**YESHIVAT HAR ETZION**

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

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**Deracheha: Women and Mitzvot**

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In loving memory of Rabbi Dr. Barrett (Chaim Dov) Broyde ztz"l

הוֹלֵךְ תָּמִים וּפֹעֵל צֶדֶק וְדֹבֵר אֱמֶת בִּלְבָבוֹ

Steven Weiner & Lisa Wise

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**Learning Torah III:**

**Openings to Study**

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

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

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# **Rambam's Ruling**

Does Rabbi Eliezer's viewpoint leave any room for women's *talmud Torah*? A careful look at Rambam shows that Rambam thinks it does.

*Mishneh Torah*, Laws of Torah Study 1:13 A woman who learned Torah receives a reward, but it is not equivalent to the man's reward because she is not commanded, and anyone who does something that he is not commanded to do, his reward is not equivalent to the reward of one who is commanded and did, but rather less than that. And even though she receives a reward, the sages commanded that a man not teach his daughter Torah because most women's minds are not oriented to study. Rather, they transform matters of Torah into matters of nonsense in accordance with the poverty of their intellects. The sages said, 'Anyone who teaches his daughter Torah is as though he has taught her nonsense.' To what does this refer? To Oral Torah. But Written Torah, he should not set out to teach her, but if he taught her it is not as if he taught her nonsense.

At first glance, Rambam seems simply to codify Rabbi Eliezer's statement and restrict women's access to Torah study. That's a plausible — and common — reading of Rambam. However, if we look more closely at this halacha, we find some surprises.

For starters, the presentation seems belabored and repetitive. Rambam tells us the female student receives a reward, then adds that it's not like a man's, and then tells us *again* that she receives a reward. Next he explains the idea that a father should not teach his daughter Torah, twice!

Rambam's halachic formulations are usually precise and concise. The awkward wording here suggests that this halacha is particularly complex — and that we should read it with care.[[1]](#footnote-1)

**Encouraging Start** Take another look at the opening statement, "A woman who learned Torah receives a reward." That means it has halachic value. We know that Rambam is about to adopt Rabbi Eliezer's objection to women's learning, but he deliberately chooses to begin with a very different, positive message.

There's something else interesting here. Rambam usually presents studying and teaching Torah as two components of a single mitzva. However, in this halacha, he treats them differently. A woman's *study* deserves praise; the problem is specifically with *teaching* her.

From the start, Rambam seems to make a special effort to limit the impact of Rabbi Eliezer's statement.

***Tzivu Chachamim*** Moving forward, note that Rambam introduces Rabbi Eliezer's position with the term "*tzivu chachamim*," "sages commanded." Rambam typically uses this phrase to introduce ethical counsel or a preferred practice.[[2]](#footnote-2) "*Tzivu chachamim*" is not the language of prohibition. Authorities such as Chafetz Chayim (see below) still refer to Rabbi Eliezer's statement as a prohibition, but Rambam might have meant otherwise.

There's a big difference between prohibiting a practice and discouraging it. By choosing this language, Rambam may moderate Rabbi Eliezer's statement.

**Why?** Rambam next tackles the big question: Why would women's study lead to *tiflut*? He tells us that "most women's minds are not oriented to study." *Most* women are not *all* women. Rambam implies that a minority of women *do* have minds oriented to study. Women may lack interest in study, not intellectual capacity for it.

Why does this matter to Rambam? He writes elsewhere that fundamental commandments, such as belief in God and love and awe of God, apply to women. How does someone learn to fulfill them? Through study:

*Mishneh Torah*, Laws of the Fundamentals of the Torah 4:13 The matters contained in [the previous] four chapters, concerning these five *mitzvot* [belief in God, rejecting other gods, recognizing God's unity, loving God and having awe of God], are the ones that the early sages call *Pardes*, as they said "Four entered the *Pardes*" …And I say that the only one fit to walk in the *Pardes* is one whose belly is full with bread and meat. “Bread and meat” means to know what is prohibited and permitted, and similar matters from among the other *mitzvot*….and everyone can know them, a minor and an adult, a man and a woman, a person of great understanding and a person of less understanding.

