Pardes* are considered part of the *Gemara*.

The above applies in the early stages of a person's study. However, when a person increases his knowledge and does not have the need to read the Written Law, or occupy himself with the Oral Law constantly, he should study the Written Law and the oral tradition at designated times. Thus, he will not forget any aspect of the laws of the Torah. [However,] he should focus his attention on the *Gemara* alone for his entire life, according to his ambition and his ability to concentrate.

13. A woman who studies Torah will receive reward. However, that reward will not be [as great] as a man's, since she was not commanded [in this mitzvah]. Whoever performs a deed which he is not commanded to do, does not receive as great a reward as one who performs a mitzvah that he is commanded to do.

Even though she will receive a reward, the Sages commanded that a person should not teach his daughter Torah, because most women cannot concentrate their

ואף על פי כן היו עוסקין בתלמוד
תורה ביום ז' ובליילה והם מכלל
מעתיקי השמועה איש מפי איש מפי
משה רבינו .
הלכה י

עד אימתי חייב ללמוד תורה עד יום
מותו * שנאמר ופן יסורו מלבבך כל
ימי חיידך, וכל זמן שלא יעסוק בלימוד
הוא שוכח .

הלכה יא
וחייב לשלש את זמן למידתו, שליש
בתורה שבכתב, ושליש בתורה שבעל
פה, ושליש יבין וישכיל אחרית דבר
מראשיתו ויוציא דבר מדבר וידמה
דבר לדבר ויבין במדות שהתורה
נדרשת בהן עד שידע היאך הוא עיקר
המדות והיאך יוציא האסור והמותר
וכיוצא בהן מדברים שלמד מפי
השמועה, וענין זה הוא הנקרא גמרא .
הלכה יב

כיצד היה בעל אומנות והיה עוסק
במלאכתו שלש שעות ביום ובתורה
תשע, אותן התשע קורא בשלש מהן
בתורה שבכתב ובשלש בתורה שבעל
פה ה' ובשלש אחרות מתבונן בדעתו
להבין דבר מדבר, ודברי קבלה בכלל
תורה שבכתב הן ופירושו בכלל תורה
שבעל פה, והענינים הנקראים פרס
בכלל הגמרא הן, במה דברים אמורים
בתחלת תלמודו של אדם אבל כשיגדיל
בחכמה ולא יהא צריך לא ללמוד תורה
שבכתב ולא לעסוק תמיד ט בתורה
שבעל פה יקרא בעתים מזומנים תורה
שבכתב ודברי השמועה כדי שלא
ישכח דבר מדברי דיני תורה ויפנה כל
ימיו לגמרא בלבד לפי רוחב שיש
בלבו וישוב דעתו .
הלכה יג

אשה שלמדה תורה יש לה שכר אבל
אינו כשכר האיש, מפני שלא נצטווה,
וכל העושה דבר שאינו מצווה עליו
לעשותו אין שכרו כשכר המצווה
שעשה אלא פחות ממנו, ואף על פי
שיש לה שכר צו חכמים שלא ילמד
אדם את בתו תורה, מפני שרוב הנשים
אין דעתם מכוונת להתלמד אלא הן

attention on study, and thus transform the words of Torah into idle matters because of their lack of understanding. [Thus,] our Sages declared: "Whoever teaches his daughter Torah is like one who teaches her tales and parables." This applies to the Oral Law. [With regard to] the Written Law: at the outset, one should not teach one's daughter. However, if one teaches her, it is not considered as if she was taught idle things.

מוציאות דברי תורה לדברי הבאי לפי עניות דעתן, אמרו חכמים כל המלמד את בתו תורה כאילו למדה תפלות, * במה דברים אמורים בתורה שבעל פה אבל תורה שבכתב לא ילמד אותה לכתחלה ואם למדה אינו כמלמדה תפלות.

2. ספר חסידים (מרגליות) סימן שיג

חייב אדם ללמוד לבנותיו המצוות כגון פסקי הלכות, ומה שאמרו שהמלמד לאשה תורה כאלו מלמדה תפלות זהו עומק תלמוד וטעמי המצוות וסודי התורה אותן אין מלמדין לאשה ולקטן, אבל הלכות מצוות ילמד לה שאם לא תדע הלכות שבת איך תשמור שבת וכן כל מצוות כדי לעשות להזהר במצוות.

