

שיעור 30  
פרק אחד ליום

## הלכות תלמוד תורה

יש בכללן שתי מצוות גשה –  
(א) ראשונה, ללמוד תורה; (ב) שניה,  
לכבד מלמדיה ויודעייה. ובאור שתי  
מצוות אלו – בפרקים אלו.

They include two positive mitzvos, which are:  
First, to study Torah; <sup>[1]</sup>Second, to honor its  
teachers and scholars. The clarification of these  
two mitzvos follows in these chapters.

### פָּרָק א

נשים ועבדים – פטורים מתלמוד תורה;  
אבל קטן – אביו חייב ללמדו תורה,  
שנאמר: "ולמדתם אתם את בניכם,  
לדבר בם".<sup>1</sup> ואין האשה חייבת ללמד  
את בנה, שכל החייב ללמוד חייב ללמד.

<sup>[2]</sup>Women and slaves are exempt from Torah  
study; but a minor male — his father is obli-  
gated to teach him Torah, as it states: "And you  
shall teach them to your sons to speak of them."  
A woman is not obligated to teach her son, for  
only one who is himself obligated to study is  
obligated to teach.

1. דברים-עקב, יא, יט.

#### 1. "Second, to honor its teachers and scholars"

The Rambam makes no mention of a mitzvah to honor an elder who is not a scholar. Similarly, in his Sefer Hamitzvos, he writes, "He commanded us to honor the sages, to rise in front of them, as the verse states: In the presence of the elderly..."<sup>1</sup> omitting any mention of the common elderly. The same is implied in the first halacha of Chapter Six: "It is a mitzvah to honor every Torah scholar . . . as it states: "In the presence of old age you shall rise, and respect the presence of an elder."<sup>2</sup>

In the ninth halacha of the same chapter, he does write that one should rise before a man of exceedingly advanced age, even if he is not a scholar. Yet, in that instance, he does not use the language of obligation (mitzvah).

This indicates that his opinion is that the principal obligation of this mitzvah is to show respect for Torah scholars. The same is implied in Moreh Nevuchim, where he writes: "The mitzvos . . . which we enumer-

ated in Hilchos Yesodei Hatorah . . . to honor the sages . . . as it states: In the presence of old age you shall rise."<sup>3</sup>

Likkutei Sichos vol. 27 pg. 376.

#### 2. "Women and slaves are exempt . . . but a minor male — his father is obligated to teach him"

This opening is difficult to comprehend: Why does the Rambam start the laws of Talmud Torah by designating those exempt from Torah study — even before defining the actual obligation?

The explanation: The Rambam starts with the earliest obligation to study Torah, and that is the obligation that a father has to teach his children. However, in order to properly convey this obligation, and make it clear that it is the father who is obligated, not the child, the Rambam must first tell us that the child has no personal obligation, and needing to write that a child is exempt, he included the others who are exempt, quoting the common Talmudic expression, "women,

3. ה"ג פל"ו.

1. ויקרא יט, לב.  
2. מ"ג ר"ט.

**ב** כַּשֵּׁם שְׂאֲרָם חַיֵּב לְלַמֵּד אֶת בְּנוֹ – קֵד  
 הוא חַיֵּב לְלַמֵּד אֶת בְּנוֹ בְּנוֹ, שְׂנַאֲמַר:  
 "וְהוֹדַעְתֶּם לְבְנֵיךָ, וּלְבְנֵי בְנֵיךָ".<sup>2</sup> וְלֹא בְּנוֹ  
 וּבְנוֹ בְּנוֹ בְּלִבְדָּה, אֲלֵא מִצְוָה עַל כָּל הַכֶּסֶם  
 וְהַכֶּסֶם מִיִּשְׂרָאֵל לְלַמֵּד אֶת כָּל הַתְּלָמִידִים,  
 אֲף עַל פִּי שְׂאִינָן בְּנָיו, שְׂנַאֲמַר: "וְשִׁנְנֶתֶם  
 לְבְנֵיךָ"<sup>3</sup> – מִפִּי הַשְּׂמוּעָה לְמִדּוֹ, 'בְּנֵיךָ' –  
 אֵלּוּ תְלָמִידֶיךָ, שֶׁהַתְּלָמִידִים קְרוּיִן בְּנִים,  
 שְׂנַאֲמַר: "וַיֵּצְאוּ בְנֵי הַנְּבִיאִים"<sup>4</sup>.

**Just as one is** <sup>[3]</sup> **obligated to teach his son, so is he obligated to teach his grandson, as it states:** "And you shall teach them to your sons, and to your son's sons." And not only to one's son and grandson; rather, <sup>[4]</sup> **it is incumbent upon every sage in Israel to teach all students although they are not his sons, as it states:** "And you shall teach them to your sons" — by oral tradition they learned that 'your sons' refers to your students, for students are called sons, as it states: "And the sons of the prophets went forth."

2. דברים-ואתחנן, ד, ט. 3. שם, ו, ז. 4. מלכים-ב, ב, ג.

#### ☞ Pardes Hamelech ☞

slaves, and children." He can then add that there is indeed an obligation related to the child — but that it is the father who bears the actual obligation. In general, this is the Rambam's common practice: to mention a particular law by incorporating it in a more general statement.

In truth, the Rambam has already mentioned the general obligation in the preface to this set of laws (which he authored as well): "They include two positive mitzvos . . . to study Torah" — thereby introducing the obligations from the very start.<sup>4</sup>

Likkutei Sichos vol. 14 pg. 236.

### 3. "Obligated to teach his grandson"

This teaching is sourced in the Talmud in Kiddushin.<sup>5</sup> Since the verse says, "to your sons, and to your son's sons," we infer that the obligation extends only to one's grandson but not to one's great-grandson.

However, it seems that Rashi holds a different view based on his interpretation of the verse, "the children of Machir, son of Menashe were likewise born upon Yosef's knees."<sup>6</sup> He explains that Yosef taught them Torah and they were therefore referred to as having been "born upon Yosef's knees."

Why would Yosef teach them himself? Yaakov had appointed his son Yehudah "to establish centers of Torah learning";<sup>7</sup> Yosef could have sent them there. The existence of an established Yeshiva means that Yosef did not have a general obligation to teach (as a Torah scholar usually does.) In addition, Yosef's position as the royal viceroy and his involvement in public affairs were certainly reason to exempt him from teaching Torah.<sup>8</sup> The only explanation for him insisting on teaching them himself, is that the obligation to teach one's sons extends also to one's great-grandsons. The same is implied in Targum Onkelos, who states, "isyilidu v'rabi Yosef—Yosef raised them and taught them Torah."

Likkutei Sichos vol. 20 pg. 247.

### 4. "It is incumbent upon every sage"

The Rambam employs the language "al kol chacham v'chacham," and not "al kol chacham," to emphasize the inclusion of all kinds of scholars. This resembles the interpretation of the verse, "ish ish mibeis Yisrael—And if anyone of the house of Israel..."<sup>9</sup> in which the repetitive language serves to include heathens.<sup>10</sup>

4. ולהעיר יתרה מרג"ל שבמשו"ע שהבדילו ת"ת דקטן מזה דגדול – הקדימו

5. ל, א.

6. ויחי ג, כג.

7. ויגש מו, כח ובפרש"י שם.

8. ראה הל' ת"ת לאדה"ז סו"ס צג ובקו"א סק"א.

9. ויקרא כב, יח.

10. פרש"י שם כ"ה.

4. ולהעיר יתרה מרג"ל שבמשו"ע שהבדילו ת"ת דקטן מזה דגדול – הקדימו ת"ת דקטן. ובשו"ע דאדה"ז (שאין דרכו בכללם ומנגינים מקדים רק פטור דקטן. כל הנ"ל לא שייך בנוגע לסוכה (שחיטכה מדרבנן) ובכ"ז הקדים הפטורים (רפ"ו) כי בפרקים שלפניו מדבר בדיני הסוכה ודלא כבהל' ק"ש (רפ"ד) אף שבכל הנ"ל אותו הלשון נשים ועבדים וקטנים. ואולי יש לומר שזהו על דרך (ולא ממש) הכלל שבריש מום' עירובין וסוכה דנפישין מילתא כו' – בנוגע למשנה, שבסגנון זה כותב הרמב"ם משנה תורה שלו, ובפרט שכלל זה –

אם בן, למה נצטווה על בנו, ועל בן בנו?  
להקדים בנו לבן בנו, ובן בנו לבן חברו.

**If so, why is one commanded regarding his son and his grandson? To imply that one is to give precedence to his son over his grandson, and to give his grandson precedence over his fellow's son.**

ג ותיב לשפר מלמד לבנו ללמוד, ואינו  
תיב ללמד בן חברו אלא פתחם.

**One is obligated to hire a teacher to teach his son, but is only obligated to arrange to teach his fellow's son for free.**

מו שלא למדו אביו – תיב ללמד את  
עצמו כשיכיר, שנאמר: "ולמדתם אתם,  
ושמרתם לעשותם"<sup>5</sup>. וכן אתה מוצא  
בכל מקום, שהתלמוד קודם למעשה,  
מפני שהתלמוד מביא לידי מעשה, ואין  
המעשה מביא לידי תלמוד.

[5] **One whose father did not teach him — is obligated to teach himself when he is old enough to realize, as it states: "And you shall study them and be careful to fulfill them." And so we find in all situations, that study precedes active fulfillment, for study leads to action, but action does not lead to study.**

5. דברים-ואתחנן, ה, א.

— Pardes Hamelech —

Likewise, we see this in the Mishnah:<sup>11</sup> "In the world-to-come, Hashem will make each righteous person — kol tzaddik v'tzaddik — inherit three hundred and ten worlds," meaning to include two kinds of righteous; the stringent and the lenient,<sup>12</sup> hinting to the schools of Shammai and Hillel, respectively.<sup>13</sup>

Likkutei Sichos vol. 15 pg. 136.

**5. "One whose father did not teach him — is obligated to teach himself"**

The Rambam's language is exact, highlighting that a child's obligation begins when he "realizes" and not when he has grown.<sup>14</sup> Based on this sentence, the Tzemach Tzedek writes, "Perhaps a child has a biblical obligation to study Torah as well."<sup>15</sup>

However, this is difficult to understand. How is it possible for a child to be held responsible for a biblical mitzvah?<sup>16</sup>

The explanation: We find in several instances in Torah that when a mitzvah requires a preliminary

action, this action will acquire comparable importance to the mitzvah itself, as if it too were part of the mitzvah.

This is akin to Rabbi Eliezer's opinion that Shabbos can be transgressed to fashion the instruments used for a bris because they are considered to be an element of the mitzvah itself.<sup>17</sup> Likewise, in Talmud Yerushalmi, it mentions that when one builds his Sukkah, arranges his Lulav, or similar acts, he should say the customary blessings for a mitzvah, "who sanctified us with your mitzvos and commanded us to — build a sukkah, arrange the lulav, etc."<sup>18 19</sup>

We find a similar concept in the mitzvah of Torah study; the mitzvah extends even to those who only facilitate the Torah study. For example, if someone is not capable of studying on his own, he is told to facilitate the study of others, and "it will be considered as if he is studying himself." Similarly, the Ran famously teaches that although a woman has no formal obligation to bear children, she nonetheless gains a mitzvah "because she facilitates her husband in fulfilling his mitzvah"<sup>20</sup> to be fruitful and multiply.

16. ובלשון הגמ' (פסחים קמ"א, א.) "חייבא לדרדקי (בתמי")

17. שבת קל, א.

18. ברכות פ"ט ה"ג.