Note the last line here. Rambam believes that *anyone* can develop into someone fit to walk in the *pardes* of these fundamental *mitzvot*. And we all *have* to keep these *mitzvot*. If the precursor is filling up with "bread and meat," learning Halacha, then it is important for Rambam to acknowledge that women have the ability to learn.[[3]](#footnote-3) He does that indirectly in the halacha about *talmud* Torah.

**Surprise Ending** Rambam saves his biggest innovation for last. After quoting Rabbi Eliezer, Rambam writes: "To what does this refer? To Oral Torah." In his general discussion of the mitzva of *talmud* *Torah*, Rambam distinguishes between Written Torah and Oral Torah. Now, he applies that distinction to Rabbi Eliezer's statement in order to redefine its scope.

According to Rambam, when Rabbi Eliezer voices his concerns about a father teaching his daughter 'Torah,' he means *Oral* Torah. Rabbi Eliezer's objection to women's learning and concerns about *tiflut* do not apply to learning Written Torah![[4]](#footnote-4)

This leaves us with a puzzle. Why does Rambam conclude the halacha by writing that a father "should not set out to teach" his daughter Written Torah? What reservation could Rambam have about Written Torah if Rabbi Eliezer's statement doesn't apply to it?

This aspect of Rambam's ruling may have nothing to do with Rabbi Eliezer. Instead, it may be an interpretation of Rabbi Elazar Ben Azarya. Rabbi Elazar teaches that women should "hear" or "understand" Written Torah at *hakhel*, but not study it.[[5]](#footnote-5) Perhaps Rabbi Elazar *discourages* enabling a woman to 'study' Written Torah. Rav David Ha-levi Segal (author of *Turei Zahav*, known as Taz) makes a suggestion along these lines:

Taz, Yoreh Deah 246:4 It seems to me that there [in *hakhel*] the king only explained the simple meaning of the matters and this [teaching the simple meaning to women] is truly permissible even for us from the outset, as is the custom every day. This is not the case in learning the explanation of matters of Torah through wise thinking and understanding, [which] they prohibited from the outset.

Taz thinks that Rabbi Elazar Ben Azarya permits women to study Written Torah on a surface level, but opposes women learning Written Torah in depth.

If Rambam is following Rabbi Elazar Ben Azarya when he discourages a father from teaching his daughter Written Torah, his objection might only be to teaching in depth, as Taz explains. In this case, a father could teach his daughter the simple meaning of Scripture. In fact, in a responsum, Rambam writes that a woman could even teach Torah, as long as she doesn't have a husband who objects.[[6]](#footnote-6)

### ˄ What does it mean to learn without learning in depth?

*Taz explains that hesitation about women learning Written Torah might only apply to learning it in depth. What does he mean? What about learning in depth is particularly objectionable?*

*The idea seems to be that a woman should have Torah literacy, but should not become involved in deep conceptual thinking about Torah.*

*Why? Here are three possible explanations:*

*1. Perhaps this idea parallels what we've seen about women learning Halacha. Just as the focus for women learning Halacha might be practical knowledge, the focus in learning Written Torah might be religious literacy.*

*2. Perhaps learning Written Torah in greater depth inevitably overlaps with learning Oral Torah. The only way to keep the lines drawn between them is to keep study of Written Torah more superficial.*

*3. Perhaps learning in depth entails asking challenging questions. Taz might worry about how that would affect women's religious lives. A woman who never learns in depth might never need to confront those challenges.*

*Ultimately, we don't know with any certainty* why *studying in depth should be a problem. That makes it difficult to respond to Taz's claim.*

*The little we do know is significant, though. Neither Taz nor Rambam denies that women have the* capacity *to learn Written Torah in depth.*

