

Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah

by Leon Katz

A study of the *Halakhic* foundation of the Bar and Bat-Mitzvah, a religious milestone which has assumed such importance on the American scene, is long overdue. In this presentation I shall merely survey the rabbinic literature concerning Bar and Bat-Mitzvah in the hope that it will deepen our understanding of its significance in Jewish life.

I. THE BAR-MITZVAH

The term Bar-Mitzvah occurs twice in the Talmud.¹ It is applied to every grown Israelite - *Ish devar mitzvah ein, katon lo*. In the name of R. Judah ben Tema in the *Mishnah* and in the name of Shemuel Hakatan in the *Beraitha* who lived at the close of the first century, the age thirteen is designated as the age

of *mitzvot*, *Ben shelosh esray lemitzvot*, marking the transition from childhood to adolescence.² Before that age, the lad is a minor, free from performing *mitzvot*. He cannot be counted in any religious function where a *minyán* is required and thus, cannot be numbered in the *shivah-keru'im*. Upon reaching the Bar-Mitzvah age, he becomes a *gadol* (an adult), a *Bar-Mitzvah*, legally bound to fulfill the obligations of Jewish law and practice and a *bar onshin*, liable to punishment for his own misdoings. He has the power, as the *Mishnah* states, of making vows and of consecrating property for holy purposes, and he is held accountable for his own transgressions.³ The *Rambam* decides this to be the *Halakhah*⁴ and repeats the same point in his commentary to the *Mishnah*.⁵

Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah

Yet, there is no trace in the entire Talmud of a Bar-Mitzvah ceremony. This prompted Leopold Low in his work, *Die Lebensalter in der Jüdischen Literatur*, to say that the Bar-Mitzvah rite had become a fixed custom only in the fourteenth century in Germany. He attributes the *Barukh Shepetarani* blessing which the father recites during the celebration, to the degenerated state of Talmudic learning among the German Jews of that age. Solomon Schechter follows this point of view and apparently, without making a complete study of the sources, declares "That the Talmud, the *Geonim* (6th to 11th cents.) and even R. Isaac Alfasi (11th cent.) and Maimonides (12th cent.) knew of neither the term Bar-Mitzvah nor of any ceremony connected with it."⁶

This view is completely erroneous. While it is true that the Talmud is silent about a Bar-Mitzvah ceremony in the sense known to us, the *Poskim* construct for us a full-fledged ritual observance similar to the one practiced in our time, drawing their information from *Masekhet Soferim* which was composed in the fifth or the sixth century, from *Midrashic* sources and from the literature of the *Geonim*.

In *Masekhet Soferim* we are given a graphic description of how the Bar-Mitzvah ritual was then observed.⁷ We are told of the formal ceremony in Jerusalem when a man introduced his child to the observance of *mitzvot* by degrees in consonance with the obligations of *hinukh*. After the child had attained thirteen years of age, he was taken to the elders and scholars who blessed him and prayed for his well being. Then, all went in procession with him to the greatest

of the scholars before whom the boy did reverence and asked for his blessing.

Another source from the eighth century informs us that R. Yehudai Gaon, head of the Academy of Sura from 757 to 761, rose to his feet when his son was called to the Torah for the first time and recited the benediction, "Blessed be He who has freed me (*Barukh Shepetarani*) from being responsible for this young man's conduct."⁸ The *Midrashic* sources are many. The *Midrash* on the verse in Gen. 34:25, *Vayikhu shenei venei Ya'akov Shimom ve-Levi ahei Dinah ish harbo* ("----- that two of the sons of Jacob, Simeon and Levi, Dinah's brethren, took each man his sword -----"), states that Levi was thirteen years old when the Torah refers to him as *ish*.⁹ Consequently, one who is thirteen years of age becomes Bar-Mitzvah and a *bar onshin* since he is in the category of *ish o ishah ki ya'asu mikol hatot* ("When a man or woman shall commit any sin").¹⁰ Another *Midrash* interprets the verse in Gen 25:27, *Vayigdelu hane'arim vayehi Esav ish yode'a tzayid, ish sadeh ve-Ya'akov ish tam yoshev ohalim* ("And the boys grew; and Esau was a cunning hunter, a man of the field; and Jacob was a quiet man, dwelling in tents) to mean that at the age of thirteen, Jacob and Esau became *gedolim*, entered into the category of *ish* and thus became responsible for their actions.¹¹

