

Various articles have appeared in *TRADITION* concerning the role of women in Judaism. Rabbi Silver, a frequent contributor, discusses an important aspect of this topic.

## MAY WOMEN BE TAUGHT BIBLE, MISHNAH AND TALMUD?

The twentieth century has witnessed, for the first time in Jewish history, the institution of schools for the religious education of girls.<sup>1</sup> Among Orthodox Jews today a thorough religious education in a yeshiva is the rule not only for boys, but for girls as well. However, this recent development has raised some Halakhic questions. What education may be given our Jewish daughters; specifically, may we teach them Bible, Mishnah and Talmud, the same subjects taught to boys?

Before going further, several terms which will be used throughout the article must be defined. The Bible, or the Written Law, is, of course, made up of the Pentateuch, the Prophets and the Hagiographa (*Ketuvim*). Mishnah, or the Oral Law, consists of the six orders of the Mishnah compiled and edited by Rabbi Yehudah ha-Nasi.<sup>2</sup> Talmud or Gemara includes not only the Palestinian and Babylonian Talmuds but also the Sifra, Sifre, Tosefta and Baraithot,<sup>3</sup> as well as the Esoteric Studies such as *Maaseh Bereshit* (Natural Sciences) and *Maaseh Merkavah* (Metaphysics).<sup>4</sup> When we speak of Torah we mean all or any part of Jewish religious learning.

In order to discuss the problem, "May Women Be Taught Bible, Mishnah and Talmud?" properly and intelligently, several questions leading up to it must be answered first. Is it obligatory to teach women Torah? Are women commanded to study Torah? May women study Torah, and do women receive any reward for studying Torah?

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### I

The Gemara *Kiddushin* 29b states, "How do we know that others are not commanded to teach women? Because it is written (Deut. 11:19) 'And you shall teach them (the laws of the Pentateuch) to your sons' (implying) but not to your daughters." The Gemara<sup>5</sup> also, deduces from the language of the passage (Deut. 11:19) that one whom others are commanded to teach is commanded to teach oneself or to learn and one whom others are not commanded to teach is not commanded to teach oneself or to learn. Thus it seems clear from the Gemara that there is no obligation to teach women Torah and women are under no obligation to study Torah.<sup>6</sup> All our major decisors, the Rosh,<sup>7</sup> Rif,<sup>8</sup> Rambam,<sup>9</sup> Semag,<sup>10</sup> Tur<sup>11</sup> and *Shulhan Arukh*<sup>12</sup> ruled accordingly.

There is, however, no prohibition against a woman studying Torah on her own and if she does, the Gemara in *Sotah* 21a states that she receives a reward for performing a meritorious deed. However, a woman is in the category of "one who is not commanded and fulfills," a somewhat lower category than "one who is commanded and fulfills."<sup>13</sup> Thus the Rambam ruled,

A woman who studies Torah will be recompensed, but not in the same measure as a man, for study was not imposed on her as duty and one who performs a meritorious act which is not obligatory will not receive the same reward as one upon whom it is incumbent and who fulfills it as a duty, but only a lessor reward.<sup>14</sup>

### II

It would now seem that our primary question, "May Women be taught Bible, Mishnah and Talmud?" would be a relatively simple matter to answer affirmatively. Nevertheless, that is not the case. The Mishnah in *Sotah* 20a teaches:

Hence declared Ben Azzai, A man ought to teach his daughter Torah so that if she must drink (the bitter water) she may know that the merit (that she has acquired) will hold her punishment in suspense. R. Eliezer says, If a man teaches his daughter Torah, it is as though he taught her *tiflut*.<sup>15</sup>

We thus see that there is a dispute between *Tannaim* whether one is permitted to teach women Torah, Ben Azzai allows it while R. Eliezer prohibits it. The Gemara in *Sotah* 21b in clarifying R. Eliezer's position explains that the reason for his stand is based on the verse (Proverbs 8:12) "I wisdom have made subtlety my dwelling," i.e., when wisdom (Torah) enters a man subtlety enters with it. Rashi, who understands the term *tiflut* to mean lechery, explains that according to R. Eliezer if a woman will be taught Torah she will acquire wisdom or subtlety and she will thus understand how to conduct immoral affairs without being found out.<sup>16</sup>

