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## Parshah

# CHILDREN & MITZVOS

”ויאמר ה' אל משה אמר אל הכהנים בני אהרן ואמרת אליהם לנפש לא יטמא בעמיו”

”And Hashem said to Moshe, 'Speak to the Kohanim, the sons of Aaron, and say to them, they are not to become spiritually impure on account of contact with a dead body'”.

The *meforshim* identify several repetitive or unnecessary phrases in the opening pasuk of this week's sedra. Rashi, as well as the Kli Yakar, asks why the Torah twice uses the verb אמר, “say”. The pasuk tells Moshe “to say to the Kohanim”, and then proceeds to say, “say to them.” What is the meaning behind this?

Rashi offers the following answer to this question. There are two groups of people who are to be told about the prohibition not to become *tamei* – adult Kohanim are commanded not to become *tamei*. Aside from that, they are also warned not to do anything that would cause children to become *tamei*.

The source Rashi quotes in support of this *halacha*, is a gemara in Yevamos 114a. In fact, the gemara there mentions three areas of Torah law which are not only incumbent upon adults, but which they are commanded about, to ensure they do not allow children to transgress. The other two prohibitions mentioned there are the prohibitions of consumption of certain insects, and consumption of blood.

These three prohibitions come together to act as a precedent for all of Torah *mitzvos* – it is forbidden to do anything to cause children to transgress any *mitzva*; whether biblical or rabbinic.

This discussion raises a question. Usually, *mitzvos* are only incumbent upon grown adults, whereas the obligation for children to observe and fulfil *mitzvos* is only *mi'derabanan* – a rabbinic injunction. Rashi (Brachos 48a), is of the opinion that the obligation is on the child himself, whereas Tosfos there holds that the obligation actually falls upon the child's parent. According to both, the point in this rabbinic ordinance is for the sake of providing

the child with as much experience in *mitzva* observance as possible to ensure that they are proficient by the time they reach the age of *bar* or *bas mitzva*.

Being that there is a universal rabbinic obligation to ensure minors observe *mitzvos*, **what need is there in the three aforementioned prohibitions, to stress that an adult mustn't do anything to risk a child's transgressing of mitzvos?**

The answer is as follows. When it comes to children and *mitzva* observance, there are actually three levels mentioned in the gemara and *poskim*.

- ➔ The first is the basic requirement to ensure children fulfil *mitzvos*. The age at which a child is included in this requirement depends; for a positive commandment, the age depends on the *mitzva* but broadly speaking, begins when the child understands the concept of a commandment from Hashem, or for others, an understanding of the nature of the *mitzva*. For negative commandments, the requirement begins as soon as the child understands that the action is something that is forbidden.
- ➔ The second level is regarding a situation where an adult other than the child's parents notices a child doing something which involves transgressing a prohibition. The Shulchan Aruch (OC:343:1) rules that in such circumstances someone other than the child's parents is not required to intervene. However, the Rama there modifies the ruling of the Shulchan Aruch

and says that this only applies to a child who has not yet reached the classic age of *chinuch*. However, regarding a child who has already reached this age, even someone other than the child's parents is required to intervene. (It is perhaps worth pointing out that it is a matter of halachic debate as to the details and extent of this *halacha*, so best to check with your Rov before attempting to fulfil this requirement!)

- ➔ The final level pertinent to our discussion is regarding doing something that enables or will likely lead, to a child transgressing a *mitzva*. This applies to one's own child as well as to another's. In fact, the gemara in Shabbos 90a actually discusses a prohibition to give a non-kosher food to a child for a purpose other than eating, just in case they may come to eat the forbidden item. The source of this *halacha* is the aforementioned gemara in Yevamos 114a!

With these three levels in mind, we can now well understand the *halacha* that Rashi mentions in his commentary to the opening *pasuk* of the *sedra*. Whilst there is an obligation on parents to ensure their children observe *mitzvos*, that is separate from the other issues. The gemara in Yevamos is not referring to the classic *mitzva* of *chinuch*, which is *de'rabanan*. It is rather alerting us to a completely different biblical prohibition, not to cause a child to transgress, or do something that is likely to achieve that outcome. This prohibition stands out in two significant ways. Firstly, it is a biblical prohibition, not *de'rabanan* and secondly, it also applies to adults other than a child's parents.

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