The responsa of the *Maharil* and the *Magen Avot* of the *Tashbatz* quote a *Midrash* that interprets the word *zu* from the verse in Isaiah 43:21, *Am zu yatzarti li tehilati yesaperu* (The people which I formed for Myself, that they might tell My praise) referring to those who have reached the age of *zu*-thirteen. Similarly, another *Midrash* played on the

Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah

word *ehad* to emphasize its numerical value, which is thirteen, and states that the thirteenth year of one's life is a time when the Jew should be at one with his God and fellowmen. The *Rosh* simply states that the age of Bar-Mitzvah is *Halakhah Lemoshe Missinai* like all *she'urim*.¹²

To be sure, the Bar-Mitzvah ceremony has known many changes and gone through many stages since it first emerged in Jewish religious life centuries ago. But these sources clearly demonstrated that the rite was practiced long before the Middle Ages and that the central idea has remained. This idea is that the boy who has reached thirteen years and a day is considered legally bound to fulfill the obligations of Jewish law and practice, and in becoming a Bar-Mitzvah is a child of commandments and a *bar onshin*, liable to punishment for his own misdoings.

BAR MITZVAH PROCEDURE ACCORDING TO THE POSKIM

The procedure prescribed by the *Poskim* for the Bar-Mitzvah consists of five parts: (1) The *Tefillin*; (2) the *Aliyah*

לטה נאסר, לפי שאסר והיה לך לאות על יריך טומע אני אף קטנים
והרינן נותן הואיל וטוזה סבות עשה ותפילין סבות עשה אם לטרת
על טוזה שהוא נוהג בקטנים כבגדולים, יכול אף תפילין ינהגו
בקטנים כבגדולים תלמוד לומר ושמת את החקה הזאת לא אכרתה אלא
במי שידרע לשסור תפילין.

Most *Halakhic* authorities did not expect a *katan* to meet the requirements of *shimur* and therefore decided that no minor may don *Tefillin*. Thus *mitzvot Tefillin* became a significant token marking the attainment of *gadlut*. The *Ramban* even holds that the Bar-Mitzvah should recite the *Shehehiyanu* blessing when he purchases the *Tefillin*.¹⁴

ALIYAH LATORAH

In reference to the *Aliyah Latorah* the *Mishnah* states that, *Hakol olin leminyana*

Latorah on the first Sabbath after thirteen years and one day as one of the *shivah keru'im*; (3) the benediction of *Barukh Shepetarani* which the father of the boy recites; (4) the *seudah*- the festive meal in celebration of the event; and (5) the *derashah* - the address given by the Bar-Mitzvah.

THE TEFILLIN

The connection of *Tefillin* with Bar-Mitzvah is essential to a proper understanding of the concept. Actually, a minor may observe many *mitzvot*. In fact, it is incumbent upon the father, as part of *hinukh*, to expose his child to the observance of *mitzvot*. Indeed, the *Talmud* declares that the father of any boy who shows himself capable of behaving respectfully when wearing *Tefillin* and who knows how to care for them is obligated to buy him *Tefillin*.¹³ Why then has the privilege of putting on *Tefillin* become the chief distinction of the Bar-Mitzvah? The solution of this problem is to be found in the *Mekhilta* on Exodus 13:10, "And thou shalt keep this ordinance in its appointed time from year to year."

shivah ve'afilu katan (Even a minor may be called to the Torah among the first seven).¹⁵ Nevertheless, it is stipulated by the *Ramban* that only a minor who is mature enough to understand what he prays and to whom he addresses the benedictions can be counted in the *shivah keru'im*.¹⁶ I submit, therefore, that it is precisely for this reason that the practice developed that no *katan* is called to the Torah. The *Aliyah* given to the Bar-Mitzvah was a token of recognition of his new status, that he has

Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah

become a *gadol*. The well known *Levush* (chap.11) thus decides that, with the exception of a groom on the day of his marriage, the Bar-Mitzvah is called to the Torah in preference to all other *hiyuvim*. The *Aliyah* was the first public occasion in which he participated as a *gadol* in the presence of a *Minyan*. This fact is regarded to be so significant a feature of the celebration that among the Sephardim the usual term for becoming Bar-Mitzvah meant simply "to enter into *Minyan*." In many communities if the Bar-Mitzvah was blessed with a fine voice and proficient *Nusah*, he would also be honored to lead the congregation as a *Sheliah Tzibbur*.

BARUKH SHEPETARANI

We now approach the benediction *Barukh Shepetarani* whose origin Leopold Low attributes to the degenerate state of Talmudic learning among fourteenth century German Jews.

The source for this blessing is the *Midrash Rabbah*.¹⁷ It has previously been stated that R. Yehudai Gaon admitted having recited this blessing when his son became Bar-Mitzvah. Concerning the form however, there is a division of opinion as to whether this blessing is to be recited with or without the *Shem Umalkhut*. While the *Rema* holds that it should be made without *Shem Umalkhut*, the Gaon and many others disagree.¹⁸

There are two reasons offered for reciting this benediction. One, by the *Magen Avraham* who maintains that the father thanks God for removing from him further responsibility for the sins of the son. The other, expounded by the *Levush* who asserts that the father expresses gratitude that the son will no

longer suffer because of the father's failures.

As to when this benediction should be uttered there are three opinions. One holds that it should be recited when the Bar-Mitzvah begins to lead the congregation in prayer. Another view is that the father should recite it when the Bar-Mitzvah is called to the Torah. And a third view maintains that it is to be recited when the boy delivers his *derashah*.¹⁹

THE DERASHAH AND SE'UDAH

The first to mention the *derashah* and the *se'udah* is the *Maharshah*.²⁰ He declares that a Bar-Mitzvah occasion is equal in festivity to that of a wedding.²¹ The *Zohar*, too, compares the Bar-Mitzvah festivities to that of a wedding.²² The *Maharshah* further quotes the Talmudic sources to the effect that our Sages were accustomed to make a feast when one assumed a mandatory religious responsibility.²³ He also quotes a *Midrashic* source to substantiate his decision that a Bar-Mitzvah festivity is a *se'udah shel mitzvah*.²⁴ The *Rif* explains that we do not find the weaning of a child to be an occasion for a family feast in Jewish tradition. Therefore, he concludes that when Abraham made the feast mentioned in the Torah, it was to celebrate Isaac's Bar-Mitzvah.²⁵

The *se'udah* and the *derashah* were interrelated. The procedure was that the Bar-Mitzvah would first deliver a Talmudic dissertation before the scholars of the community. This discourse was delivered either at the synagogue or at home and was climaxed by the *se'udah* which was held in honor of the occasion. The *se'udah* originally consisted

Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah

of simple refreshments. By the sixteenth century it had mounted to such a degree that it began to constitute an abuse. The community, therefore, tried to restrict the degree of expenditure and ostentation. The *Vaad Arba Aratzot* decreed in 1659 that no more than ten strangers might be invited to a Bar-Mitzvah *se'udah* and in Krakow a communal tax was levied on the *se'udah* in order to discourage extravagance.

The *derashah* developed as an outgrowth both of early training in the study of the Talmud and of the desire of parents to display the brilliance of their children. It is my contention, however, that the *derashah* was introduced as another Bar-Mitzvah token to indicate that the obligation of *hinukh* which until this day was the duty of the father, is now being transferred to the son.

