

HALOCHOSCOPE TOI PE

The following question will be dealt with in two issues.

A five year old girl is being taught to recite *Brochos* in a pre-school setting. At home, she refuses to recite them unless her gentile father recites them with her. May the father be taught how to recite them with his Jewish daughter?

The issues:

In this issue:

- (A) *Brochos* and *Chinuch*, training a child; determining the responsibility
- (B) Teaching a gentile

In next issue:

- (A) A gentile's *Brocha*
 - (B) Aiding one in a forbidden situation, while helping another to do the right thing
- (A) *Brochos* and *Chinuch*

Scripturally, there is really only one *Brocha*, *Birchas Hamazon*, to be recited after eating a satisfying bread based meal. Some Poskim maintain that, though it is not written explicitly in the Torah, the implicit references to *Birchas Hatorah*, recited before Torah study, are also considered Scriptural. The other *Brochos* we recite fall into three main categories. Before performing a *Mitzvah* we recite a *Brocha*, mainly on the privilege that Hashem gave us fulfill this *Mitzvah*. Some say this is a Rabbinical extension of *Birchas Hatorah*. *Brochos* recited before eating and smelling, and after eating non-breads, are known as *Birchas Hanehenin*, on the benefits gained. These are based partly on *Birchas Hamazon*, and partly on the concept that all we partake of belongs to Hashem. We have no right to it before asking "permission" in the form of the *Brocha*. Taking it without the *Brocha* is stealing. Some say that by this reasoning one should have been obliged to say something even before the formal institution of *Birchos Hanehenin* by the Rabbis. *Birchos Hashevach* are recited on seeing certain things, hearing news (good and bad) experiencing things, and times of the year or incidents.

Children are not obligated to perform *Mitzvos* until they reach *Bar* or *Bas Mitzvah*. However, once they reach the age of *Chinuch* they must be trained to perform the *Mitzvos*. This age varies according to the activity and understanding level needed to perform each *Mitzvah*. For *Birchas Hamazon* the originally recommended age was when the child reaches the age that he or she can understand that Hashem exists and must be thanked. At this stage it is difficult to teach

them the whole thing, and they would be taught an abridged version cited by the Talmud. This version would actually be valid for adults in emergency situations. Slowly one should then teach the child more and more. However, it has become common practice to teach children at younger ages by singing the whole thing. Thus, by the time they are old enough for *Chinuch*, they know it all. To teach a child a Brocha the teacher will need to recite it "in vain". He has no personal obligation. Normally, this is forbidden, but for *Chinuch* it is permitted.

Chinuch is the obligation of a child's father. The Poskim debate whether it is also an obligation of the mother. According to some, it is also an obligation placed on the child himself. However, this view is disputed on the grounds that a Rabbinical obligation must be based on the power the Rabbis have to impose their will. This is based on the obligation to follow them in all matters, which is, in turn, a Scriptural obligation. It follows that anyone who is exempt from all Scriptural obligations can not be included in Rabbinical obligations.

In our case the issue is more complex. While the normal obligation of *Chinuch* applies to the parent, the biological father in our case is a gentile. He has no official relationship to his daughter. Her status as a Jew is based on her not tracing her lineage to her father, but to her mother alone. Even if his fatherhood were recognized, he has no obligation of *Chinuch*, since it is not one of the obligations placed upon gentiles. Thus, there is no real need to educate him in how to educate his child. As we have said, mothers are not necessarily obliged in educating their children, though they would certainly be welcome to do so.

In our case, the child insists on working with her father. In the absence of a definite obligant, the responsibility would be turned over to others who are in a position to do the *Chinuch*. Generally, the Talmud would call these others under the general category of *Bais Din*. The question is whether the *Bais Din*, or anyone in their stead, has a clear obligation or is only obliged to prevent the child from sinning. This brings up an interesting possibility. When others can not do it themselves, but could find a way of having it done, can they fulfill their possible obligation this way? Assuming this to be the case, they could, theoretically, engage the biological father to do it with his daughter, thus having him do the job for them. This itself might be considered *Shlichus*, agency, and a gentile can only act as agent of a Jew if the gentile could come under the same obligation. This is not the case here. However, the agency here might be measured by its outcome. In order to attribute the obligation to the Jew who engages the gentile agent, it might not be necessary to attribute the activity, but to attribute the accomplishment of the goal, which is that the child learned the Brochos. Furthermore, it might be the responsibility of others to engage this father to do the job, since there is, at

present, no alternative. [See Brochos 20b, etc., Sukah 42b Rosh Hashana 20b, Poskim. Tur Shulchan Aruch Orach Chaim 106:1, 167:19, 186:2, 187, Shaar Hatziyun 7, 215:3, 343, commentaries.]