2. Sefer Hasidim 313

A person must teach his daughters the commandments such as the decided Halakhah. That which they wrote, that "one who teaches a woman Torah is like teaching her *tiflut*," this is true for the depth of the Talmud and the reasons for the commandments and secrets of Torah, which we do not teach to women and children. But the laws of the commandments we do teach her, because if she does not know the laws of Shabbat how will she keep Shabbat? And the same for all commandments – in order to make her be careful regarding them.

3. שולחן ערוך יורה דעה הלכות תלמוד תורה סימן רמו סעיף ו

אשה שלמדה תורה יש לה שכר, אבל לא כשכר האיש, מפני שאינה מצווה ועושה. ואף על פי שיש לה שכר, צו חז"ל שלא ילמד אדם את בתו תורה, מפני שרוב הנשים אין דעתן מכוונת להתלמד, ומוציאות דברי תורה לדברי הבאי לפי עניות דעתן. אמרו חכמים: כל המלמד את בתו תורה, כאילו מלמדה תפלות (פי' דבר עבירה). בד"א בתורה שבע"פ; אבל תורה שבכתב לא ילמד אותה לכתחלה, ואם מלמדה אינו כמלמדה תפלות (רמב"ם וסמ"ג ולא כמקצת ספרי הטור).

הגה: ומ"מ חייבת האשה ללמוד דינים השייכים לאשה. (אגור בשם סמ"ג). ואשה אינה חייבת ללמד את בנה תורה, ומ"מ אם עוזרת לבנה או לבעלה שיעסקו בתורה, חולקת שכר בהדייהו. (הגהות מיימוני פ"א דת"ת וסמ"ג).

3. Shulchan Arukh, Yoreh De'ah 246:6

A woman who studies Torah receives a reward, but it is not the same as the reward of a man, because she performs the command while not obligated. Although she earns a reward, our Sages directed that one should not teach one's daughter Torah, because most women's minds are not directed to being instructed, rather they are likely to divert Torah matters to senseless matters, based on the inferiority of their minds. The Sages said: "Whoever teaches his daughter Torah is as if he instructed her in matters of *tiflut*" (i.e. sinful matters). These matters are true only concerning the Oral Torah, but concerning the Written Torah it is best not to begin instructing her therein but if he did instruct her it is not as if he instructed her in *tiflut*.

Ramo: Nonetheless, a woman is obligated to study laws that are relevant to her. And a woman is not obligated to teach her son Torah. Nonetheless, if she assists her son or husband so that they may study Torah, she receives reward along with them.

4. ערוך השולחן יורה דעה סימן רמו

וכתב רבינו הרמ"א בסעי' ו' דמ"מ חייבת ללמוד דינים השייכים לאשה עכ"ל ומעולם לא נהגנו ללמדן מתוך הספר ולא שמענו המנהג אלא הדינים הידועים מלמדת כל אשה לבתה וכלתה וזה מקרוב שנדפסו דיני נשים בלשון לע"ז וביכולתן לקרות מהם ונשים שלנו זריזות דבכל דבר ספק שואלות ואינן מעמידות על דעתן אפילו בדבר קטן שבקטנות:

4. Arukh ha-Shulhan Yoreh Deah 246

Our master the Ramo wrote (at 246:6) that she is still commanded to study the laws that apply to women. And we have never had the practice of teaching women out of a book and never heard of this practice. Rather, every woman teaches her daughter and daughter-in-law the known laws. It is only recently that they published “the laws of women” in translation [i.e. Yiddish]. And they can read from them. Our women are fastidious – with any questionable matter they ask and do not rely on their judgement, even for the smallest of the small matters.

5. Leslie Ginsparg Klein, “Sarah Schenirer and Innovative Change: The Myths and Facts,”

August 14, 2017, *The Lehrhaus*, accessible at <https://www.thelehrhaus.com/scholarship/sarah-schenirer-and-innovative-change-the-myths-and-facts/>

Sarah Schenirer was born in Krakow, Poland, in 1883 to a family of Belzer hassidim. As she grew up, she watched her contemporaries—*frum* girls like her, from hassidic families like hers—assimilate at an alarming rate. Schenirer concluded that without a strong Jewish education and environment providing a grounding in tradition, girls had nothing to mediate the secular influences and ideologies they were encountering in the Polish state schools they attended. While Schenirer deeply wanted to work with girls and be a catalyst for change in her community, she did not see how that could be possible...