19. וכן הוא במצות הולבת הרים שאף שאינו מצווה כשחיטה וריקה המורשת בתורה מכל מקום "מחשבה פוסלת בה".

20. רפ"ב דקידושין.

11. עוקצין בסופה.

12. תוי"ט שם.

13. ועיין הדרין על ששה סדרי משנת תורת מנחם תשמ"ח חלק ב' בסופו.

14. בספר המדע לרמב"ם (ירושלים תשכ"ד) הובא מרפ"ם ספרד שלפני רנב "כשיגדיל".

15. פס"ד – חידושים על הרמב"ם בתחלתו.

ד הנה הוא ללמוד תורה ויש לו בן ללמוד תורה, הוא קודם לבנו. ואם היה בנו נבון ומשכיל מה שילמד יותר ממנו, בנו קודם; ואף על פי שבנו קודם, לא יבטל הוא – שששם שמצוה עליו ללמוד את בנו, כך הוא מצוה ללמוד את עצמו.

**If one wishes to study Torah with a paid teacher himself, and also has a son who needs to study, he takes precedence over his son. But if he has a son who is smarter and will succeed at his studies more than he, his son takes precedence. Although his son takes precedence, he himself should not sit idle, for just as it is incumbent upon him to teach his son, so is he commanded to teach himself.**

ה ללמוד תורה, ואחר כך ישא אשה – שאם נשא אשה תחלה, אין דעתו פנויה ללמוד. ואם היה יצרו מתגבר עליו, עד שנמצא שאין לבו פנוי – ישא אשה, ואחר כך ילמוד תורה.

**One should always first study Torah, and only afterwards marry a wife. For if he first marries a wife, his thoughts will not be free for study. But if he feels his base inclinations overcoming him, to the point that his thoughts are not free — he should first marry a wife and then study Torah.**

ו מאימתי מתחיל אביו ללמדו תורה? משינתחיל לדבר, מלמדו: "תורה צוה לנו משה",<sup>6</sup> ופסוק ראשון מפרשת "שמע";

**[6]When must a father begin to teach his son Torah? When his son begins to speak, he teaches him: "The Torah was commanded to us**

6. דברים-ברכה, לג, ד. 7. דברים-ואתחנן, ו, ד.

However, all the above-mentioned cases are not actually part of a mitzvah: The mitzvah of “be fruitful and multiply” is the birth of a child, not the woman’s participation thereof. The same is true of building a sukkah and arranging a lulav: the building and arranging never integrate within the mitzvah itself; instead, they remain a degree removed.

In contrast, here, we are discussing a child’s education. The child is not assisting his father in fulfilling the mitzvah; rather, the child himself is the object of the mitzvah, and the fulfillment of the mitzvah is acted upon and realized within the child. We can thereby consider the child as sharing the obligation.

An example for this concept (in a Biblical mitzvah) can be found in a teaching in the Talmud:

Abaye states that a husband must bring joy to his wife during the festivals.<sup>21</sup> Tosfos points out what seems to be a contradiction: the Talmud elsewhere<sup>22</sup> seems to indicate that she has her own personal obligation to visit the Beis Hamikdash and celebrate!

Rabbeinu Tam then explains that the mother’s participation mentioned in this piece is, in fact, only an obligation directed upon her husband, not her. In other words, even though the mitzvah obligates only the husband, her participation acquires the status of a mitzvah as well.<sup>23</sup>

Likkutei Sichos vol. 17 pg. 233.

### 6. “When must a father begin to teach his son Torah?”

This halacha underscores that the foundation of Torah learning must be a commitment to the Giver of the Torah — bittul — not intellectual development per se, for it states that a father begins teaching his son Torah as soon as the child speaks — not “as soon as he understands,” or “as soon as he grows up.” Indeed, although the child may not comprehend his own words, the Torah passages resonate with his soul and make an impact.

Likkutei Sichos vol. 19 pg. 42.

23. ר"ה שם ד"ה אשה.

21. ר"ה ו' ע"ב. קידושין לז, ב.

22. חגיגה ו' א.

ואחר כך מלמדו מעט מעט פסוקים  
פסוקים, עד שיהיה בן שש או בן שבע  
לפי בריו, מוליכו אצל מלמד התינוקות.

ז יהיה מנהג המדינה לקח מלמד התינוקות  
שכר, ונתן לו שכרו; וחיב ללמדו בשכר,  
עד שיקרא תורה שבכתב בפה.

מקום שנהגו ללמד תורה שבכתב  
בשכר, מתיר ללמד בשכר. אבל תורה  
שבעל פה, אסור ללמדה בשכר,  
שנאמר: "ראה למדתי אתכם" <sup>8</sup> – מה  
אני בחנם למדתי, אף אתם בחנם  
למדתם ממני; וכן פשתלמדו לדורות –  
בחנו, כמו שלמדתם ממני.

לא מצא מי שילמדו בחנם – ילמד  
בשכר, שנאמר: "אמת קנה" <sup>9</sup>. וכול  
ללמד לאחרים בשכר? תלמוד לומר:  
"ואל תמכר" <sup>10</sup> – הא למדת, שאסור לו  
ללמד בשכר, אף על פי שלמדו רבו  
בשכר.

ח כל איש מישראל חיב בתלמוד תורה, בין <sup>[7]</sup> Every individual of Israel is obligated to study

8. שם, ד, ה. 9. משלי, כג, כג. 10. שם.

## 7. "Every individual of Israel is obligated to study Torah"

Every Jew is obligated to study Torah, but there are distinctions between individuals in both quantity and quality: Some Jews are obligated to study Torah in

depth, both day and night; <sup>24</sup> workers and businessmen are given lesser obligations; some are only obligated to study "a verse each morning and evening" is sufficient in certain cases; <sup>25</sup> and women are only obligated to be proficient in the laws that pertain to them.

Likkutei Sichos vol. 11 pg. 112.

<sup>24</sup> מצוה לאמור. וראה ל' אדה"ו שם "לצאת ידי חובתי", ומובן שא"ו דומה למו שמקיים "ידעית בו יומם וילילה" כפשוטו.

<sup>24</sup> הלכות ת"ת פ"ג ה"ה. או"ח סקנ"ו ס"א.  
<sup>25</sup> ראה הלכות ת"ת שם ה"ד. וי"ל שאפילו בקיום לא ימוש ספר התורה מפך (מנחות צג, ב) הרי"ז רק ש"קים" ולא ימוש (ראה פרש"י שם ד"ה

עני בין עשיר, בין שלם בגופו בין בעל יסורין, בין בחור בין שהיה זמן גדול שתשש כחו, אפלו עני המחזר על הפתחים, ואפלו בעל אשה ובנים – תיב לקבע לו זמן ללמוד תורה ביום ובלילה, שנאמר: "והגית בו יומם ולילה"<sup>11</sup>.

גדולי חכמי ישראל – היו מהן חוטבי עצים, ומהן שואבי מים, ומהן סומנין, ואף על פי כן היו עוסקים בתורה ביום ובלילה; והן מכלל מעתיקי השמועה, איש מפי איש מפי משה רבנו.

עד אימתי תיב אדם ללמוד תורה? עד יום מותו, שנאמר: "ופן יסורו מלבבך כל ימי חייך"<sup>12</sup>; וכל זמן שלא יעסק בלמוד, הוא שוכח.

ותיב לשלש את זמן למידתו: שליש בתורה שבכתב; ושליש בתורה שבעל פה; ושליש יבין וישפיל אחרית דבר מראשיתו, ויוציא דבר מדבר, וידמה דבר לדבר, וידין במדות שהתורה נדרשת בהן, עד שידע היאף הוא עקר המדות והיאף יוציא האסור והמתיר ויביצא בהן מדברים שלמד מפי השמועה – ועגן זה, הוא הנקרא 'תלמוד'.

כיצד? היה בעל אמונות – יהיה עוסק במלאכה שלש שעות ביום, ובתורה

Torah, whether rich or poor, whether sound of body or suffering from ill health, whether a young man or one greatly aged and of failing strength; even a destitute person who begs from door to door, and even a husband burdened by the care of his wife and children, must set himself a time to study Torah by day and by night, as it states: "And you shall contemplate it by day and by night."

Among the great sages of Israel — some were woodchoppers, and some were water-bearers, and some were blind; yet they occupied themselves with Torah by day and by night. They are included among those who transmitted the oral tradition, from one man to the next, going back all the way to Moshe Rabbeinu.

Until when is one obligated to study Torah? Until the day he dies, as it states: "And lest they leave your heart all the days of your life," and if at any point one ceases to occupy himself with study, he forgets.

One is obligated to split his study time in three parts: one-third for the written Torah, one-third for the oral Torah, and one-third should be spent on comprehension, to presuppose the conclusion from the outset, and to deduce one matter from another relevant subject, and to compare matters to each other, and draw meaning through the laws of biblical exegesis, until he knows how to substantially apply these laws and how to determine what is forbidden and what is permitted, and the like, from what he has learned through the oral tradition. This method is referred to as 'Talmud.'

How should one do so? If he is a tradesman who occupies himself with his trade for three hours

11. יהושע, א, ח. 12. דברים-ואתחנן, ה, ט.

תשע. אותן התשע – קורא בשלש מהן בתורה שבכתב; ובשלש שעות בתורה שבעל פה, ובשלש – מתבונן בדעתו להבין דבר מדבר. ודברי קבלה, בכלל תורה שבכתב הן; ופרושן, בכלל תורה שבעל פה; והענינות הנקראין 'פרדים', בכלל התלמוד.

במה דברים אמורים? בתחלת תלמודו של אדם; אבל כשיגדיל בהכמה ולא יהא צריך לתלמוד תורה שבכתב, ולא לעסק תמיד בתורה שבעל פה – יקרא בעתים מזמנים תורה שבכתב ודברי השמועה, כדי שלא ישכח דבר מדברי תורה, ויפנה כל ימיו לתלמוד בלבד, לפי רחב לבו וישוב דעתו.

יג אשה שלמדה תורה, יש לה שכר; אבל אינו בשכר האיש, מפני שלא נצטוו, וכל העושה דבר שאינו מצווה עליו, אין שכרו בשכר המצווה שעשה אלא פחות ממנו. אף על פי שיש לה שכר, צווי חכמים שלא ללמד אדם את בתו תורה; מפני שרוב הנשים אין דעתן ככוננת

a day, and studies Torah for nine hours: of those nine hours, for three of them he should study the written Torah, for three of them he should study the oral Torah, and for three of them he should contemplate in his mind so that he comprehends one matter from another. The words of the prophets are a part of the written Torah; their explanations are a part of the oral Torah; and those subjects referred to as 'Pardes' [the Orchard, or inner aspects of Torah] are considered a part of Talmud.

When should this division be followed? At the beginning of a person's course of study; but once he grows in wisdom and no longer needs to study the written Torah nor to constantly occupy himself with the oral Torah — he should read occasionally in the written Torah and the words of the prophets <sup>[8]</sup>so that he not forget anything of the Torah's subjects, and he should then clear his days for Talmud alone, as appropriate for his intellectual capacity and composure of mind.

13. A woman who studies Torah is rewarded for doing so; but her reward is not like a man's reward, since it is not incumbent upon her, and one who does something in which he is not commanded does not merit reward at the level of one upon whom it is incumbent, but only a lesser reward. Although she will be rewarded, the sages instructed that one not teach his daughter To-

— Pardes Hamelech —

#### 8. "So that he not forget anything of the Torah's subjects"

If it is forbidden to forget one's Torah studies, why doesn't the Rambam count it among the 613 mitzvos?