**Redefining Rabbi Eliezer** Let's put the pieces together. Though Rambam follows Rabbi Eliezer, he interprets his position narrowly. A father can teach his daughter Written Torah (at least superficially). Teaching her other Torah is discouraged, but possibly not prohibited. Women have the capacity to learn Torah, and a woman may learn Torah on her own. Perhaps she must, in order to walk in the *pardes* of faith*.*

Shulchan Aruch's ruling on women learning Torah follows Rambam, quoting him almost word for word.[[7]](#footnote-7)

# **Independent Study**

**A Special Case** Does Rambam really allow for a woman to learn Torah on her own? Maharil understands him this way:

New Responsa Maharil 45 And specifically [Rambam referred to] one who teaches his daughter, but if she learned on her own, she receives reward, for she intends for good.

Maharil writes that Rambam has no reservations about a woman's independent learning. Why not? We assume that a woman who undertakes Torah study on her own has positive intentions.

Maharil uses this halachic approach to explain how Beruria could enter into halachic discussions with the sages as an equal.[[8]](#footnote-8) She presumably learned on her own. (In an era in which most study was oral, this would have meant listening in on others' study.)

Rav Eliezer Waldenberg, a major twentieth-century halachic decisor, writes that the simple reading of Rambam (and Shulchan Aruch) is that women receive reward for independent study even of Oral Torah.[[9]](#footnote-9)

A caveat: Not everyone agrees with this reading of Rambam. In theory, rewarding a woman's independent study might not be the same as encouraging it.[[10]](#footnote-10)

**Is independent study unique?** Why don't we also assume that a woman learning with her father has positive intentions? Rav Yehoshua Falk, a sixteenth-century Polish rabbi known for his commentary *Perisha* (on the Tur), explains why father-daughter learning might be different from independent study:

*Perisha*, Y.D. 246:15 But if she learned for herself, we see that she is an exception to the majority and therefore he [the Rambam] wrote that she receives reward, that is, if she learned Torah correctly and does not transform it to nonsense. But the father is not permitted to teach her, for perhaps she will transform its [Torah's] words to nonsense, for he does not know what is in her heart.

*Perisha* connects Rambam's claim that "most women's minds are not oriented to study" with discouraging a father from teaching his daughter Torah. A woman who learns independently proves herself to be an exception to the *tiflut*-prone majority. We can’t say the same about a daughter learning from her father.

A father might initiate study with his daughter, assuming that she is up to it. However, "he does not know what is in her heart" – parents sometimes have trouble seeing their children for what they truly are.

What about teachers in school? Rabbi Eliezer and Rambam probably use the word "father" because a father has the obligation to teach his sons Torah. Their statements might be specific, but could apply equally to teachers teaching women or girls. [[11]](#footnote-11)

However, *Perisha* bases his argument on the father-daughter relationship. He explicitly opens up the possibility that a different teacher could teach a woman Torah, especially if she initiates the study like an independent learner.

### ˄ How is this Relevant to the Well-Educated Woman?

*We live in a very different era from Rambam, and even* Perisha*. From our vantage point in the developed world, it's difficult to imagine what it is like when most women are uneducated.*

*These discussions of women's motivations and orientations seem very distant from our reality. What relevance do they have? Here are some ideas:*

*1. They send an encouraging message. Even in earlier eras, long before Sarah Schenirer entered the stage (see below), halachic authorities recognize that women are capable of study, and support women who choose to pursue it.*

*2. They leave open the door to independent study of all areas of Torah. In the age of websites, podcasts, and YouTube, that makes most Torah accessible to women.*

*3. At the end of this shiur, we quote Mishna Berura, who says Rabbi Eliezer's statement no longer applies. However, using Perisha's logic, a woman can answer Rabbi Eliezer for herself.*

*Rabbi Eliezer warns that, in the wrong hands, Torah can turn to* tiflut*.* Perisha *has confidence that a woman who studies Torah with a real desire to serve God is not subject to Rabbi Eliezer's objection.*

*When a woman chooses to learn Torah seriously as a form of* avodat Ha-shem*, when that study builds her faith and enhances her observance, she is one of the women* Perisha *envisions and she demonstrates that Rabbi Eliezer's fears were unwarranted.*

# **Turning Point: Bais Yaakov**

Historically, most Jewish (and non-Jewish) women lacked access to formal education, and many were illiterate. Women who could read had access to popular didactic works, such as the sixteenth-century *Tzena Ur'ena*, in Yiddish.