An indication of just how strongly R. Eliezer felt on the subject of teaching women Torah is found in the Palestinian Talmud *Sotah* 3:4. There it is related that a rich and intelligent woman once asked R. Eliezer: "Since all were equally associated with the offense of the golden calf why was the penalty of death not the same?"<sup>17</sup> He answered her that there is no wisdom in women except with the distaff and offered the passage (Ex. 35:25) "And all the women that were wisehearted did spin with their hands" as his proof. Even though the question was an intelligent one, R. Eliezer refused to answer her, adhering to his principle that one may not teach women Torah. His son, Hyrcanus, being more practical and probably less doctrinaire reminded his father that this woman gave the family enormous annual tithes<sup>18</sup> and perhaps it might have been better to have answered her question. Whereupon R. Eliezer retorted, "Let the words of the Torah be burnt before being handed over to women."<sup>19</sup>

Other *Tannaim* also disagreed with Ben Azzai's view that women should be taught Torah. In *Hagigah* 3a we learn that R. Eliezer ben Azariah interprets the verse in Deuteronomy 31:12, "assemble the people together, the men and the women and the children" to mean that while the men came to learn, the women came only to listen. The Palestinian Talmud<sup>20</sup> explained that he was in direct conflict with Ben Azzai. R. Joshua seems to follow R. Eliezer's reasoning in the Mishnah in *Sotah*<sup>21</sup> and openly agrees with R. Eliezer ben Azariah.

The Talmud does not make a clear cut ruling whether the Halakhah follows Ben Azzai or R. Eliezer. It was left to the

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*Rishonim* and the decisors to determine the law.

### III

While Rashi does not state his position explicitly, it appears that he leans towards R. Eliezer's position. This is evidenced by his interpretation of R. Joshua's words to be in agreement with R. Eliezer.<sup>22</sup> More indicative of Rashi's feelings on the question of women and the study of Torah is found in his story about Beruriah, the greatest woman rabbinic scholar in Jewish history. Without citing a source, Rashi relates that one day Beruriah ridiculed the Rabbinic dictum (*Kiddushin* 80b) that women are temperamentally light-headed. R. Meir, her husband, soon after ordered one of his students to test her virtue. After repeated attempts she succumbed to his advances. When she realized what she had done, she hanged herself.<sup>23</sup> In a recent book entitled *Great Jewish Women*,<sup>24</sup> Dr. Greta Fink has questioned the accuracy of this story on serious moral grounds. Be that as it may, the story is written in our edition of the Gemara as well as in the only other Rashi manuscript on *Abodah Zorah*<sup>25</sup> and whatever one may feel about the historical accuracy of the story, it nevertheless reflects Rashi's view that women's minds are not made for serious halakhic studies.

The Rambam, ruled that the Halakhah follows R. Eliezer. In the *Mishneh Torah*, *Talmud Torah* 1:3 we read:

And notwithstanding that she is recompensed (for studying Torah), yet the Sages have warned us that a man shall not teach his daughter Torah, as the majority of women have not a mind adequate for its study but, because of their limitations, will turn the words of the Torah into trivialities. The Sages said, "He who teaches his daughter Torah, it is as if he taught her trivialities." This stricture refers only to instruction in the Oral Law. With reference to the Written Law, he ought not to teach her; but if he has done so, it is not regarded as teaching her trivialities.

There are, however, two interesting observations in this passage of the Rambam. He fails to mention any stricture against teaching women Talmud and he makes a distinction between teaching women Written Law or Bible and teaching them Oral

Law or Mishnah. As for the first point, it might be answered that the Rambam felt that it was unnecessary to rule against teaching women Talmud as it is impossible for anybody to be taught Gemara if they do not know Bible and Mishnah and the Rambam forbade the teaching of both to women. However, if this answer is correct then if a woman was able to teach herself or happened to be taught Bible and Mishnah, she may then also be taught Talmud.

Concerning the second point, why the Rambam made a distinction between teaching women Bible and Mishnah has intrigued scholars for years<sup>26</sup> and a full discussion of this sidelight is beyond the scope of this paper.

The *Shulhan Arukh Yoreh Deah* 246:6 followed the Rambam verbatim. The Rama<sup>27</sup> modified or explained this Halakhah as permitting or rather requiring that women be taught the laws that concern them. The *Taz*<sup>28</sup> even permits teaching women the simple text of the Bible. However, the *Arukh HaShulhan*, an important decisor and scholar of the late nineteenth and early twentieth century, disagreed with both the *Taz* and the Rama. He writes<sup>29</sup> that women may not be taught anything from a Hebrew book but each woman should teach her daughter the laws she knows. He also encouraged women to read books which had recently been printed in secular languages that contained the laws they had to know.