We can suggest that he considered it to be included in the wider mitzvah of Torah study — "to study Torah properly" — as explained in Kuntres Acharon of the Alter Rebbe.<sup>26</sup>

Likkutei Sichos vol. 34 pg. 26.

26. להלכות ת"ת רפ"ג (זי, ב) (תתמא, ב). וראה מגילת אסתר לשהמ"צ שם. ביאור הרי"פ פערלא לשהמ"צ הרס"ג מ"ע יד – טו (קכו, א).

להתלמד, והן מוציאים דברי תורה לדברי הכאי לפי עניינת דעתן.

אמרו חכמים: 'כל המלמד את בתו תורה, כאלו למדה תפלות'<sup>13</sup>. במה דברים אמורים? בתורה שבעל פה. אבל תורה שבכתב, לא ילמד אותה לכתחלה; ואם למדה, אינו במלמדה תפלות.

rah, because most women do not have the focus of mind for reflective study, and may take Torah subjects out of their context to frivolous matters, in congruence to their limited understanding.

The sages said: <sup>[9]</sup>“One who teaches his daughter Torah- it is as if he taught her foolishness.” What does this refer to? To the oral Torah; but as to the written Torah, he should not teach her *a priori*, but if he did teach her, it is not considered as if he taught her foolishness.

שיעור 31  
פרק אחד ליום

שיעור יא  
ג' פרקים ליום

### פֶּרֶק ב

א מושיבין מלמדי תינוקות בכל מדינה ומדינה, ובכל פלך ופלך. וכל עיר שאין בה תינוקות של בית רבן – מחרימין את אנשי העיר, עד שמושיבין מלמדי תינוקות; ואם לא הושיבו – מחריבין את העיר; שאין העולם מתקיים, אלא בהבל פיהם של תינוקות של בית רבן.

**The community must appoint teachers of children in every city and every region. In any city without children studying Torah in their teacher's house — the people of the city should be excommunicated until they appoint a teacher of children. If they still do not appoint a teacher — the city should be destroyed; for the world does not continue to exist except by merit of the breath of children studying Torah in the house of their teacher.**

13. סוטה, כ, א.

☞ Pardes Hamelech ☞

#### 9. “One who teaches his daughter Torah”

The Alter Rebbe writes:

“Women are obligated to study and know the Torah laws that pertain to them, such as the laws of Niddah and Mikveh, the laws of koshering meat, and the prohibitions of Yichud. This includes any positive mitzvah without a specific biblical time limit and any negative mitzvah, biblical or rabbinic — for women are obligated in all these just the same as men.”<sup>27</sup>

We can logically extend this obligation to the study

of the inner dimension of Torah (P'nimius Hatorah), since it too, has direct bearings on daily life: namely, the ability to fulfill the six daily mitzvos enumerated by the Sefer Hachinuch. These are: to believe in Hashem; not to believe in any other; to acknowledge Hashem's unity; to love Him; to revere Him; and not to be enticed by what the heart feels and the eyes see. All of these mitzvos are “constantly applicable without a stop, even for one moment of an individual's life,”<sup>28</sup> and apply to men and women equally.

Likkutei Sichos vol. 29 pg. 270

ת"ת שם קה"ת תשמ"ג ושי"ג). - וראה לקו"ש הי"ד ע' 38 ואילך.  
28. אגרת המחבר (שלפני הקדמתו) החניוך.

27. הל' ת"ת לאדה"ו ספ"א. בהמ"מ שם בסמן אגור (הל' תפלה אות ב) ב' ס"ה והוא בסמ"ק בהקדמה. ועי' ג"כ ספר חסידים ס' שיג. ב"י או"ח ס' מז. רמ"א יו"ד סרמ"ו ס"ו ועוד (ראה בפרטיות במ"מ וכו') בהערות וצינונים להל'



מכניסין את התינוקות להתלמד כבן שש  
 כבן שבע, לפי כח הלב וקנין גופו; ופחות  
 מכך שש, אין מכניסין אותו. ומכה אותן  
 המלמד, להטיל עליהן אימה. ואינו מכה  
 אותן מפת אויב, מוסר אכזרי; לפיכך,  
 לא יכה אותן בשוטים ולא במקלות,  
 אלא ברצועה קטנה. ויושב ומלמדן כל  
 היום בלילה, ומקצת מן הלילה – כדי  
 להנחין ללמוד ביום ובלילה. ולא יבטלו  
 התינוקות כלל, חוץ מערבי שבתות  
 וערבי ימים טובים בסוף היום, ובימים  
 טובים; אבל בשבת, אין קורין לכתחלה,  
 אלא שזנין לראשון, ואין מבטלין  
 התינוקות, ואפלו לבגן בית המקדש.

**Children are introduced to formal schooling when they are about six or seven years old, depending on their stamina and physique; but under age six they are not introduced. The teacher may strike them so that they be in awe, but he may not strike them as an enemy would with cruel castigation. He may therefore not strike them with a staff nor with twigs, but only with a small strap. He should sit and teach them all day long and for some of the night, in order to educate them to study by day and by night. Young children should not be idled from study at all, except for eves of Shabbos and the eves of festivals towards the end of the day, and on the festivals themselves. On Shabbos, although they should not read new material, they may review previously studied material. [10] Children must not be idled from Torah study even for the purpose of building the Beis Hamikdash.**

— Pardes Hamelech —

### 10. “Children must not be idled from Torah study”

The Rambam rules here that children are not to pause their Torah learning to participate in the building of the Beis Hamikdash.

Now, in Hilchos Beis Habechirah, the section discussing the building of the Beis Hamikdash, the Rambam cites this law once again.<sup>29</sup> He thereby emphasizes that this law — and the other laws concerning who is to build the Beis Hamikdash — are an intrinsic part of the Beis Hamikdash itself and not merely laws pertaining to the participating individual.

In other words, children are forbidden to pause their Torah learning not only to avoid loss of Torah study, but also to ensure the Beis Hamikdash’s own perfection. Were children to participate in the building work, the Beis Hamikdash itself would be lacking, as it was erected in a manner which contradicted its very ideals.

Similarly, the Rambam rules that every individual is

obligated to participate in the building of the Beis Hamikdash, both man and woman.<sup>30</sup> On the surface this seems puzzling:

1. The Beis Hamikdash is a mitzvah incumbent upon the community, not the individual,<sup>31</sup> ‘hy are individuals obligated to participate?

2. Women are generally absolved of any positive mitzvah with an inherent time limit. The mitzvah to build the Beis Hamikdash indeed has a time-frame — it may not be built at night.<sup>32</sup> So, why are women obligated to participate?

The explanation:

There is no mitzvah for an individual woman to help build the Beis Hamikdash, nor is there for any unique individual, for that matter. Rather, by definition, every Jew has a part in the construction — as the Torah says, “And they shall make for me a sanctuary.”<sup>33</sup> Consequently, both men and women were needed to participate to ensure that the Beis Hamikdash would serve its purpose (barring children, as explained above).

<sup>29</sup> שאין מטילות על היחיד כי אם על הציבור כולו.

<sup>32</sup> הלכות בית הבחירה פ"א ה"ב.

<sup>33</sup> תרומה כ"ה ה.

<sup>29</sup> פירק א' הל' י"ב.

<sup>30</sup> שם.

<sup>31</sup> מה"מ בסוף הלך המ"ע. ועד"ו בחינת מצות צ"ח בסופה: "ויו מן המצות

ג **A teacher of children who leaves the children alone and goes out, or who performs other work with them, or who is careless in teaching them — is included in “Cursed be one who does Hashem’s work deceitfully.” Therefore, it is not appropriate to install a teacher if he is not G-d-fearing, expert at scriptural reading and precise.**

מִלְמַד תִּינוּקוֹת שֶׁהוּא מְנִיחַ אֶת הַתִּינוּקוֹת וְיוֹצֵא, אוֹ שֶׁהוּא עוֹשֶׂה מְלָאכָה אַחֲרֵת עִמָּהֶן, אוֹ שֶׁהוּא מְתַרְשֵׁל בְּתַלְמוּדָן – הָרִי הוּא בְּכָלֵל “אָרוּר עֹשֶׂה מְלָאכָת ה’ רַמְיָה”<sup>14</sup>. לְפִיכָךְ, אִין רָאוּי לְהוֹשִׁיב מְלָמֵד, אֲלָא בְּעַל יִרְאַה, מְהִיר לְקִרוֹת וְלְדַקְדָּק.

ד **One who is unmarried should not teach children, because of their mothers, who come along with their sons. A woman should also not teach children, because of the fathers who come along with their sons.**

וְמִי שְׂאִין לוֹ אִשָּׁה – לֹא יִלְמַד תִּינוּקוֹת, מִפְּנֵי אִמּוֹתֵיהֶן שֶׁהֵן בָּאִין אַצֵּל בְּנֵיהֶן; וְכֵן אִשָּׁה – לֹא תִלְמַד תִּינוּקוֹת, מִפְּנֵי אֲבוֹתֵיהֶן שֶׁהֵן בָּאִין אַצֵּל הַבָּנִים.

14. ירמיה, מח, י.

The question can be asked:

It is Hashem Who establishes the holiness of the Beis Hamikdash, not our actions — as the verse says, “And I will dwell among them.” If so, why is every individual’s participation so essential — after all, the holiness is a gift from Above?

The explanation: The Beis Hamikdash is comparable to a well (as the Ramban explains<sup>34</sup> in the story of Yitzchak Avinu’s wells). In a well, the water pre-exists the actual well’s creation; the well-digger simply removes the objects that covered it over. Nevertheless, the well-digger’s efforts are essential and indispensable—if not for his efforts, the water would be of no benefit.

The same is true of the Beis Hamikdash. It is Hashem Who establishes its holiness. All the same, our actions are essential to prepare the Beis Hamikdash for Hashem’s presence, and they are an inherent part of the Beis Hamikdash’s sanctity.

Indeed, the greater the involvement of the Jewish people in erecting the Beis Hamikdash, the greater it was and the longer it stood:

The First Beis Hamikdash was greater than the Mishkan, insofar as the Mishkan was built as Hashem

showed Moshe, “As you were shown on the Mountain,<sup>35</sup> and it did not take tremendous effort.<sup>36</sup> The First Beis Hamikdash, on the other hand, (although David Hamelech says that “It was all as Hashem bestowed upon me”) required thousands of workers over a long period of time. The Jews also had to ascertain themselves exactly where it was to be built<sup>37</sup> — and only afterward did the prophets approve.<sup>38</sup>

The Second Beis Hamikdash was not directed by Hashem as was the Mishkan, nor by prophets as was the First Beis Hamikdash. Rather, it was directed by the Jews themselves, with the permission of Cyrus, king of Persia.<sup>39</sup> The correct layout of the actual structure was unclear to them and they had to use their own judgement to a much larger degree.<sup>40</sup> As a result of the Jewish people’s greater involvement, the Second Beis Hamikdash is described as “greater than the first,”<sup>41</sup> both in grandeur and in duration.<sup>42</sup>

The Third Beis Hamikdash will be a heavenly building, built by Hashem Himself, never to be. However, it is a result of the Jewish people’s actions over thousands of years, enabling it to be Hashem’s perfect home, in perpetuity.

Likkutei Sichos vol. 30 pg. 118.

38. ראה תהילים קלב, א.ד.

39. עזרא א, א. ואילך.

40. הל' ביהב"ח א, ד. וראה בארוכה תו"ו בפתחתו למסכת מידות.

41. חגי ב, ט.

42. ב"ב ג, סע"א ואילך.