Here and there, girls were tutored by their fathers or had opportunities to join their brothers in formal schooling. There were notably learned Jewish women. But these women were exceptions to the rule.

How and why did formal Jewish education become open to girls?

**First Steps: Women's Needs** In the nineteenth century, Germany's neo-Orthodox community pioneers Jewish girls' education as a community standard. Why? Rav Samson Raphael Hirsch, leading Rabbi of that community, explains:

Rav S. R. Hirsch, Torah Commentary, Devarim 11:19

…This same understanding of Jewish literature and this knowledge of the *mitzvot*, which is demanded in order to fulfill "and fear the Lord your God and observe to perform all the words of this Torah" (Devarim 31:12) — this should be transferred to our daughters no less than to our sons… So have they practiced among [the people] Israel always. Testament to that is the entire literature in Yiddish that was written primarily to [serve] women's need[s], in order to enable them [to have] comprehension of the Bible and of the prayers and to transfer to them common knowledge of Halacha and of ethical teachings of our sages.

Rav Hirsch sees himself as continuing a tradition of women's study begun by the popular works in Yiddish! He does not advocate women's *talmud Torah* as a conceptual field of study. But he does support women's learning to ensure "knowledge of the *mitzvot*" and to foster Jewish literacy. The school he founds provides a Jewish education to girls and boys.

**A Hungry Soul** A woman initiates the next stride in opening up *talmud Torah* to women.

Enter Sarah Schenirer, a seamstress and budding educator with a keen sensitivity to Jewish women's needs. Toward the end of World War I, she grows troubled by the extent of young women's engagement in secular studies. She argues that pursuing secular studies with no religious counterpart leads to disaffection with religious life. As she writes:[[12]](#footnote-12)

Sarah Schenirer, *Em BeYisrael*, Part I, pp. 39-40 It is not in the power of secular studies to quench the flame of the Jewish soul, which only Torah study has the capacity to satisfy. Secular studies are to the soul as gold to the body. Can gold satisfy physical hunger? Never! ...A Jewish soul will not be satisfied from secular studies. Only sacred studies will satisfy its hunger, for only its Creator can know what nourishes it. I highly doubt that there is any student as happy, at times, to the extent that I am happy when I read our sacred texts.

Jewish women have souls and those souls cry out for Torah. In 1917, inspired by the neo-Orthodox approach to girls' education, Schenirer founds a mass movement and school system in Poland, the forerunner of today's Bais Yaakov network of girls' schools.

Like any devoted Chassid, Schenirer seeks her Rebbe's blessing before beginning a major endeavor. The Belzer Rebbe agrees and she charges forward.

Her initial success attracts the attention of Agudas Yisrael. Eventually, Agudas Yisrael adopts Bais Yaakov, and helps enlist rabbinic support for its work, most notably from Rav Yisrael Meir Kagan, the Chafetz Chayim.

**A Changed World** Even before Bais Yaakov's founding, Chafetz Chayim articulates an argument for women's study:

*Likkutei Halachot*, Sota 21 One who teaches his daughter Torah…It seems that all this applies specifically to earlier times, when the received ancestral tradition was very strong for each and every person to act in the way of his forefathers, according to the verse: 'Ask your father and he will tell you' (Devarim 32:7). Thus we were able to say that a daughter should not learn Torah and she should rely in her conduct on her righteous forebears. Now in our great iniquities, the received ancestral tradition has become very, very weakened and it is also common that one does not live in the place of one's forebears at all. Especially those [women] who accustom themselves to study writing and language of the nations [i.e. secular learning], certainly it is a great mitzva to teach them Chumash and also Prophets and Writings and the ethics of our sages of blessed memory such as [Mishna] tractate Avot and the book *Menorat Ha-maor*, in order that the matter of our holy faith be authenticated for them. If not, they are liable to deviate completely from the path of God, and to transgress all the fundamentals of the religion, God forbid.