In fact, Jewish women of Eastern Europe in the nineteenth and early part of the twentieth centuries received absolutely no religious education whatsoever. The situation in these countries became an anomaly. The men received an intensive education in Bible, Talmud and related subjects and received no training in any secular subjects. Jewish women, on the other hand, received no religious education but were allowed to attend secular schools where they received a thorough secular training. The natural result was that these Jewish women, having very little in common with their male counterparts, began leaving the fold. Sarah Schenirer was the first person who noted this dangerous situation and took action that averted a potential disaster. She overcame much initial religious opposition and founded the Beth Jacob Schools, a forerunner of the modern schools for religious

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Jewish education for girls.<sup>30</sup>

Historically, during other periods, religious education for girls was never as bad as in the dismal situation which existed in Eastern Europe in the nineteenth and early twentieth centuries. During the First Commonwealth, in the time of King Hezekiah, the Gemara *Sanhedrin* 94b relates that there was universal religious education not only for boys but for girls as well which included even the most difficult halakhic subjects.<sup>31</sup> Later, during the Second Commonwealth, we have several women expert in Oral Law, the foremost being Beruriah, wife of Rabbi Meir and probably second only to him in rabbinic learning. In the 11th century we find that the daughter of Rashi was highly educated in all religious subjects including Talmud as is evidenced from the fact that when Rashi was ill she read him all the learned correspondence that was sent to him from the various communities of Europe, and he dictated his replies to her.<sup>32</sup> In the East in the 12th century the daughter of the Exilarch Samuel ben Eli of Bagdad was expert in Bible and Talmud and gave instruction in these subjects to young men through a lattice. During the 15th century there was a school for the girls of Rome to learn religious subjects. Throughout the entire 15th and 16th centuries there are many documented cases of women expert in Talmudics, giving religious instruction, running yeshivas and engaging in learned correspondence with reknowned Rabbinic scholars: The wife of Jacob ben Judah Mizrahi of Mosul, Miriam Shapira the ancestress of the Luria family, Dulcie, daughter of Eliezer of Worms, Eva the grandmother of Rabbi Yair Hayyim Bacharach, and Hendelin Cohen of Breslau.<sup>33</sup> No doubt there must have been many more of whom we know nothing and many more who while learned did not reach the level of these distinguished women.

These documented cases of women Talmudic scholars present a problem. Anyone with familiarity with the subject knows that it was impossible for these women to have become expert in these difficult disciplines unless they were taught. They were all either the wives or daughters of great religious scholars and leaders. How could they disregard the Halakhah?

A possible answer can be found in a relatively unknown re-

sponsum of the 15-16th century, R. Samuel ben Elhanan Jacob Harkavlati was asked by an intelligent and learned woman if it might be permissible to teach women Torah? He answered that in some cases it is permissible. The Rambam, he explained, gave us the rule that "most women do not have a mind adequate for its study and because of their limitations will turn the words of Torah into trivialities." However, when a woman wants to study and does not spend her time in idle pursuits, then it becomes obvious that she does not fall under the general rule. In these instances it is incumbent upon us to help her, strengthen her and teach her.<sup>34</sup>

Another answer may be found in the words of the Hafets Hayyim. We have already noted the heroic work of Sarah Schenirer. One of the two rabbinic sages who gave her permission to start the Beth Jacob Schools was the Hafets Hayyim.<sup>35</sup> He stated<sup>36</sup> that the Rambam's dictum on teaching women is not an absolute and irrevocable law, but depends on time and circumstances. To quote his words completely:

It seems that all this (the Rambam's law) only applies in times gone by, where everyone lived in the same place and where our forefathers and the tradition of our fathers was very strong for each and every one to conduct themselves in the proper ways. As the Sages say, "Ask your father and he will tell you." In this situation we can say that women may not be taught Torah and she will learn how to conduct herself by emulating her righteous father. But today, when our father's tradition has become very weak and it is common that we do not have the same living traditions as our fathers did and women learn to read and write a secular language, it is an especially great *mitsvah* to teach them Bible and the traditions and ethics of our Sages like *Pirke Avot* and *Sefer Menorat ha-Maor* and the like, so that the truth of our holy heritage and religion will become evident to them, for if we do not do this they might, Heaven forbid, leave the way of the Lord and become apostate.