34. תולדות כ"ז ב.

35. שמות כו, ל.

36. ויתרה מזה ע"פ פרש"י (פקודי למ, לג – מתנחומא שם יא (בשניונים))

– שעשית משה היתה בזה ש"עסוק אתה בדרך נראה במקומי", והקמת המשכן היתה מאלי.

37. ספרי דברים יב, ה.

ה עשרים וחמשה תינוקות, למדים אצל מלמד אחד. היו יתר על חמשה ועשרים – עד ארבעים, מושיבין עמו אחר כדי לפעו בלמודן; היו יתר על ארבעים, מעמידין להם שני מלמדי תינוקות.

**Twenty-five children can study with one teacher. If there are more than twenty-five — if they number up to forty, we appoint another with him to assist in their teaching. If there are more than forty, we appoint two teachers for them.**

ו מוליכין את הקטן ממלמד למלמד אחר שהוא מהיר ממנו, בין במקרא בין בדקדוק. במה דברים אמורים? בשעה שניהן בעיר אחת, ולא היה הנהר מפסיק ביניהן; אבל מעיר לעיר, או מצד נהר לצדו אפלו באותה העיר – אין מוליכין את הקטן, אלא אם כן היה בגן קריא על גבי הנהר, בגן שאינו ראוי לפל במהרה.

**It is permissible to transfer a child from one teacher to another who is more expert than he, be it in Scriptural reading or in precision. When may one do so? When they are both in the same city, with no river separating them; however, from one city to another or from one side of a river to the other, even in the same city — a child should not be transferred, unless there was a strong bridge over the river, one unlikely to collapse soon.**

ז אחד מבני מבוי שבקש להעשות מלמד, אפלו אחד מבני החצר – אין יכולין שכיניו למוחות בידו. וכן מלמד תינוקות שבא חברו ופתח בית ללמד תינוקות בצדו כדי שיבואו תינוקות אחרים לו, או כדי שיבואו מתינוקות של זה אצל זה –

**If one of the residents of an alleyway wishes to become a teacher, or even if it is one of the residents of a shared courtyard — his neighbors have no right of protest. So too, if there is one teacher of children, and his fellow comes and opens a school for teaching children adjacent to the first, so that other children will come to him, or so that children who study with the first teacher should transfer to his tutelage — <sup>[11]</sup>the first teacher has no right of protest, as it states:**

### 11. “The first teacher has no right of protest”

The Rambam rules here that no teacher may prevent another teacher from setting up shop nearby. The source he quotes is the verse “Hashem wishes, for the sake of his righteousness, to make the Torah great and glorious.” However, the Talmud in Bava Basra<sup>43</sup> derives it from a different verse: “Jealousy among teachers increases wisdom.”<sup>44</sup> Why does Rambam choose an alternative source?

The explanation:

The Talmud in Bava Basra discusses competition in general, including in business. It is on topic to show how jealousy among Torah teachers works to everyone’s benefit and is therefore not classified as prohibited competition. The Rambam, though, is writing here about the Laws of Torah Study, focusing on Torah learning in its own right. He therefore quotes a verse showcasing the benefit such competition brings to Torah itself.

Likkutei Sichos vol. 6 pg. 299.

אינו יכול למחות בידו, שְׁנֵאמַר: "ה' חָפֵץ לְמַעַן צְדָקוֹ, וַיְגַדֵּל תּוֹרָה וַיְאָדִיר"<sup>15</sup>.

**"Hashem wishes, for the sake of his righteousness, to make the Torah great and glorious."**

שיעור 32  
פרק אחד ליום

**פָּרָק ג**

בְּשֵׁלֶשֶׁה כְּתָרִים נִכְתְּרוּ יִשְׂרָאֵל – כְּתָר תּוֹרָה, וְכְתָר כְּהֻנָּה, וְכְתָר מַלְכוּת. כְּתָר [12] **The People of Israel were crowned with three crowns: [13] the crown of Torah, the crown of**

15. ישעיה, מב, בא.

**12. "The People of Israel were crowned with three crowns"**

Though here we are focused on Torah, the Rambam mentions the other crowns as well to underline the greatness of the crown of Torah.

More specifically: The crown of priesthood refers not only to Aharon's family serving as priests, but to the priesthood being part of their very identity. Such a core identity change can only be affected by Hashem, as Hashem indeed promises that the priesthood "will be an eternal covenant . . . for him and his descendants."<sup>45</sup> [Another verse, "It is like an eternal covenant of salt before the Lord for you and your descendants with you (Bamidbar 18: 19), " though similar, actually refers to the gifts the Jews give to the priests and not to the essential priesthood quality — hence why Rambam does not refer to it.]

Likewise with the crown of royalty: it refers not only to the actual reign but to the fact that King David and his descendants have an inherent right to the kingship no matter their circumstances, as highlighted by the verse "His seed will continue forever, and his throne will be as the sun before Me."<sup>46</sup>

By first discussing these alternative crowns, the Rambam thereby emphasizes how the crown of Torah is inherently part of every Jew's identity, no matter their circumstances.

*Likkutei Sichos vol. 28 pg. 107.*

**13. "The Crown of Torah"**

The term "Crown of Torah" has a subtly different

meaning each time it is used by the Rambam, depending on its particular context. For example:

1. Later on in this chapter, the Rambam writes, "One whose heart has raised him up . . . to be crowned with the crown of Torah — should not divert his attention to other matters..."<sup>47</sup>

Here, the Rambam refers to a sense of being completely encompassed by Torah, just as a crown surrounds and uplifts the bearer.

2. Again, later on in this chapter: "Although it is an obligation to study both by day and by night, one does not learn the majority of his wisdom except at night. Therefore, one who wishes to acquire the crown of Torah should be meticulous with all his nights..."<sup>48</sup>

Here, the Rambam refers to achieving sublime depths of Torah insight. By studying Torah at night, a person merits not only to know the Torah (as in the previous example) but also to become connected to the Giver of the Torah. Therefore, the Rambam used the term "Keser Hatorah, " as opposed to the previous term, "Keser Torah" — referring to the crown of the Torah itself. He thereby indicates that the individual gains not only a knowledge of Torah but a deeper connection with it.

3. In Hilchos Issurei Biah: "A person should not marry the daughter of an unlearned person. For if he dies or is exiled, his children will grow up unlearned, since their mother is not knowledgeable regarding the crown of Torah."<sup>49</sup>

This time, the Rambam simply refers to an appreciation of the preciousness of Torah.

*Likkutei Sichos vol. 34 pg. 43 and fn. 27.*

48. הל' י"ג.  
49. פרק כ"א הל' ל"ב.

45. במדבר כה, ג.  
46. תהילים פמ, לו.  
47. הל' ו'.

כהנה - זכה בו אהרן, שנאמר: "והיתה לו ולזרעו אחריו, ברית כהנת עולם"<sup>16</sup>.  
 פתח מלכות - זכה בו דוד, שנאמר: "זרעו לעולם יהיה, וכסאו כשמש נגדי"<sup>17</sup>. פתח תורה - הרי הוא מנה ועומד ומוכן לכל, שנאמר: "מוֹרְשָׁה קהלת יעקב"<sup>18</sup> - כל מי שירצה, יבוא ויפול.

שָׁמָּא תאמר, שאותן הפתחים גדולים מכֹּהֵן תורה? הרי הוא אומר: "בי מלכים ומלוכו.. בי שרים ישרו"<sup>19</sup>. הא למדת, שפתח התורה גדול מכֹּהֵן כהנה וכתר מלכות.

ב אמרו חכמים: 'ממור תלמיד חכמים, קודם (חשוב) לכהן גדול עם הארץ,

priesthood, and the crown of royalty. The crown of priesthood was acquired by Aharon, as it states: "And it shall be for him and his children after him, as a covenant of eternal priesthood." The crown of royalty was acquired by David, as it states: "His seed shall last forever, and his throne as the sun before Me." The crown of Torah, though, is set and waiting and accessible to all, as it states: <sup>[14]</sup>"The inheritance of the community of Yaakov"; anyone who so desires may come and take it.

Perhaps one might say that those other crowns are greater than the crown of Torah? It therefore states regarding the Torah: "Through me, kings shall reign... through me, lords shall rule." This teaches that the crown of Torah is greater than the crown of priesthood and the crown of royalty.

The sages said: A bastard who is a Torah scholar takes precedence to a Kohen Gadol who

16. במדבר-פנחס, כה, יג. 17. תהלים, פט, לו. 18. דברים-ברכה, לג, ד. 19. משלי, ה, טו-טז.

#### 14. "The inheritance of the community of Yaakov"

The Torah is sometimes described as merchandise acquired through a sale, and sometimes as a gift.<sup>50</sup> These comparisons express important aspects to Torah study.

Just as a sale requires a buyer to pay, the Torah has an aspect which is dependent on an individual's efforts, time and abilities. "No two minds are alike"<sup>51</sup> — one person must study a "chapter in the morning and a chapter at night" while another must learn every moment of the day.<sup>52</sup>

Torah also has elements which are beyond human

understanding and can only be gifted from Above, as our Sages say, "Hashem gave three gifts to the People of Israel . . . Torah..." This aspect was indeed gifted to Moshe Rabbeinu.<sup>53</sup> When we describe Shavuot as the "time of the Giving of the Torah," we refer to this idea.

However, the Rambam here quotes a verse describing Torah as an inheritance. In an inheritance, each and every inheritor gets a part in their inheritance notwithstanding who they are or what they've accomplished. The Rambam chose this verse to underscore how every Jew has an obligation to study Torah, no matter their standing or background.

*Likkutei Sichos vol. 13 pg. 116.*

50. מנחות צט ב

51. ברכות שם. וראה ב"ר פ"ו ה: ג' דברים מתנה עולם התורה בו.

50. שמו"ד פל"ג, א. וראה ברכות ה,א.

51. ראה סנהדרין לה, א.

שנאמר: "יקרה היא מפנינים"<sup>20</sup> – יקרה היא מפנהן גדול הנכנס לפני ולפנים<sup>21</sup>.

is a boor, as it states: "It is more precious than pearls [literally 'than the innermost']," meaning that the Torah is more precious than a Kohen Gadol who enters the innermost sanctum [the Kodesh Kadashim].

אין לך מצוה בכל המצוות בלן, שהיא שקולה כנגד תלמוד תורה, אלא תלמוד תורה כנגד כל המצוות בלן – שהתלמוד מביא לידי מעשה. לפיכך, התלמוד קודם למעשה בכל מקום.

There is not one of all the mitzvos that is equal to Torah study; rather, studying Torah is equivalent to fulfilling all of the mitzvos; for study brings to action. Therefore, study takes precedence to action in all situations.

היה לפניו עשיית מצוה ותלמוד תורה – אם אפשר למצוה להעשות על ידי אחרים, לא יפסיק תלמודו; ואם לאו, יעשה המצוה ויחזור לתורתו.

If one has the choice of doing a mitzvah or studying Torah, if the mitzvah can be fulfilled by others — he should not pause his study; but if not, he should do the mitzvah and then return to his Torah study.

תחלת דינו של אדם, אינו נדון אלא על התלמוד, ואחר כך על שאר מעשיו; לפיכך אמרו חכמים: לעולם יעבד אדם בתורה, אפלו שלא לשמה – שמתוך שלא לשמה, בא לשמה<sup>22</sup>.

At the start of man's final judgment after his passing, he is judged only regarding Torah study, and afterwards regarding the rest of his actions; therefore the sages said: 'One should always occupy himself with Torah even if not motivated for the Torah's sake, for through study without proper motivation — he will eventually arrive at study motivated for the Torah's sake.'