Chafetz Chayim admits that these times are not like "earlier times." Communities are transient, and the "ancestral tradition has become very, very weakened." What's more, women have access to secular education. Mimesis alone can no longer meet our educational goals. Maharil has lost his debate with Rav Yitzchak of Corbeil. Women now *must* turn to Jewish texts, or "they are liable to deviate completely from the path of God."

While Rav Hirsch emphasizes precedents for educating girls, Chafetz Chayim calls our attention to the break from the past.

This is a matter of spiritual life and death that Rabbi Eliezer never had to face. We are no longer "able to say that a daughter should not learn Torah" without losing women to lives that transgress it.

In his 1933 letter in support of Bais Yaakov, Chafetz Chayim takes action.

Rav Yisrael Meir Kagan, Letter, 23 Shevat, 5693

Anyone that the fear of God is in his heart, the mitzva is to let his daughter learn in this school. [As for] all the concerns and hesitations [arising] from the prohibition to teach his daughter Torah, there is no concern for this in these days.

Chafetz Chayim tells parents it is a *mitzva* to send daughters to Bais Yaakov. Rabbi Eliezer's concerns no longer apply.

**After Chafetz Chayim** Torah giants such as twentieth-century halachic authority Rav Zalman Sorotzkin, a close associate of Chazon Ish and vice chair of Agudas Yisrael, voiced support for Torah education for girls in terms similar to those of Chafetz Chayim.[[13]](#footnote-13) Some leaders, most notably the Satmar Rebbe, remained opposed to girls' study of texts.[[14]](#footnote-14)

Nevertheless, in the wake of Chafetz Chayim, the halachic discussion moves from whether women can learn texts formally to what texts women should learn.

What should women study? We discuss this question next week, in our final shiur on women's *talmud* Torah.

**Further Reading**

1. Cohen, Naomi, "Women and the Study of Talmud," *Tradition* 24:1 (Fall 1988), pp. 28-37.

<http://traditionarchive.org/news/originals/Volume%2024/No.%201/Women%20And%20The%20Study.pdf>

2. Ginsparg Klein, Leslie, "Sarah Schenirer and Innovative Change," *The Lehrhaus*, August 14, 2017.

<https://www.thelehrhaus.com/scholarship/sarah-schenirer-and-innovative-change-the-myths-and-facts/>

3. 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> .

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

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

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

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

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

1. Much of this presentation of the Rambam follows arguments laid out by Rabbi Yehuda Herzl Henkin, *Benei Banim* 3:12; Rav Yosef Kafich, "*Chinuch Ha-bat Lilmod Torah, Le-musar, U-le-ezra La-zulat*," in *Ha-isha ve-Chinuchah*, ed. B.Z. Rosenfeld (Kfar Saba, 1980), pp. 32-34; and Dr. Warren Zev Harvey, "The Obligation of Talmud on Women According to Maimonides," *Tradition* 19:2 (Summer 1981), pp. 122-130. [↑](#footnote-ref-1)
2. *Benei Banim* 3:12, p. 45. [↑](#footnote-ref-2)
3. משנה תורה הלכות תשובה י:ה ... כשמלמדין את הקטנים ואת הנשים וכלל עמי הארץ אין מלמדין אותן אלא לעבוד מיראה וכדי לקבל שכר, עד שתרבה דעתן ויתחכמו חכמה יתירה מגלים להם רז זה מעט מעט ומרגילין אותן לענין זה בנחת עד שישיגוהו וידעוהו ויעבדוהו מאהבה.