As a result of the efforts of Sarah Schenirer, the Hafets Hayyim and other people with similar ideas, religious education for girls became the norm. Today in America in the various religious schools for girls we find a wide range of practice. Flatbush and Ramaz teach the girls Bible, Mishnah and Talmud. In Yeshiva University High School for Girls, Bible and Mishnah are required

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courses of instruction while Talmud is an elective. In the Beth Jacob Schools only Bible is taught. In the girls' schools which follow the Satmar Rebbe, no Torah is taught at all.<sup>37</sup> In the Maimonides Yeshiva in Boston which is under the guidance of Rabbi Joseph B. Soloveitchik, girls are taught the full range of Torah studies including Mishnah and Talmud. In Israel we find the same dichotomy. Evelena de-Rothschild teaches its students Bible, Mishnah and Talmud. Michala requires Mishnah while Talmud is optional, and Horeb teaches Mishnah but under a different title. These schools operate with the approval of the Chief Rabbinate. The Beth Jacob Schools in Israel teach only Bible, as they do here in the United States while some schools in Israel, again as here in America, who follow the Satmar Rebbe do not teach their daughters any Torah studies at all.

It can be seen that throughout history the Halakhah of teaching women Torah has had various interpretations. In Mishnaic times some women were noted scholars. During Rishonic times there were a number of women who were taught the full range of religious subjects including Bible, Mishnah and Talmud. Then there is a dark age for women's education, during the 18th and 19th centuries when women were taught virtually nothing. In our day there is a reversal of this trend but still a very confused picture. What then is the Halakhah today?

It is evident from the language of the Rambam that the law which forbids teaching Torah to women is not an absolute rule but only a "warning," in the nature of good advice. That of course does not mean that we, or anyone can simply say that there is no need for or agreement with this warning. In fact, we are bound by such a ruling almost as much as by a formal command. However, there is a difference between a "warning" and a command. Under circumstances different from those which confronted the Rambam this warning or advice might not apply. This is the path followed by the great and saintly sage, the Hafets Hayyim. He therefore not only permitted teaching women Bible, but encouraged it, deeming it a great *mitsvah*. Therefore, there can be no question that today *Halakhah* demands we teach our daughters at least Bible, i.e., the Pentateuch, Prophets and Hagio-graphia plus the ethical works such as *Pirkei Avot* and any and



all laws that pertain to women in any way.

What about the Oral Law or Mishnah? Following the Hafets Hayyim's reasoning, i.e., that the Halakhah prohibiting the teaching of Torah to women applies only to previous times and does not apply today, it would seem that there can be no valid reason for prohibiting the teaching of Mishnah also. The Hafets Hayyim was faced with just the start of extensive secular education for girls, which in most instances only went up to High School level. In the above cases he probably felt that learning Bible would be enough to counteract any heretical influences that the girls might encounter in their secular schools. However, today with college and university level secular education for girls the norm, a more and a fuller range of religious studies which includes at a minimum Mishnah is necessary to counteract the negative religious influences of college and university. In addition, college and university trained young women are taught to be skeptical and questioning and will not be satisfied with only studying Bible and the rote learning of religious laws. For our religion and Jewish Halakhah to be meaningful to them in today's society they must have a fuller understanding of our heritage which can only be attained by a study of our laws in depth, i.e., the study of Oral Law.

Another factor to be considered is the relative ease with which a girl with a sound background in Bible and Hebrew, together with the numerous Mishnah translations and explanations, can learn Mishnah on her own. It would seem ludicrous and a mockery of the law to have her learn Oral Law from translations, often by non-Jews or irreligious Jews and not permit its study from religious instructors in the holy atmosphere of a Yeshiva.

These same arguments would also apply to the teaching of Talmud. Moreover, if one permits the teaching of Mishnah to women, as noted above, there is apparently no prohibition by the Rambam or the *Shulhan Arukh* against teaching women Talmud. If they know Mishnah it appears that they may also be taught Talmud.

An indication of the correctness of this position, that women may be taught Mishnah and Talmud should certain conditions prevail, can be found in the Rambam. He states<sup>38</sup> that one should

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not study Natural Science and Metaphysics unless one first studies one's own laws, especially Talmud. Today, most girls attend college and every college curriculum includes both the Natural Sciences and Metaphysics. It may therefore be incumbent upon us, possibly even according to the Rambam, to give a woman a solid background in all religious studies, including Talmud, so that she will be able to withstand the pull of these secular subjects and stay within the fold.

Another sage who permitted women to be taught the full range of Torah studies including Mishnah and Talmud is Rabbi Samuel ben Elhanan Jacob Harkavlati. He stated that where certain women students are not part of that group of women who will "turn the words of the Torah into trivialities" then the words of the Rambam do not apply and it is incumbent upon us to help them, strengthen them and teach them. Today, with morality and religion at such a low ebb, with the lures of an immoral secular society, any girl attending a yeshiva, especially a yeshiva High School, indicates in positive terms her regard for Torah and so according to Rabbi Samuel Harkavlati should be encouraged, strengthened and taught as much as possible.