מי שנשארו לבו לקום מצוה זו כראוי לה, ולהיות מכתר בכתרה של תורה – לא יספיק דעתו לדברים אחרים, ולא ישים על לבו שיקנה תורה עם העושר והכבוד כאחד. כך הוא דרכה של תורה: פת במלח תאכל, ועל הארץ תישן, ותני צער תתנה, ובתורה אתה עמל. ולא עליך כל המלאכה לגמור, ולא אתה בן חורין לבטל; אבל אם הרבית תורה, הרבית שכר, והשכר – לפי הצער.

One whose heart has raised him up to fulfill this mitzvah in a manner befitting it, and to be crowned with the crown of Torah — should not divert his attention to other matters, and should not imagine that he will acquire Torah along with wealth and honor. For this is the way of Torah: you will eat bread with salt, and sleep on the earth, and live a life of difficulty, and toil in the Torah. You are not responsible for completing the task, but nor are you free to idle from it; if you proliferate Torah your reward will proliferate, and the reward will be relative to the difficulty you sustain.

20. שם, ג, טו. 21. הוריות, יג, א. 22. הוריות, י, ב.

ז שָׁמָא תאמר: 'עד שְׁאִקְבִּיז מִמּוֹן, וְאַחֲרָי וְאַקְרָא,' 'עד שְׁאִקְנֶה מִה שְׁאִנִּי צְרִיךְ וְאַפְנֶה מֵעִסְקִי, וְאַחֲרָי וְאַקְרָא' – אִם תַּעֲלֶה מִחֻשְׁבָּה זֶה עַל לִבְךָ, אִין אַתָּה זֹכֵר לְכַתְּרָה שֶׁל תּוֹרָה לְעוֹלָם; אֲלֵא עֲשֵׂה תוֹרְתְךָ קִבְעָה, וּמְלַאכְתְּךָ עֲרֵא, וְאַל תֵּאמַר: 'לְכֻשְׁאִפְנֵה אֲשֵׁנָה,' שְׁמָא לֹא תִפְנֶה.

One might say: 'I will first accumulate wealth, and then go back to study,' or 'I will first acquire what I need and dispose of my affairs, and then return to study.' If this thought comes to your mind you will never acquire the crown of Torah; instead you should make Torah your primary occupation and your trade secondary. Do not say 'When I am free, I will study,' for perhaps you will never be free.

ח כתוב בתורה: "לא בשמים היא.. ולא מעבר לים היא"<sup>23</sup>: "לא בשמים היא", לא בגנסי הרוח היא מצויה; "ולא מעבר לים היא", לא במתלבי מעבר לים היא. לפיכך אמרו חכמים: 'לא כל המרבה סחורה מחכים'<sup>24</sup>; וצוו ואמרו: 'הווי מעט עסק, ועסק בתורה'<sup>25</sup>.

It is written in the Torah: "It is not in the heavens . . . nor is it beyond the sea." "Not in the heavens" means that it is not to be found in the haughty; "nor is it beyond the sea" means that it is not found in merchants who travel overseas. This is why the sages said: 'Not all who prosper at trade attain wisdom,' and also instructed: 'Reduce the extent of your business dealings, and occupy yourself with Torah.'

ט דברי תורה נמשלו במים, שנאמר: "הוי כל צמא לכו למים"<sup>26</sup> – לומר לך: מה המים אין מתכנסין במקום מדרון, אלא נוהלין מעליו ומתקבצין במקום אשברן – כך דברי תורה, אינן נמצאין בגנסי הרוח ולא בלב כל גבה לב; אלא בדפא וישפל רוח שמתאבק בעפר רגלי החכמים, ומסיר התאוות ותענוגי הזמן מולבו, ועושה מלאכה בכל יום מעט כדי חייו, אם לא היה לו מה יאכל, ושאר יומו וילילו, עוסק בתורה.

The words of Torah are compared metaphorically to water, as it states: "Lo, all who are thirsty, go to water." This comes to teach that just as waters do not gather on a slope, but rather flow along it and gather in the flat lowlands, so too, words of Torah are not to be found in the proud nor in the minds of the haughty. Rather, they are to be found in the meek and modest who sit in the dust at the feet of sages, and remove the desires and pleasures of the times from their hearts; who <sup>[15]</sup>labor each day just enough for their livelihood, if they do not otherwise have enough to eat, and for the remainder of their days and nights — involve themselves in Torah.

23. דברים-נצבים, ל, יב-יג. 24. אבות, ב, ה. 25. שם, ד, י. 26. ישעיה, נה, א.

15. "Labor each day just enough for their livelihood . . . and for the remainder . . . involve themselves in Torah"

The Rambam here describes how even one who

wishes to rely solely on Hashem must still work the minimum necessary.

Now, at the end of the Hilchos Shemittah v'Yovel, the Rambam discusses the guarantee Hashem gave to

כָּל הַמְשִׁים עַל לְבוֹ שְׂעֵמֶכָּךְ בְּתוֹרָה וְלֹא יַעֲשֶׂה מְלָאכָה, וַיִּחְפְּרִים מִן הַצְּדָקָה – הָרִי זֶה חֲלָל אֶת הַשֵּׁם, וְכֹזֵב אֶת הַתּוֹרָה, וְכָבֵד מְאֹד הִדָּת, וְגָרַם רָעָה לְעַצְמוֹ, וְנִטְלַח חַיָּיו מִן הָעוֹלָם הַבָּא; לְפִי שְׂאֵסוּר לְהַגִּית בְּדַבְרֵי תוֹרָה בְּעוֹלָם הַזֶּה.

**[16] One who decides to involve himself in Torah and not to work at any trade, with the intention of being supported through charity — has desecrated Hashem’s name and brought derision upon the Torah, and has extinguished the light of the religion and caused himself harm, and has removed his life from the world-to-come; for it is forbidden to derive benefit from words of Torah in this world.**

— Pardes Hamelech —

the Kohanim and Levi'im, who do not receive land to farm in the land of Israel and are instead provided for directly by Hashem—"I am your portion and heritage."<sup>54</sup> He explains that this also applies to any individual who wishes to serve Hashem exclusively. The Rambam writes, "Hashem will be His portion and heritage forever and will provide what is sufficient for him in this world, like He provides for the Kohanim and Levi'im. And thus David Hamelech declared: 'Hashem is the lot of my portion; You are my cup, You support my lot.'"<sup>55</sup>

On a closer look at the verse quoted by the Rambam, David Hamelech describes Hashem as "supporting my lot," meaning that Hashem supports the basic efforts one invests — but minimal work is still necessary, similar to the law we find in Mishneh Torah here.<sup>56</sup> If so, why does the Rambam compare such individuals to Kohanim who didn't need to work at all?

Perhaps the answer can be derived from the Kesef Mishneh. The Kesef Mishneh here argues that though the Rambam mandates minimal work, if one's trade cannot support him while allowing time for Torah study, he is allowed to be supported fully by the community so that he may study, similar to the Kohanim.

Based on his statement, perhaps we can read the two phrases in the verse — "Hashem is the lot of my portion," which implies no work at all, and "You support my lot," implying minimal work — as each corresponding to a slightly different scenario. The difference may have been between Kohanim and Levi'im: Kohanim were supported fully and Levi'im worked the necessary minimum.

*Likkutei Sichos vol. 8 pg. 346 fn. "Tumecha."*

**16. "One who decides . . . not to work . . . has desecrated Hashem’s name"**

The Rambam strongly disapproves here of those who would make a livelihood from Torah. However, many later authorities disagreed with him, proving from many sources that one may make their livelihood from Torah.

The Alter Rebbe rules<sup>57</sup> that one is prohibited from setting out to learn for financial gain. However, if one studied with no ulterior motive and was then forced to support himself by using the knowledge he gained, it is permitted.

We can explain his reasoning in two ways:

1. Originally, he had studied with proper motives in mind. If we were to require him to find a different job now, he'd be forced to reduce his Torah study. Thus, the financial gain from the Torah knowledge is for the sake of Torah itself.

2. Alternatively, we differentiate between after-the-fact (bedieved) and from-the-outset (lechatchila).<sup>58</sup> As a first choice, Torah should never be studied for financial gain. After-the-fact though, we don't obligate a person to spend time learning a new trade when they can make use of the Torah knowledge they acquired legitimately. This is analogous to the prohibition for one to set out to sea or by caravan before Shabbos, since Shabbos will inevitably be desecrated thereby. If they leave early in the week, however, it is permitted.<sup>59</sup>

In the Talmud, Rabbi Yishmael and Rabbi Shimon Bar Yochai disagree regarding this very issue. Rabbi Yishmael maintains that people should work for their livelihood naturally, "plowing and harvesting in the appropriate times." Rabbi Shimon felt that "if so, what

57. הלכות תלמוד תורה פ"ד ס"ו.  
58. ואילו נרמזה סברה זו בלשון אדמו"ר שם: "שלא יהי תחילת לימודו כו".  
59. ראה שו"ע אדמו"ר האו"ח סימ"ח ס"ה וס"ג.

54. במדבר י"ז, כ.  
55. תהלים מז, ה.  
56. ראה הרד"ב"ו שם.



אָמְרוּ חֲכָמִים: 'כָּל הַנִּהְנֶה מִדְּבָרֵי תוֹרָה, נִמְלַח חַיּוֹ מִן הָעוֹלָם'.<sup>27</sup> וְעוֹד צִוּוּ וְאָמְרוּ: 'לֹא תַעֲשֶׂם עִמָּרָה לְהַתְגַּדֵּל בָּהֶן, וְלֹא תִרְדֶּם לְחַפֵּר בָּהֶן'.<sup>28</sup> וְעוֹד צִוּוּ וְאָמְרוּ: 'אִיֵּהָב אֶת הַמְּלָאכָה, וְשָׂנֵא אֶת הַרְבֵּנוּת'.<sup>29</sup>

וְכָל תוֹרָה שֶׁאֵין עִמָּהּ מְלָאכָה, סוֹפָה בְּמִלְחָה.<sup>30</sup> וְסוֹף אֲדָם זֶה, שִׁיחָא מִלְּמַם אֶת הַבְּרִיּוֹת.

מַעֲלָה גְדוֹלָה הִיא לְמוֹ שֶׁהוּא מִתְפָּרֵס מִמַּעֲשֵׂה יָדָיו, וּמִדַּת חֲסִידִים הִרְאִשׁוּנִים הִיא; וּבָזֶה זֹכָה לְכָל כְּבוֹד וְטוֹבָה שֶׁבְּעוֹלָם הַזֶּה, וְלְעוֹלָם הַבָּא, שֶׁנֶּאֱמַר: "וַיֵּעַ כְּפִיךָ כִּי תֹאכַל, אֲשֶׁרִיד וְטוֹב לְךָ".<sup>31</sup> – "אֲשֶׁרִיד" בְּעוֹלָם הַזֶּה, "וְטוֹב לְךָ" לְעוֹלָם הַבָּא שֶׁכָּלֹּ טוֹב.

אֵין דְּבָרֵי תוֹרָה מִתְקַנְמִין בְּמוֹ שֶׁמְפָרֵה עַצְמוֹ עֲלֵיהֶן, וְלֹא בְּאֵלוֹ שְׁלוֹמֵדִין מִתוֹךְ עֲדוּן וּמִתוֹךְ אֲכִילָה וְשִׁתְיָה – אֲלֵא בְּמוֹ שֶׁמְמַתֵּי עַצְמוֹ עֲלֵיהֶן, וּמִצְעֵר גּוֹפּוֹ תְּמִיד, וְלֹא יִתֵּן שְׁנַת לְעֵינָיו, לְעַפְעֵפּוֹ תְּנוּמָה.