Schenirer wrote to her brother about her ideas, a correspondence that led to her famous meeting with the leader of her family’s hassidic sect, the Belzer Rebbe. Her brother expressed concern that Schenirer was getting involved in something too political and suggested that they approach the Belzer Rebbe for his advice. It cannot be stressed enough that the only primary source for this meeting is Sarah Schenirer’s own memoir, published in a Bais Yaakov publication. She writes as follows:



I could not get my dream of establishing a religious school for girls out of my head. At first [my brother] laughed at me. “Why do you want to start busying yourself with political parties?” he wrote back. But when I answered him that I was firmly resolved not to abandon this mission, he wrote me: “Nu, let us go to Marienbad where the Belzer Rav is now, and we will hear whether the *tzaddik* of the generation agrees to it.” There was no end to my joy. Although I did not have much money, I hurriedly prepared myself for the trip. When I arrived in Marienbad, I and my brother went immediately to the Belzer Rav. My brother, who was a ben bayis there, wrote in his kvittel: “She wants to educate Jewish daughters in the Jewish *derech*,” and I heard the answer from the *tzaddik*’s holy mouth myself: *Bracha v’hatzlacha*. The words were like the most expensive balsam oil, instilling fresh courage in my limbs. The blessing from the great *tzaddik* gave me the best hope that my strivings would be fulfilled.

Immediately after this event, Sarah Schenirer writes about starting her first school. She did not consult with any other rabbis before opening the school.

6. R. Joseph B. Soloveitchik, *Community, Covenant, and Commitment*, p. 83

As to your question with regard to a curriculum in a coeducational school, I expressed my opinion to you long ago that it would be a very regrettable oversight on our part if we were to

arrange separate Hebrew courses for girls. Not only is the teaching of Torah *she-be-al peh* to girls permissible but it is nowadays an absolute imperative. This policy of discrimination between the sexes as to subject matter and method of instruction which is still advocated by certain groups within our Orthodox community has contributed greatly to the deterioration and downfall of traditional Judaism. Boys and girls alike should be introduced into the inner halls of Torah *she-be-al peh*.

7. ספרי דברים פרשת עקב פסקא מא

ולעבדו, זה תלמוד אתה אומר זה תלמוד או אינו אלא עבודה הרי הוא אומר +בראשית ב טו+ ויקח ה' אלהים את האדם ויניחיהו בגן עדן לעבדה ולשמרה וכי מה עבודה לשעבר ומה שמירה לשעבר הא למדת לעבדה זה תלמוד ולשמרה אלו מצות וכשם שעבודת מזבח קרויה עבודה כך תלמוד קרוי עבודה, דבר אחר ולעבדו זו תפלה אתה אומר זו תפלה או אינו אלא עבודה תלמוד לומר בכל לבבכם ובכל נפשכם וכי יש עבודה בלב הא מה תלמוד לומר ולעבדו זו תפלה

7. Sifrei to Deut., Ekev 41

“And to serve Him” (Deut. 11:13) – this is study (*talmud*)... Another position: “And to serve Him” (Deut. 11:13) – this is prayer...

8. ספר המצוות לרמב"ם מצות עשה ה

והמצוה החמישית היא שצונו לעבדו יתעלה וכבר נכפל צווי זה פעמים, אמר (משפטים כג כה) ועבדתם את י"י אלהיכם ואמר (ראה יג ה) ואותו תעבדו ואמר (ואתחנן ו יג) ואותו תעבדו ואמר (ס"פ עקב) ולעבדו. ואעפ"י שזה הצווי הוא גם כן מן הציוויים הכוללים כמו שביארנו בשרש הרביעי הנה יש בו יחוד שהוא צוה בתפילה. ולשון ספרי ולעבדו זו תפילה. ואמרו גם כן ולעבדו זה תלמוד. ובמשנתו של רבי אליעזר בנו של רבי יוסי הגלילי (פרש' יב עמ' רכח) אמרו מנין לעיקר תפילה בתוך המצות מהכא את י"י אלהיך תירא ואותו תעבד. ואמרו (מדרש תנאים ממדרש הגדול פ' ראה) עבדה בתורתו עבדה במקדשו. כלומר ללכת שם להתפלל בו ונגדו כמו שבאר שלמה עליו השלום (מ"א ח דה"ב ו):