It would therefore seem that today there is no halakhic bar to teaching women in a yeshiva either Bible, Mishnah or Talmud. We should strive to reach that exalted state so that our generation may be compared to that of King Hezekiah of whose reign it was said (*Sanhedrin* 94b) that when a search was made throughout the land no boy or girl, man or woman was found who was not thoroughly versed in the most difficult and involved laws of Torah.

### NOTES

1. A possible earlier instance of universal Jewish religious education was in the time of King Hezekiah. See *Sanhedrin* 94b.

2. Samuel Ha-Nagid, *Mevo ha-Talmud*. The Rambam, however, includes the *Mekhilta* as well as some other *midrashim* in the Oral Law. See Rambam's *Introduction to the Mishnah Torah*.

3. Samuel Ha-Nagid, *ibid*.

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4. Rambam, *Mishnah Torah Talmud Torah* 1:12.
5. *Kiddushin* 29b.
6. The same conclusion is reached by the Palestinian Talmud, *Berakhot* 2:7 and *Erubin* 10:1.
7. Rosh, *Kiddushin* 29b.
8. Rif, *Kiddushin* 29b.
9. Rambam, *Talmud Torah* 1:13.
10. *Semag*, Positive Commandments 12.
11. *Tur Yoreh Deah* 246:6.
12. *Shulhan Arukh Yoreh Deah* 246:6.
13. *Kiddushin* 31a. The reason for this, as Tosafot points out, is psychological. One who is commanded is under stress and worries lest he break the commandment while one who is not commanded has, so to speak, "bread in his basket," because if he wishes he need not fulfill it.
14. The *Tur Yoreh Deah* 246 and the *Shulhan Arukh Yoreh Deah* 246:6 agree, following the Rambam almost verbatim.
15. This term will be explained later.
16. See Rashi on *Sotah* 21b.
17. Scripture mentions three forms of penalties: some died by the sword (Ex. 32:27), others by the plague (Ex. 32:35), the rest by dropsy as the result of their drinking the water containing the gold dust which Moses had offered them in expiation (Ex. 32:20).
18. R. Eliezer was a priest and this very wealthy woman regularly gave him and his son her considerable yearly tithes.
19. This incident is repeated in a shortened version in the Babylonian Talmud *Yoma* 66b. Both Talmuds then go on to answer the woman's question.
20. *Hagigah* 1:1 and *Sotah* 3:4.
21. Babylonian Talmud *Sotah* 20a.
22. Rashi, *Sotah* 21b.
23. Rashi, *Aboda Zarah* 18b.
24. Greta Fink, *Great Jewish Women: Profiles of Courageous from the Maccabean Period to the Present*. Bloch Publishing Co., and Menorah Publishing Company, N. Y., 1977.
25. De Rossi 1292 (or Ms. Parma 3155) in the Parma Library.
26. Gaon of Vilna, *Shulhan Arukh Yoreh Deah* 246:25; Tosafot Yom Tov, *Mishnah Nedarim* 4:3; *Torah Temimah*, *Deut.* 11:19. See also the *Tur Yoreh Deah* 246 seems to have an opposite version of the Rambam and the explanation of the Tur by the Perishah.
27. The *Sefer Ha-Hasiddim* 313; the *Agur*, *Hilkhot Tefilah* 2 and the *Shulhan Arukh* of R. Shneur Zalman, *Talmud Torah* 1:14 all agree with the Rema.
28. Taz, *Shulhan Arukh Yoreh Deah* 246:4.
29. *Arukh Ha-Shulhan Yoreh Deah* 246:19.
30. For a more complete biography of Sarah Schenirer see the above mentioned *Great Jewish Women* by Dr. Fink.
31. See also the Maharsha, *Sanhedrin* 94b.
32. *Pardes* 33:4, Constantinople 1802.

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33. Cecil Roth, "Outstanding Jewish Women in Western Europe 15-17 Centuries," *The Jewish Library*, Vol. III, edited by Leo Jung, p. 151 ff.

34. *Shealot and Teshuvot Ma'ain Ganim* as quoted by the *Torah Temimah* on *Deut. 11:19*.

35. The other Sage was the Rebbe of Ger.

36. *Sefer Likutei Hilchot Sotah* 21a.

37. The Rebbe of Satmar wrote that girls are not permitted to be taught neither Hebrew nor any Torah studies whatsoever. See *Otzrot Jerusalem* 1955 part 12-14. For a refutation of the Rebbe of Satmar see Rabbi L. Baron, "Torah Studies and Hebrew for Women," *Ha-Pardes*, June and July 1957.

38. Rambam, *Mishneh Torah*, *Yesodei Ha-Torah* 4:13.