The sage instructed and said: One who derives benefit from words of Torah, has removed his life from the world. They also instructed and said: 'Do not make them a crown for self-aggrandizement, nor as a spade to dig with them.' They additionally instructed and said: 'Love labor, and despise profiting from rabbinical status';

'All Torah which is not accompanied by trade, will eventually wane.' This kind of person will eventually steal from others.

It is a matter of great virtue to earn a livelihood by the toil of one's hands, and this was the attribute of the early pious ones. Through this one acquires all the honor and good of this world and of the next world, as it states: "If you eat by the toil of your hands, you are fortunate, and you will have it good" — "you are fortunate" in this world, and "you will have it good" in the world-to-come, which is entirely good.

Words of Torah cannot endure in one who is half-hearted in their study, nor in those who study in luxury and while feasting on food and drink; rather only in one who gives his life for them and afflicts himself constantly, not allowing his eyes sleep or slumber upon his eyelids.

27. אבות, ד, ה. 28. שם. 29. שם, א, י. 30. שם, ב, ב. 31. תהלים, קכח, ב.

will be with Torah?! Rather, one should toil in Torah and let others take care of livelihood." The Talmud then states that "many attempted to do like Rabbi Shmon Bar Yochai and did not succeed."<sup>60</sup>

To summarize, we have three different approaches to study of Torah:

1. Studying Torah solely to make a living — which is prohibited.

2. Studying Torah with no ulterior motives, but afterward using it to make a living — which is permitted.

3. Studying Torah full time and relying on others to take care of one's livelihood — a path only for certain righteous individuals.

Likkutei Sichos vol. 16 pg. 534.

אָמְרוּ חֲכָמִים דִּרְדַּךְ רָמוּ: "זֹאת הַתּוֹרָה, אֲדָם כִּי יָמוּת בְּאֹהֶל" <sup>32</sup> – אִין הַתּוֹרָה מִתְקַיֵּמַת, אֲלֵא בְּמֵי שְׂמֻמִּיּוֹת עֲצֻמוֹ בְּאֹהֶלִי הַחֲכָמָה <sup>33</sup>. וְכֵן אָמַר שְׁלֹמֹה בְּחֻמְתּוֹ: "הַתְּרַפִּיּוֹת בְּיוֹם צָרָה – צָר כְּחֻמָּה" <sup>34</sup>; וְעוֹד אָמַר: "אֵף חֲכָמִי עֲמִדָּה לִי" <sup>35</sup> – חֲכָמָה שְׁלֻמְדֵתִי בְּאֵף, עֲמִדָּה לִי.

אָמְרוּ חֲכָמִים <sup>36</sup>: 'בְּרִית כְּרוּתָהּ, שְׂכַל הַיָּגַע בְּתַלְמוּדוֹ בְּבֵית הַכְּנֶסֶת, לֹא בְּמִתְרָה הוּא מְשַׁבֵּחַ; וְכֵל הַיָּגַע בְּתַלְמוּדוֹ בְּצִנְעָה מְחִיבִים, שְׁנֹאמַר: "וְזֹאת צְנוּעִים חֲכָמָה" <sup>37</sup>. וְכֵל הַמְּשֻׁמֵּעַ קוֹלוֹ בְּשַׁעַת תַּלְמוּדוֹ, תַּלְמוּדוֹ מִתְקַיֵּם בְּיוֹם; אֲבָל הַקּוֹרֵא בְּלִחָשׁ, בְּמִתְרָה הוּא שׁוֹכֵחַ.

יג אֵף עַל פִּי שְׂמֻצוֹה לְלַמֵּד בְּיוֹם וּבַלַּיְלָה, אִין אֲדָם לָמַד רַב חֲכָמָתוֹ אֲלֵא בַּלַּיְלָה; לְפִיקַד, מִי שֶׁרָצָה לְיִבּוֹת בְּכֹתֵר הַתּוֹרָה, וְיִהְיֶה בְּכֵל לִילּוּתוֹ, וְלֹא יֵאבֵד אֶפְלוֹ אֶחָד מֵהֵן בְּשָׁנָה וְאֲכִילָה וְשִׁתְיָה וְשִׁיחָה וְכִיּוֹצֵא בָהֶן, אֲלֵא בְּתַלְמוּד תּוֹרָה וְדַבְרֵי חֲכָמָה. אָמְרוּ

The sages said by way of allusion: "This is the Torah's teaching, when a man shall die in a tent" — the Torah does not endure except in one who expends all his life-force in the tents of wisdom. And so said Shlomo in his wisdom: "If you let up on a difficult day — your strength will fail." He also said "Still (af) — my wisdom stayed with me," meaning that the wisdom which I studied in anguish (af) is what endured for me.

The sages said: there is an established covenant that anyone who exerts himself in his studies in the synagogue will not soon forget his study; and one who exerts himself at his studies in private will become wise, as it states: "And with the modest is wisdom." One who studies aloud — his study will endure in his possession; but one who reads in a whisper easily forgets.

Although it is an obligation to study both by day and by night, one does not learn the majority of his wisdom except at night. Therefore, one who wishes to merit the crown of Torah should <sup>[17]</sup> be meticulous with all his nights, and not waste even one of them in sleep, food, drink, idle talk

32. חוקת, יט, יד. 33. שבת, פג, ב. 34. משלי, כד, י. 35. קהלת, ב, ט. 36. ירושלמי, ברכות, ה, א. 37. משלי, יא, ב.

## 17. "Be meticulous with all his nights"

The Rambam here writes that one who wishes to "merit the Torah's crown" could achieve this by studying Torah at night. Earlier in in this chapter, <sup>61</sup> the Rambam similarly describes one who wishes to be "crowned with the crown of Torah" and the path to achieve this — by disregarding all extraneous matters and focusing solely on Torah study.

What is the difference between "meriting the Torah's crown" here and "being crowned with the crown of Torah" earlier?

The explanation:

The word for "being crowned" in Hebrew, *muchtar*, also means "to be surrounded," as a crown surrounds the head. Earlier, the Rambam was discussing ways that Torah can completely surround and encompass a person, becoming the person's core identity. He therefore talks about the Torah crowning them, by ignoring all distractions and focusing solely on Torah.

Here, Rambam describes one who wishes to merit a sublime level of Torah insight described as the Torah's own crown. Indeed, we find that certain parts of Torah

הַכְּמִים<sup>38</sup>: אִין גְּרַנָּה שֶׁל תּוֹרָה אֵלֶּא בְּלַיְלָה, שְׁנֵאמַר: "קוּמִי רִנִּי בְּלַיְלָה"<sup>39</sup>. וְכֵל הָעוֹסֵק בַּתּוֹרָה בְּלַיְלָה, חוּט שֶׁל חֶסֶד נִמְשָׁךְ עָלָיו בַּיּוֹם, שְׁנֵאמַר: "יוֹמָם יִצְוֶה ה' חֶסְדּוֹ, וּבְלַיְלָה שִׁירָה עִמּוֹ"<sup>40</sup>. וְכֵל בֵּית

and the like; rather he should spend them studying Torah and words of wisdom. The sages said that the sound of Torah is only heard at night, as it states: "Arise and raise your voice at night." One who occupies himself with Torah at night has a thread of kindness from above drawn upon him by day, as it states: "By day

38. שיר השירים, רבה ה, יא. 39. איכה ב, יט. 40. תהלים, מב, ט.

Pardes Hamelech

are described as the Torah's crown (Jewish law, for example).<sup>62</sup> Learning Torah at night is the best way to achieve this for two reasons: Firstly, at night it is easier to focus the mind; <sup>63</sup> and more importantly, nighttime is uniquely suitable for connecting to Hashem, the Giver of the Torah, and connecting with Hashem provides one with this level of Torah insight.

The reason that it is easier to connect with Hashem when studying Torah at night is that nighttime is especially auspicious for fostering feelings of lowliness and humility, <sup>64</sup> and connecting with Hashem is dependent on a feeling of humility and selflessness. (All Torah learning must be preceded by self-abnegation, <sup>65</sup> but that is primarily the negation of bodily indulgence as a preparation for Torah study. Sublime levels of Torah also require humility and selflessness in the actual learning process).

Based on the above, we can also understand a Talmud in Tractate Taanis.<sup>66</sup> When explaining the reasons for the joy of the 15th of Av, the Talmud explains that from the 15th of Av the days get shorter and nights get longer, thus making more time available for Torah learning at night. Rashi<sup>67</sup> and the Rashbam<sup>68</sup> explain that a blessing of extra life is given to those who add in their Torah study at night from the 15th of Av,

and the converse is true as well.

This is puzzling: If the Talmud is referring to a Torah scholar who is commanded to spend day and night in Torah study, <sup>69</sup> what is gained from the 15th of Av? He studies Torah for the same amount of time! Conversely, if it refers to a person who has set times for study in the day and at night<sup>70</sup> and the Talmud exhorts him to add an extra time slot of study, why doesn't this apply to when the days get longer as well?

Based on the above, we can explain: The Talmud exhorts people to add in their nighttime study not for a gain in quantity, but for a gain in quality: to merit to Torah's own crown and thereby connect with Hashem's holiness. The corresponding blessing is additional quality of life with an added spiritual dimension, as the expression goes, "May the One Who bestows life give you life."<sup>71</sup>

One who doesn't add to their nighttime Torah study, however, demonstrates that they do not care to connect with the holiness of Hashem through Torah, caring instead for Torah as an intellectual pursuit. Since a Jew's true lifeforce is the holiness of the Torah and its connection to Hashem, the consequence for such an approach is a corresponding reduction in this lifeforce.

*Yeiin Malchus Sefer Mada 28.*

אלא בני שממית עצמו עלי'".

66. כו, ב.

67. תענית שם. וידועה השק"ט אם הפירוש לתענית הוא מרש"י (ראה שם הגדולים להחיד"א מערכת גדולים מע' רש"י קרוב לסופו. מהר"ץ חיות סוף מנכבת תענית).

68. כ"ב קבא, ע. ד"ה מט"ו. וכן בנמוקי"ב כ"ב שם.

69. ל' אדה"ו בהל' ת"ת פ"ג ס"ה. שם ס"ו. וראה גם שם או"ח ר"ס קנז.

70. רמב"ם הל' ת"ת פ"א ה"ח. שו"ע יו"ד ר"ס רמו. הל' ת"ת לאדה"ו שם ס"ד ואו"ח סק"ו.

71. יומא עא, א. וראה סה"מ תש"י ע' 44.

62. מגילה כה, ב. ועיין אנה"ק סכ"ב. וראה לק"ש חב"ח ע' 108 והערה 45 שם.

63. ע"ד מה שכתוב במשנה (שמו"ר פמ"ו ה) "ה' לומד תורה ביום ופושט אותה בינו לבין עצמו בלילה" ושם ח: "בשעה שהיה מדבר עמו ה' יודע שהוא יום ובשעה שה' אומר לו למוד תורתך ה' יודע שהוא לילה" (וראה מפרשים שם).

64. ראה מכתב כ' אייר תשמ"ז (א"ג ח"ג ע' פד ואילך) בביאור דברי מהר"ל (תפארת ישראל בהקדמה) שאהבת התורה ממלך אהבת המקום, דוקא לימוד בביטול והעדר המציאות הוא הקשור באהבת המקום.