8. Rambam, Sefer ha-Mitzvot, Positive Commandment 5

The fifth position commandment is that we were commanded to serve Him, may He be exalted... And the Sifrei writes: “And to serve Him” (Deut. 11:13) – this is prayer... Another position: “And to serve Him” (Deut. 11:13) – this is study (*talmud*)...”

9. Rabbi Aharon Lichtenstein, “Women, Talmud Study, and Avodat Hashem,” *The Lehrhaus*, accessible at <https://www.thelehrhaus.com/commentary/women-talmud-study-and-avodat-hashem/>

This document records remarks given by Rabbi Aharon Lichtenstein, ztz"l, Rosh Yeshiva at Yeshivat Har Etzion, at the opening dedication, of Ma'ayanot Yeshiva High School for Girls of Bergen County, in Teaneck on November 24, 1996.

The world of the *Halakhah* is built on the condition that it is through the interaction of the broad and the minute that the totality of the human person, particularly of a Jewish person, is best built and the relation to the *Ribbono Shel Olam* is best maintained.

Now that this demand is one which is posited equally to men and to women—ועתה ישראל—The community as a whole, each and every individual, male or female, within that community. And this is the primary goal of education, certainly Torah education...

If we ask ourselves: Here are the goals! “ליראה, לאהבה, לעבד, לשמר, לדבקה, ללכת בכל דרכיו” to fear [God], to love [God], to serve [God], to cling [to Him] to go in all His ways.” What are the means? Traditionally, over the centuries, there has been a fairly sharp dichotomy precisely regarding this very issue, namely the means to be employed in relation to men versus women, even as the same goals of “ועתה ישראל” were known to be addressed to men and to women alike... This is not the occasion to examine whether that was justified historically. What is clear, however, is that notwithstanding how one judges the past retrospectively, in our present

historical and social setting we need to view the teaching and the learning of girls and women as both a major challenge, as well as a primary need...

Taking that as a principle translated to our current reality, that means, of course, that there exists an obligation for a girl to study the *halakhot* of *niddah* and *taharat ha-mishpahah*, and also *kashrut* and *Shabbat* because these impinge on her daily life. What is intended is that we need to ensure, minimally, that the depth of intensity, knowledge, and sensitivity which are needed in order to assure commitment, even if we are not interested for the moment (if that be the case) in the knowledge *per se*, but instrumentally, as molding a woman in becoming an *ovedet Hashem*, a *keli* in serving the *Ribbono Shel Olam*, that certainly needs to be studied... Moreover, today there is not only greater need, there is also greater opportunity. Greater readiness, communally speaking, to engage women seriously, intellectually in general terms and with regard to Torah particularly. We have been *zokheh* in this generation, in *Eretz Yisrael* and here as well, to see the spread of serious and intensive Torah study at levels which by and large were not prevalent only a generation or two ago. That is an opportunity which certainly we want our daughters to take seriously out of the conviction that, quite apart from assuring the fundamental *shemirat ha-mitzvot* and *yirat Shamayim*, even with that assured, out of the conviction that deepening their involvement in *talmud Torah*, that that is going to enrich and enhance them as religious personalities, as *ovdei Hashem*...

I had occasion some years ago to meet with the staff of a high school for girls... My nieces, when they used to attend that institution, would tell me that they are learning "*Toshbap*." At first I didn't know what it was. Then I realized it was an acronym for *Torah She-Be'al Peh*. And I said to those teachers: "You know, when a boy goes to Yeshiva he learns *Bava Kamma*, he learns *Bava Metzia*. He learns the Rambam, he learns Shulhan Arukh. He learns the *Ketzot*, he learns Reb Hayyims. But this '*Toshbap*,' this kind of undefined, amorphous reality, that is not meat, that is not serious."