II. THE BAT MITZVAH

All Halakhic authorities agree that a girl upon reaching the age of twelve years and a day becomes a *gedolah*. The *Mishnah* compares her rights at that age to those of a boy of thirteen.²⁶ Like the thirteen year old boy, she, at twelve, has the power of making vows (*Bat shetem esreh veyom ehad nedareha kayamin.*) The Talmud asks, "Why does a girl mature one year earlier?" And the answer given by Rabbi Yehuda HaNasi is that God has endowed woman with special intuitive understanding (*Vayiven Hashem et hatzela, melamed shenatan Hakadosh Barukh Hu bina yeserah be'ishah yoter mibe'ish*). As a result, the *Tosafists*²⁷ establish the rule that twelve years and one day for a female child is as thirteen years and one day for a male child. And the *Rosh* (No. 17) in his response asserts that the designation

of the age is *Halakhah Lemosheh Missinai* (*Ki Halakhah Lemosheh Missinai, sheben yud gimel shanah hu bar onshin uvebanot bat shetem esreh shanah.*)

None of these authorities, however, mention the term Bat-Mitzvah. Many are the causes - economic, social, and political, which contributed to the weakening of the position of women as a religious factor in Judaism. From the standpoint of *Halakhah*, however, three factors stand out very forcibly and pre-eminently: (1) Rabbi Eliezer's dictum "Whosoever teaches his daughter Torah, teaches her, as it were, levity".²⁸ Many generations accepted this statement as a guiding principle regarding the education of their daughters. Indeed, some authorities believe that the commandment of Torah education incumbent upon every father applies only to sons, but not to daughters.²⁹ (2) The fact that women were exempt from affirmative laws that are operative only at special seasons (*mitzvat asay shehazeman gerama*). (3) The principle of *kol kevodah bat melekh penimah* which suggests that women's duties be confined to the home and limits her participation in public functions.

Even a cursory examination of the basic sources in *Halakhah* and responsa indicates to what degree these principles were accentuated and sometimes misconstrued in the course of time. Scholars are divided as to the motive and meaning of Rabbi Eliezer's view. There are some who maintain that in Rabbi Eliezer's period many women were indulging in missionary work for Christianity.³⁰ Others maintain that this dictum refers to a discussion on the efficacy of *Mayim Hame'orerim* which immediately precedes

it. Rabbi Eliezer holds that it is dangerous to the morality of a woman to engage her thoughts with the details of the law concerning a wife suspected of adultery. Still others maintain that Rabbi Eliezer's view applies only to immature women but not to those of ability and understanding.³¹ The *Rambam's* position concerning this problem is unique. He accepts Rabbi Eliezer's view in reference to the oral law and Ben Azai's view that *hayav adam lilmod et bito* Torah in reference to written law.³²

Historically, we know that Rabbi Elie-

zer's view was not followed and many are the women who made names for themselves as prominent Biblical and Talmudic scholars.³³ Among these was Ima Sholam, the very wife of Rabbi Eliezer.

While some authorities, as mentioned above, deduce from that, that there is no specific obligation that the father give Torah education to his daughter and that the *mitzvah of hinukh* does not apply to her, there are many sources which suggest the contrary. Following are but a few:

אמר רבי טאיר לא נסבעו בני ישראל מלשח עירוביהן ביד בניהם
ובנותיהם הקטנים כרי לחנכן במצות.³⁴

ת"ר שה לכית מלמד שארם מביא ושוחם ע"י בנו ובתו הקטנים
כין מרעתן כין שלא מרעתן. זע"יין רש"י שם שכנו ובחו
הקטנים עליו לחנכן הלכך כין מרעתן ובין שלא מרעתן.³⁵

Authorities also agree that a woman is dutybound to learn the laws which she is commanded to perform.³⁶ This

view is clearly expounded by the *Sefer Hasidim*.