65. כמבואר ברמב"ם כאן הלכות חט"ו ה"ב ש"לא בנסי הרוח היא מנזו"ל. אלא ברבא ושפל רוח" שוה"י הקדמה ללימוד - "אין דברי תורה מתקיימין...

שָׁאִין דְּבָרֵי תוֹרָה נִשְׁמָעִין בּוֹ בַּלַּיְלָה, אִישׁ אוֹכְלָתוֹ.

"כִּי דָבַר ה' בְּזוֹה" <sup>41</sup> – זֶה שְׁלֵא הַשְּׂגִיחַ עַל דְּבָרֵי תוֹרָה כָּל עֶקֶר. וְכֵן כֹּל שֶׁאֶפְשָׁר לוֹ לַעֲסֹק בַּתּוֹרָה וְאִינוֹ עוֹסֵק, אוֹ שֶׁקָּרָא וְשָׁנָה וּפָרַשׁ לְהַבְלִי עוֹלָם וְהִגִּיחַ תַּלְמוּדוֹ וְזִנְחוֹ – הָרִי זֶה בְּכֹלל בְּזוֹה דְּבַר ה'.

אָמְרוּ חֲכָמִים: 'כָּל הַמְּכַבֵּל אֶת הַתּוֹרָה מֵעֵשֶׂר, סוֹפּוֹ לְכַבְּלָהּ מֵעֵנִי, וְכָל הַמְּקַיֵּם אֶת הַתּוֹרָה מֵעֵנִי, סוֹפּוֹ לְקַיְּמָה מֵעֵשֶׂר' <sup>42</sup>. וְעֵינָיו זֶה מִפְּרֵשׁ הוּא בַּתּוֹרָה; הָרִי הוּא אוֹמֵר: "תַּחַת אֲשֶׁר לֹא עֲבַדְתָּ אֶת ה' אֱלֹהֶיךָ בְּשִׂמְחָה וּבְטוֹב לֵב – מֵרַב כֹּל, וְעֲבַדְתָּ אֶת אֱיֹבָד" <sup>43</sup>; וְאוֹמֵר: "לִמְעַן עֲנִתְּךָ, וְלִמְעַן נִסְתַּחֵד – לְהִיטַבֵּד בְּאַחֲרֵי־יָד" <sup>44</sup>.

Hashem shall command his kindness, and at night his song is with me." Any house where words of Torah are not heard at night will be consumed by fire.

"For he has denigrated Hashem's word" — this refers to one who pays no heed at all to the words of Torah. Certainly, one who is capable of involving himself in Torah but does not do so, or who has read scripture and studied Mishnah but then withdraws to the mundane fallacies of the world, and has set aside his study and abandoned it — is definitely counted as one who denigrates Hashem's word.

The sages said: One who idles from Torah out of wealth, will eventually idle from it out of poverty; and one who fulfills the Torah out of poverty, will eventually fulfill it out of wealth. This matter is stated explicitly in the Torah; for it says: "Because you did not serve Hashem your G-d in joy and gladness of heart — from an excess of all, you shall serve your enemy"; and it states: "So as to afflict you and test you — for your ultimate benefit."

שיעור 33  
פרק אחד ליום

פֶּרֶק ד'

אִין מְלַמְדִין תּוֹרָה אֶלָּא לְתַלְמִיד הַגּוֹן נָאֵה בְּמַעֲשָׂיו, אוֹ לְתָם. אֲבָל אִם הָיָה הוֹלֵךְ בְּדֶרֶךְ לֹא טוֹבָה, מְחִוִּרִין אוֹתוֹ לְמוֹטֵב, וּמְנַהֲיִין אוֹתוֹ בְּדֶרֶךְ יִשְׂרָאֵל, וּבוֹדְקִין אוֹתוֹ; וְאַחַר כֵּךְ מְכַנְּסִין אוֹתוֹ לְבֵית הַמְּדֻרָשׁ, וּמְלַמְדִין אוֹתוֹ. אָמְרוּ חֲכָמִים <sup>45</sup>: 'כָּל הַשּׁוֹנֵה לְתַלְמִיד שְׂאִינוֹ הַגּוֹן, כְּאִלוֹ זֶרֶק אֲבֹן לְמִרְקוּלִים, שְׁנֵאמַר:

One must not teach Torah except to a student who is decent and pleasant in his actions, or to one who is simple but wholesome. But if he has followed an improper path, we first return him to propriety, and guide him on the straight path, and then examine him; only after that do we allow him into the study hall and teach him. The sages said: One who teaches a student who is not a decent person, is considered to have thrown a stone as an act of worship to Merkulis,

41. שלא, טו, לא. 42. אבות, ד, ט. 43. כי, תבוא כח, מז-מה. 44. עקב, ה, טו. 45. משלי, כו, ה.

"כְּצֹרֵר אֶבֶן בְּמִרְמָתָהּ, כֵּן נוֹתֵן לְכַסִּיל כְּבוֹד"<sup>46</sup>, וְאִין "כְּבוֹד" אֶלֶּא תוֹרָה, שְׁנֵאמֵר: "כְּבוֹד, חֻקִּים יִנְחֵלוּ"<sup>47</sup>.

וְכֵן הָרַב שְׂאִינֵהוּ הוֹלֵךְ בְּדֶרֶךְ מוֹכָה – אֵף עַל פִּי שְׂחָקָם גָּדוֹל הוּא, וְכָל הָעָם צָרִיכִין לוֹ – אִין מִתְלַמְּדִין מִמֶּנּוּ, עַד שְׂחִזוֹר לְמוֹטֵב, שְׁנֵאמֵר: "כִּי שִׁפְתֵי כֹהֵן יִשְׁמְרוּ דַעַת, וְתוֹרָה יִבְקְשׁוּ מִפִּיהוּ, כִּי מִלֵּאד ה' צָבָאוֹת הוּא"<sup>48</sup>. אָמְרוּ חֻקִּים: 'אִם יוֹמֵה הָרַב לְמִלֵּאד ה' צָבָאוֹת, תוֹרָה יִבְקְשׁוּ מִפִּיהוּ; אִם לֹא, אֵל יִבְקְשׁוּ תוֹרָה מִפִּיהוּ'<sup>49</sup>.

ב כיצד מלמדו? הרב יושב בראש, והתלמידים לפניו מקפין עטרה, כדי שיהיו כֵּלָן רואין את הרב ושומעין דבריו. ולא יושב הרב על הכסא והתלמידים על הקרקע, אלא או הכל על הארץ, או הכסא על הכסא. ובראשונה, היה הרב יושב והתלמידים עומדין; ומקדם הרבן בית שני, נהגו הכל ללמד לתלמידים, והן יושבין.

ג אם היה הרב מלמד מפיו לתלמידים, מלמד. ואם היה מלמד על ידי מתרגם – המתרגם עומד בינו ובין התלמידים, והרב אומר למתרגם, והמתרגם משמע לכל התלמידים; וכשהן שואלין למתרגם, הוא שואל לרב, והרב משיב למתרגם, והמתרגם משיב לשואל. ולא

as it is stated: "As loading a stone in a catapult — so is giving honor to a fool," and honor refers specifically to Torah, as it is stated: "Honor is the legacy of the wise."

So too, if a teacher does not follow the proper path — even though he is a great sage, and all the people need him — we do not study under him until he properly repents, as it states: "For the lips of the priest shall safeguard wisdom, and they shall seek Torah from his mouth, for he is as an angel of Hashem, Lord of hosts." The sages said: 'If the teacher is comparable to an angel of Hashem, Lord of hosts, one should seek Torah from his mouth; if not, one should not seek Torah from his mouth.'

What is proper decorum for teaching Torah? The teacher sits at the head, and the students sit in front of him circling like a crown, so that they can all see the teacher and hear his words. The teacher should not sit on a chair while the students sit on the ground, rather either all should sit on the ground or all should sit on chairs. In early times the teacher would sit and the students would stand; but prior to the destruction of the second Beis Hamikdash the accepted practice became to teach students while they are seated.

If the teacher teaches directly from his mouth to the students, he may teach this way. If he teaches through a spokesperson, the spokesperson stands between the teacher and the students, the teacher speaks to the spokesperson, and the spokesperson speaks loudly so that all students can hear. When they ask a question of the spokesperson, he asks the teacher, who responds to the spokesperson; and the spokesperson responds to the student who

46. חולין, קלג, א. 47. שם, ג, לה. 48. מלאכי, ב, ז. 49. חגיגה, טו, ב.

יגביה הרב קולו יותר מקול המתרגם;  
ולא יגביה המתרגם קולו בעת ששואל  
את הרב, יותר מקול הרב.

אין התרגמן רשאי לא לפחת ולא להוסיף  
ולא לשנות, אלא אם בן היה התרגמן  
אביו של חכם, או רבו. אמר הרב  
לתרגמן: 'כך אמר לי רבי,' או 'כך אמר  
לי אבא מר' - כשואמר התרגמן  
הדברים לעם, אומרן בשם החכם, ומזכיר  
שמו של אבי הרב או של רבו, ואומר:  
'כך אמר רבאנא פלוני,' אף על פי שלא  
הזכיר החכם שמו; שאסור לו לקרות  
לרבו או לאביו בשמו.

הרב שלמד ולא הבינו התלמידים, לא  
יכעם עליהן וירגז, אלא חוזר ושונה  
הדבר אפלו כמה פעמים, עד שבינו  
עמק ההלכה. וכן לא יאמר התלמיד  
'הבינותי,' והוא לא הבין; אלא חוזר  
ושואל, אפלו כמה פעמים. ואם פעם  
עליו רבו, ורגז - יאמר לו: 'רבי, תורה  
היא, וללמד אני צריך, ודעתי קצרה.'

לא יתיה התלמיד בוש מחברו שלמד  
מפעם ראשונה או שניה, והוא לא למד  
אלא אחר כמה פעמים; שאם נתביש  
מדבר זה - נמצא נכנס ויוצא לבית  
המדרש, והוא אינו למד כלום. לפיכך  
אמרו חכמים הראשונים: 'אין הביישן  
למד, ולא הקפדן מלמד'<sup>50</sup>.

posed the question. The teacher should not raise his voice higher than that of the spokesperson, and the spokesperson should not raise his voice when posing a question to the teacher, any louder than the teacher's own voice.

The spokesperson may not detract, nor add, nor make any changes, unless he was the father or teacher of the sage. If the teacher told the spokesperson: 'So my teacher told me,' or 'So my father and master told me' — when the spokesperson repeats these words to the people, he should repeat them in the name of the sage, and mention the name of the teacher's father or the teacher's teacher, and say 'So said Rabbi so-and-so,' although the sage did not mention his name; for is forbidden to call one's teacher or father by his proper name.

If the teacher taught and the students did not understand, he should not become angry at them and be upset, but rather should go back and review the matter, even several times, until they understand the depth of the law. A student must also not say 'I understand' when he does not truly understand, rather he should ask again, even several times. If his teacher becomes angry and upset with him — he should say to him: 'My master, it is Torah, and I need to learn, and my intellect is limited.'

A student should not be embarrassed of his fellow who understood at once or upon the second repetition, when he did not understand except after several repetitions; for if he is embarrassed of this — he will end up entering and leaving the study hall without having learned a thing. Therefore the early sages said: 'One who is bashful does not learn, and one who is too exacting cannot teach'.

50. אבות, ב, ה.

