



## *THE HAKUK EDITION*

## *ENGLISH TOPICS ON THE DAF*

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### ***Chagigah Daf 4***

## **The Obligation of Minors in Reiyah**

The Beraisa on **Chagiga** 4a expounds the Possuk, “Three times a year, all your males must appear before the Master, Hashem.” The addition of the word “all” to the phrase “All your males” comes to include even minors, i.e., boys under the age of 13. On this the Gemara poses a seeming contradiction since the first Mishnah of Chagiga states that children are *excluded* from the obligation of reiyah (appearing in the Beis Hamikdash on Yom Tov)? Answers the Gemara, there are two categories of minors – those who have reached the “age of chinuch,” who are old enough to understand mitzvos, and those younger. Only boys within the age of chinuch are obligated.

The Gemara persists asking that even those who have reached the age of chinuch are required only by the Rabbis, and not with the strength of a Biblical law. So, how could we learn from pesukim in the Torah a halacha which was formulated by the Rabbis only afterwards? Concludes the Gemara, it is not an actual Biblical derasha, but rather an “asmachta,” a

hint in a possuk to the idea. If so asks the Gemara, what *do* we learn from the words “all your males?” It excludes people whose employment is with foul-smelling materials, for they cannot ascend to the Temple together with the throngs of other Jews, due to their odor. Only those who are able to go with “*all*” the others are obligated in reiyah.

We learn from this Gemara that male children (that have reached the age of chinuch) are required Rabbinically in reiyah.

How startling, then is the Rambam’s opinion that they are obligated in reiyah from the Torah, Biblically! Let us analyze this fascinating topic.

The **Rambam** (Hilchos Chagiga 2:3) states: Any boy who is old enough to hold his father’s hand and ascend from Yerushalayim to the Temple Mount, his father must bring him...as it says, “all your males should appear...”

The Rambam seems to be quoting the first part of the discussion in the Gemara, which derives the obligation from the verse. However, the Gemara’s conclusion is that it is merely a hint to it, and the source is actually an enactment by the Rabbis?

Perhaps the Rambam also quotes the verse to be just a hint (so writes the Lechem Mishneh). But it does not appear to be so, as in his Sefer HaMitzvos (Mitzvah 53) he defines the *Biblical* mitzvah of reiyah as including all minors capable of walking up the Har Habayis, the Temple Mount, as mentioned?

The **Netzi”v** (Meromei Sadeh Chagiga 2a) addresses this difficulty and suggests that our Gemara reflects only the view of the second Beraisa that says it excludes foul-smelling people. Indeed, the Rambam states that foul-smelling men are *obligated* in reiyah (Halacha 2)! Apparently, he understood the Beraisa as a minority opinion (it is quoted as “others say...”). How did the Rambam reach this conclusion? Because he maintains that the mitzvah of reiyah by definition includes bringing the korbon reiyah (see the article on Chagiga daf 2). It is not possible for minors to be

required to come to the Beis Hamikdash – even from the Rabbis – unless they also bring the korbon. Thus, if they must accompany their father there, perforce it is with their own korbon – and korbonos cannot be brought unless it is effective on the Biblical level! Therefore, Rambam deviates from our Gemara.

The Rambam's opinion can be supported from the **Yerushalmi**. In connection with the first Mishnah that lists the exemptions from reiyah, the Yerushalmi states, "The Mishna is discussing the requirement and exemptions from the obligation to appear with a korbon. However, as regards the obligation to appear in the Mikdash (reiyas panim) includes even children, as it says, 'Gather the nation – men, women, and babies' – and babies are certainly minors!" Given that the Yerushalmi quotes this possuk of Hakhel, it seems to be a Biblical obligation, similar to the Rambam, albeit learning it from a different source.

We have mentioned previously that the Rambam considers the korbon as an inseparable part of reiyah. How, then, could the Yerushalmi split them apart for minors? The **Ridvaz** explains by noting its language: "*children* are required to come." This implies that women and all the other people exempt are not required to come. Why is this?

The verse cited relates to Hakhel. The objectives of Hakhel are spelled out as "the men come to learn, the women, to listen; the children are brought to bring reward to those who bring them" (Gemara 3a). Since women are part of the Torah study experience of Hakhel, they cannot participate without "listening" to the Torah reading there. So too, they cannot fulfill reiyah without bringing a korbon. They have a dual obligations in both; inseparable. Minors, however, attend Hakhel merely for their parents' sake. They neither have to hear nor learn; their obligation is just to

go. As well, by reiyah – learned out from Hakhel – they are required merely to go to the Beis Hamikdash, but do not need to bring a korbon!<sup>1</sup>

**Rabbi Betzalel Zolty** (Mishnas Yaavetz Siman 43) adds a fascinating insight about the Rambam's view. He comments that usually the Rambam expresses the obligation of minors in mitzvos, Rabbinic in nature ("chinuch"), as "the child is obligated..." Here, however, we find "*the father is obligated*" to bring him up and appear [in the Beis Hamikdash] to accustom him in mitzvos." Rabbi Zolty derives from this wording that a child's reiyah is actually part of the *father's* commandment.

Although we have proven from the Yerushalmi that children are obligated in reiyah, the overall rule is that they do not have "daas" – maturity of an adult necessary to be obligated in any mitzvah. How then are they obligated in reiyah? Indeed, they are not! It is the *father's* Biblical duty to take him with. Thus, a minor has his own Rabbinic chinuch obligation to perform many mitzvos (dependent on his age, etc.), but has no personal obligation in reiyah.

According to this understanding, if a father is exempt from reiyah, his children have no obligation to go to the Beis Hamikdash, either. They are required only as part of their father's mitzvah, so if he is excluded, so are they.

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<sup>1</sup> (Note that the Netzi"v understands the Rambam that they *do* bring a korbon.)