שלא טן הראוי ללמד את האשה סתרי תורה ועוסק התלמוד. אבל דינים
וסצוות אנו סחוייבים ללמד אותה שכן אם לא תרע למשל את דיני שבת, איין
תרע לשסור את השבה וכן כל המצוות שבתורה. ובזמן חזקיהו מלך יהודה
ירעו האנשים והנשים גדולים וקטנים אפילו דיני טהרות וקדושים.³⁷

Extremely interesting and very realistic is the opinion of the Chofetz Chaim concerning Rabbi Eliezer's view. In the *Hilkhot Sotah, Likutay Halakhot* he draws attention to the fact that since the practical education which was the norm

in previous generations no longer exists, in these times it is essential to emphasize the formal education of the girl in order to imbue her with the spirit and content of Jewish tradition.

כל זה דוקא בזמנים שלפנינו שכל אחד היה דר במקום אבותיו וקבלת
האבות היה חזקה סאר אצל כל אחד ואחד להתנהג בדרך שדרכו אבותיו
וכסאסר הכתוב סאל אביר ויברך. בזה אנו יכולים לוסר שהאשה לא
תלמד תורה והססוך בהנהגה על אבותיה הישרים. אבל כעת בעונותינו
הרבים סקבלת האבות ותרופפה סאר סאר בוראי סצוה רבה ללסרן חוסש
וגם נביאים וכתובים וסוסר ח"זל כרי שתתיוסט אזלן אסונתנו הקדושה
סאם לא כן עלול שתסורנה לגסרי סדרך ה' ותעבורנה על כל יסורי הרת
חס ושלום.

In order to formulate a Bat-Mitzvah program based on *Halakhah* it is important to examine the five basic features of the Bar-Mitzvah ceremony to determine whether they may *Halakhically*

apply to girls. The first feature that of wearing the *Tefillin*, though practiced by Michal, the daughter of Saul, the daughter of Rashi and others, cannot be recommended for modern women. It is the

Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah

decision of the *Tosafist* (*Eruvin* 86) that even though women may perform any *mitzvah*, even those that are operative

only at special seasons, they may not don *Tefillin* because of the principle of *shimur*.

נשים שרצו להניח תפילין מוחין כידן אע"פ שככל מ"ע שהזמן
גרמא אם רצו להחמיר על עצמן מותרות לפי שתפילין צריכין
גוף נקי ואין יודעות לשמור עצמן כנקיות.

In regard to the second feature, the participation of women in *Aliyah Latorah*, a practice which was instituted by deviationist movements, most authorities accept the opinion that because it is not in conformity with the dignity of the congregation for women to conduct religious services or functions for men, they should not be called to the Torah.³⁸

The final three features, however, (1) the benediction of *Barukh Shepetarani*, (2) the *se'udah*, and (3) the *derashah* apply to a Bat-Mitzvah as well as to a Bar-Mitzvah and could, in our opinion, constitute the Bat-Mitzvah ceremony. Two authorities discuss the problem of why the father does not recite the benediction *Barukh Shepetarani* when his daughter reaches the age of twelve years and a day. The *Pri Megadim* decides against reciting this blessing. He does not, however, give any reason for this decision. I believe that it is because of the fact that this benediction is usually recited *betzibbur*, either at the reading of the Torah, or at the time when the Bar-Mitzvah

leads the congregation in prayer, a custom attributed to Rabbi Yehudai Gaon,³⁹ and is thus not applicable to a Bat-Mitzvah. A similar explanation is given by the *Magen Avraham* (201) as to why women are exempt from reciting the blessing of *Hagomel*. However, the responsa of *Bet Shmuel* decides that a father is dutybound to recite the blessing *Barukh Shepetarani* when his daughter reaches the age of twelve years and one day for the same reason that he recites for his son. He makes no mention, however, as to when this benediction should be recited.

The *se'udah* and the *derashah* aspects certainly apply to a Bat-Mitzvah and as a matter of fact, have now been made popular in Israel. The ceremony, however, takes place either at the school which the girl attends, or at home. This practice has now been accepted by most religious authorities in Israel. In the *Halakhah*, it appears there are no objections to a Bat-Mitzvah ceremony based on the aforementioned features.