(B) Teaching a gentile

Our case raises another issue. While we know that a gentile is not commanded to observe the laws of the Torah, he is obliged under Torah law to follow certain laws. The most important of these are the seven *Mitzvos Benei Noach*. A gentile must observe these, though the Talmud takes for granted that the majority of gentiles do not observe them. The rest of the Torah is not obligatory for gentiles, implying that they may observe it voluntarily. The Talmud says that if they choose to observe other Mitzvos, they are considered *Aino Metzuevch Ve'oseh*, doing it without being told to. Their commitment and reward is less than that of Jews who do it because they are commanded to do so.

In addition, gentiles are forbidden to study *Torah* or observe *Shabbos*. Where did these additional prohibitions originate? A *Passuk* says that the Torah was given to Israel as *Morasha*, an inheritance. The Talmud reads this two ways. Either it is "property" of the Jewish people, in which case gentiles who study it are guilty of "stealing." Theft is one of the original seven Mitzvos Benei Noach. The other way to read it is *Me'orasa*, betrothed to the Jewish people. A gentile studying it is guilty of "adultery," another of the seven Mitzvos Benei Noach.

It is also forbidden for a Jew to teach a gentile, termed as "transmit", Torah to him. This is derived from a verse in *Tehilim*, *Magid Devarav Leyaakov*, He teaches His words to the Jewish people only. Thus, some consider this a violation of a positive Mitzvah. In addition, if no-one else is available to teach the gentile, the Jew teaching him is in violation of *Lifnei Ivair*, causing another person to sin. This applies to causing gentiles to violate their own Mitzvos. The gentile is unable to violate this without the help of the Jewish teacher, so the Jew is the facilitator.

The severity of the prohibition on the gentile is debated. Some say that it is not, strictly speaking, included in the seven Mitzvos Benei Noach. While there is indeed Scriptural basis for it, it is not punishable by the death penalty. The death will come by the Hands of Hashem. The Pesukim might even be considered *Asmachta*, links to the Torah, as opposed to proper sources. Some maintain that the reason a gentile may not study is to prevent the possibility of his deceiving Jews into following him.

The Poskim debate the extent of the prohibition. Another Talmudic passage says that a gentile who studies Torah is as good as a high priest. The Poskim resolve this contradiction by permitting the gentile to study the laws of his Mitzvos. There follows a discussion on whether he may be taught these by a Jew.

Further discussion involves whether the rest of the Torah may be taught to the gentile, provided the reasons and secrets are not revealed to him. Some say that even when teaching him his own Mitzvos, the secrets and reasons may not be revealed to him. Some Poskim maintain that the *Torah Shebiksav*, Scriptures, may be taught to a gentile. Only the Oral Torah is forbidden. This is based, in part, on a passage in the Talmud discussing the translations into the Seventy languages that were made by Moshe and Yehoshua. The Talmud indicates that they were there to allow the gentile nations to study the Torah. Others maintain that this was not the true purpose, but a means for Hashem to respond to their claim that they never saw or understood it. Or, it was needed for that generation of gentiles, for a similar reason. Some show that it is permitted to teach gentiles the other parts of the Scriptures, *Neviyim* and *Kesuvim*, but not the Torah. One opinion permits teaching Scriptures to Christian gentiles, but not to Muslims. The former already use the Scriptures. Teaching them will help to correct their mistakes. They will not learn new information to use against the Jewish religion. Muslims will be offended by finding that the Torah is inconsistent with their religion, and will turn against us as a result. [It is important to note that the author of this view (*Teshuvos Rambam*) lived in Muslim countries. He was an acknowledged student of the philosophy of both. This gave him his perspective on both religions. Authorities who lived in Christian countries had different experiences, and thus felt in a position to dispute this line of reasoning, and to forbid it.] There is an opinion forbidding even teaching the *Alef Bais* alphabet to a gentile, and certainly Hebrew and the rules of *Dikduk*, Hebrew grammar.

In one opinion, while gentiles may and should study the laws of their Mitzvos, this may not be construed as fulfillment of a Mitzvah of Talmud Torah. It is simply a means to their proper fulfillment of their other Mitzvos. This is why we recite our Brocha on the Torah stating that Hashem chose us from the other nations to give us the Torah. Only Jews fulfill a separate Mitzvah by their study.

The Poskim ponder the absence of the Halachic ruling forbidding teaching Torah to gentiles, in the standard codes. [The prohibition against the gentiles are actually recorded by some. The absence of it in other codes is due to their having been written to instruct the Jew, not the gentile.] Some maintain that it is included in the prohibition against teaching an unworthy student, or the prohibition against teaching one's Canaanite slave. [See Chagiga 13a, Sotah 35b, Baba Kama 38a, Sanhedrin 59a, Poskim. Tshuvos Rambam 364. Sdei Chemed Alef 102.]