   *Mishneh Torah*, Laws of Repentance 10:5…When teaching minors and women and the ignorant, we teach them only to serve from awe and in order to receive reward, until their knowledge increases and they become exceedingly wise. [Then] we very slowly reveal to them this secret and habituate them to this matter unhurriedly, until they comprehend it and know it and serve Him from love. [↑](#footnote-ref-3)
4. This distinction does not fit neatly with the Yerushalmi's account of Rabbi Eliezer refusing to answer the matron's question about Written Torah. (See [Part Two](https://etzion.org.il/en/learning-torah-ii-obligation-what-womans-obligation-torah-study) of this series.) .) Gra Y.D. 246:25 suggests that Rambam bases the distinction on Nedarim 35b, which mentions teaching boys and girls Scripture.

   t [↑](#footnote-ref-4)
5. Chagiga 3a. [↑](#footnote-ref-5)
6. שו"ת הרמב"ם סימן לד

   ברשות עצמה, תלמד מי שתרצה ותעשה מה שתרצה.

   Responsa of the Rambam 34 [If she is] independent [i.e., widowed, divorced, or no longer living in her father’s house], she can teach what she wants and do what she wants. [↑](#footnote-ref-6)
7. 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, צוו 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 תיפלות (פי' דבר עבירה). בד"א בתורה שבע"פ; אבל תורה שבכתב לא ילמד אותה לכתחלה, ואם מלמדה אינו כמלמדה תיפלות.

   Shulchan Aruch, Y. D. 246:6 A woman who learned Torah receives a reward, but it is not equivalent to the man's reward, because she is not commanded yet does. And even though she receives a reward, the sages commanded that a man not teach his daughter Torah because most women's minds are not oriented to study. Rather, they transform matters of Torah into matters of nonsense in accordance with the poverty of their intellects. The sages said, 'Anyone who teaches his daughter Torah is as though he has taught her nonsense.' To what does this refer? To Oral Torah. But Written Torah, he should not set out to teach her, but if he teaches her it is not as if he teaches her nonsense. [↑](#footnote-ref-7)
8. שו"ת מהרי"ל סימן קצט ...אמנם יותר נראה לי שמעצמם עשו ...

   Responsa Maharil 199 …Indeed it seems more likely to me that they [learned women in Jewish history] did it [i.e., became learned] on their own… [↑](#footnote-ref-8)
9. שו"ת ציץ אליעזר חלק ט סימן ג וגם הרי המשמעות הפשוטה של הרמב"ם והטור והשו"ע ביו"ד שם היא שיש לה שכר גם כשלומדת לעצמה תורה שבע"פ.

   Responsa Tzitz Eliezer 9:3 And also behold, the simple meaning of the Rambam and the Tur and the Shulchan Aruch in Yoreh Deah there is that she also receives a reward when she learns Oral Torah on her own. [↑](#footnote-ref-9)
10. *Responsa Shevet Ha-levi* 6:150. [↑](#footnote-ref-10)
11. Rav Kafich and Rav Ha-levi do argue that this *Perisha* limits Rambam and Rabbi Eliezer's scope to a father teaching his young daughter, so that study undertaken by teachers and students or fathers and adult daughters would also be permissible, with little if any restriction regarding subject matter. [↑](#footnote-ref-11)
12. Sarah Schenirer, *Em Be-Yisrael* (Tel Aviv: Netzach, 1915), pp. 39-40.

    אין בכוחם של לימודי חול לכבות את להט הנשמה היהודית, אשר רק לימוד התורה מסוגל להשביעה. לימודי החול הם לנשמה כזהב לגוף. כלום יכול הזהב להשביע את רעבון הגוף? לעולם לא! ..נפש יהודית לא תשבע מלימודי חול. רק לימודי קודש ישביעו את רעבונה, כי רק בוראה יכול לדעת במה היא ניזונה. אני מסופקת מאד אם איזושהי סטודנטית מאושרת לפעמים במידה כזאת, כפי שאני מאושרת בשעה שאני קוראת בספרי הקודש שלנו. [↑](#footnote-ref-12)
13. *Moznayim Le-mishpat* I:42. [↑](#footnote-ref-13)
14. *Va-yoel Moshe*, Ma'amar Leshon Ha-kodesh. [↑](#footnote-ref-14)