במה דברים אמורים? בזמן שלא הבינו התלמידים את הדבר מפני עמקו, או מפני דעתו שהיא קצרה; אבל אם נכר לרב שהם מתרשלים בדברי תורה ומתרפין עליה, ולפיכך לא הבינו – חייב לרגז עליהם ולהכלימן בדברים, כדי לחדדן, ובענין זה אמרו חכמים: 'זרק מרה בתלמידים'.<sup>51</sup>

לפיכך, אין ראוי לרב לנהוג קלות ראש בפני התלמידים, ולא לשחק בפניהם, ולא לאכל ולשתות עמיהם – כדי שתהא אימתו עליהם, וילמדו מפניו במהרה.

אין שואלים את הרב כשיכנס לבית המדרש, עד שתתישב דעתו עליו; ואין התלמיד שואל כשיכנס, עד שישב ויגיה. ואין שואלים שנים באחד. ואין שואלים את הרב מענין אחר, אלא מאותו הענין שהיו עוסקין בו, כדי שלא יתבזש. ויש לרב להטעות התלמידים בשאלותיו, ובמעשים שעושה בפניהם, כדי לחדדן, וכדי שידע אם זוכרין הן מה שלמדו או אינן זוכרין. ואין צריך לומר, שיש לו רשות לשאל אותם בענין אחר שאינן עוסקין בו, כדי לזרוז.

אין שואלים מעמד, ואין משיבין מעמד; ולא מנבזה ולא מרחוק, ולא מאחורי הזקנים. ואין שואלים את הרב אלא

When is this applicable? When the students did not understand the matter because of its depth or because of their limited intellect; but if the teacher recognizes that they are careless regarding words of Torah and are taking it easy, and therefore did not understand — he should act upset with them and shame them verbally, in order to sharpen them; regarding this matter the sages said: 'Cast bile [firm discipline] upon the students.'

It is therefore improper for the teacher to act in a lightheaded manner in the presence of the students or to jest in their presence, nor to eat and drink with them — so that they be in awe of him, and be quick to study from him.

One should not pose questions to the teacher upon his entering the study hall, until his thoughts are collected; and a student should not pose questions immediately upon entering, until he sits and collects himself. Two students should not pose questions simultaneously. One must not ask the teacher regarding a different topic, rather only regarding the topic under discussion, so that he should not be embarrassed. The teacher should challenge the students with the questions he poses and with the actions he does in their presence, in order to sharpen them, and so that he knows if they do or do not remember what he has taught. It is obvious that he may question them regarding other topics beyond that in which they are engrossed, in order to maintain their alacrity.

One should not pose questions while standing, nor respond while standing; nor from a high place or from afar, nor from behind the elders. One should not question the teacher except on

51. כתובות קג, ב.

בְּעֵינָיו, וְאִין שׁוֹאֲלִין אֶלָּא מִרְאָה; וְלֹא יִשְׁאֵל בְּעֵינָיו יוֹתֵר מִשְּׁלֹשׁ הַלְבוֹת.

the subject matter, and one should only ask with a sense of awe. One should not pose questions about more than three laws in the specific topic.

ח שְׁנַיִם שִׁשְׁאֲלוּ – שְׁאֵל אֶחָד בְּעֵינָיו וְשְׁאֵל אֶחָד שְׁלֹא בְּעֵינָיו, נִזְקָקִין לְעֵינָיו; מַעֲשֵׂה וְשִׂאִינוּ מַעֲשֵׂה, נִזְקָקִין לְמַעֲשֵׂה; הַלְבָּה וּמְדַרְשׁ, נִזְקָקִין לְהַלְבָּה; מְדַרְשׁ וְהַגְדָּה, נִזְקָקִין לְמְדַרְשׁ; הַגְדָּה וְקַל וְחֹמֶר נִזְקָקִין לְקַל וְחֹמֶר; קַל וְחֹמֶר, וְגִזְרָה שְׁוֵה, נִזְקָקִין לְקַל וְחֹמֶר.

If two students posed questions — if one’s question is relevant to the topic at hand and the other’s is irrelevant, the teacher should first give attention to the one whose question is relevant. If one asked for a practical ruling and the other asked regarding a hypothetical matter, the teacher should first give attention to the one who asked for a practical ruling. If one asked regarding Torah law and the other asked regarding biblical interpretation, we first attend to the question regarding to Torah law; if one asked regarding biblical interpretation and the other regarding narrative material [*agadah*], we first attend to the question regarding biblical interpretation. If one asked regarding narrative material and the other regarding a *kal v’chomer* [*fortiori exegesis*], we first attend to the question regarding narrative material. If one asked regarding a *kal v’chomer*, and the other asked regarding a *gezeirah shava* [exegesis based on similar words], we first attend to the question based on a *kal v’chomer*.

הָיָה הַשׁוֹאֲלִין אֶחָד חָכֵם וְאֶחָד תַּלְמוּד, נִזְקָקִין לְחָכֵם; תַּלְמוּד וְעַם הָאָרֶץ, נִזְקָקִין לְתַלְמוּד. שְׁנֵיהֶן חֲכָמִים, שְׁנֵיהֶן תַּלְמוּדִים, שְׁנֵיהֶן עַמֵּי הָאָרֶץ, שְׁאֵלוּ שְׁנֵיהֶן בְּשֵׁתֵי הַלְבוֹת, אוּ בְּשֵׁתֵי שְׁאֵלוֹת, שְׁתֵּי תְּשׁוּבוֹת, שְׁנֵי מַעֲשִׂים – הַרְשׁוֹת בְּיַד הַמְּתַרְגֵּם מֵעַתָּה.

If one questioner was a sage and the other a student, we first attend to the sage. If one was a student and the other a boor, we first attend to the student. If both questioners were sages, or both were students, or both were boors, if they both asked regarding two laws, or regarding two questions, or regarding two answers or two incidents — the spokesperson has the authority to decide which question to address first.

ט אין וְשֵׁנִים בְּבֵית הַמְּדַרְשׁ. וְכֹל הַמְּתַנַּמְנֵם בְּבֵית הַמְּדַרְשׁ, חֲכָמָתוֹ נִעֲשֵׂית קָרְעִים קָרְעִים; וְכֵן אָמַר שְׁלֹמֹה בְּחֻכְמָתוֹ:

One may not sleep in the study hall. If one dozes in the study hall, his knowledge becomes patchwork; as Shlomo said in his wisdom: “Doz-



"ויקראים, תלביש נומה"<sup>52</sup>. ואין משיחין בבית המדרש, אלא בדברי תורה בלבד. אפלו מי שנתעטש, אין אומרים לו 'רפואה' בבית המדרש; ואין צריך לומר, שאר הדברים. וקדשת בית המדרש, חמורה מקדשת בתי בנסיות.

ing will dress one in rags." It is forbidden to speak in the study hall except for words of Torah exclusively. Even if someone sneezes, one does not say to him 'good health' in the study hall; and other speech is obviously forbidden. The sanctity of a study hall is more severe than the sanctity of synagogues.

שיעור 34  
פרק אחד ליום

שיעור יב  
ג' פרקים ליום

### פֶּרֶק ה'

כָּשֶׁם שֶׁאָדָם מְצוּה בְּכבוֹד אָבִיו וּבִרְאֵתוֹ – כִּד הוּא חַיֵּב בְּכבוֹד רַבּוֹ וְיִרְאָתוֹ. וְרַבּוֹ, יֵתֵר מֵאָבִיו; שֶׁאָבִיו הֵבִיאוֹ לַחַיִּי הָעוֹלָם הַזֶּה, וְרַבּוֹ שֶׁלְּמַדּוֹ חֲכָמָה, הֵבִיאוֹ לַחַיִּי הָעוֹלָם הַבָּא.

Just as a person is commanded to honor and revere his father — so too he is obligated to honor and revere his teacher. The obligation to his teacher is even more than to his father; for his father brought him to the life of this world, while his teacher who taught him wisdom has brought him to eternal life in the world-to-come.

רְאֵה אֲבֵרַת אָבִיו וְאֲבֵרַת רַבּוֹ, שֶׁל רַבּוֹ קוֹדֶמֶת לְשֵׁל אָבִיו. אָבִיו וְרַבּוֹ גְּשׁוּאִים בְּמִשְׁאָה, מִנִּיחַ אֶת שֶׁל רַבּוֹ וְאַחֵר כִּד אֶת שֶׁל אָבִיו. אָבִיו וְרַבּוֹ שְׁבוּיִים בְּשִׁבְיָה, פּוֹדֶה אֶת רַבּוֹ וְאַחֵר כִּד פּוֹדֶה אֶת אָבִיו; אִם הָיָה אָבִיו תַּלְמִיד חֲכָמִים, פּוֹדֶה אֶת אָבִיו תְּחִלָּה. וְכֵן אִם הָיָה אָבִיו חֲכָם, אֵף עַל פִּי שְׁאִינוֹ שְׁקוּל כְּנֶגֶד רַבּוֹ – מְשִׁיב אֲבֵרַתוֹ, וְאַחֵר כִּד מְשִׁיב אֲבֵרַת רַבּוֹ. וְאִין לֶדְ כְּבוֹד גְּדוֹל מִכְּבוֹד הָרַב, וְלֹא מוֹרָא יֵתֵר מִמוֹרָא הָרַב. אָמְרוּ חֲכָמִים: 'מוֹרָא רַבֵּד כְּמוֹרָא שְׁמַיִם'<sup>53</sup>.

If one sees two lost objects, one belonging to his father and one belonging to his teacher, returning his teacher's lost object takes precedence to that of his father. If his father and his teacher are each carrying a load, he should first set down his teacher's load and then his father's load. If his father and his teacher were both taken into captivity, he should first redeem his teacher and only after that redeem his father; but if his father was a Torah scholar — he should redeem his father first. So too, if one's father is a scholar, even if he is not equal to his teacher — one should first return his father's lost object and only after that return his teacher's lost object. No honor is greater than honor of one's teacher, and no reverence greater than reverence for one's teacher. The sages said: "Fear of your teacher should be as fear of Heaven".

52. משלי, כג, כא. 53. אבות, ד, יב.

לפיכך אמרו חכמים: 'כל החולק על רבו - כחולק על השכינה, שנאמר: "בהצאתם על ה'"<sup>54</sup>.

וכל העושה מריבה עם רבו - כעושה עם השכינה<sup>55</sup>, שנאמר: "אשר רבו בני ישראל את ה'"<sup>56</sup>. וכל המתרעם על רבו - כמתרעם על השכינה, שנאמר: "לא עלינו תלזתיכם, כי על ה'"<sup>57</sup>.

וכל המתהרהר אחר רבו - כמתהרהר אחר השכינה<sup>58</sup>, שנאמר: "וידבר העם באלהים ובמשה"<sup>59</sup>.

ב אי זה הוא חולק על רבו? זה שקובע לו מדרש, ויושב ודורש ומלמד שלא ברשות רבו, ורבו קיים; ואף על פי שרבו במדינה אחרת. ואסור לאדם להורות בפני רבו לעולם; וכל המורה הלכה בפני רבו, חייב מיתה.

ג היה בינו ובין רבו שנים עשר מיל, ושאל לו אדם דבר הלכה - מתר להשיב. ולהפריש מן האסור - אפילו בפני רבו, מתר להורות.

ביצד? כגון שראה אדם עושה דבר האסור מפני שלא ידע באסורו, או מפני רשעו - יש לו להפרישו, ולומר לו:

The sages therefore said: 'One who dissents from his teacher — is like one who dissents from the Divine Presence, as it states: "When they rebelled against Hashem."

And one who contends with his teacher — it is as if he contends with the Divine Presence, as it states: "Where the Children of Israel contended with Hashem." One who complains against this teacher — it is as if he complains against the Divine Presence, as it states: "Your complaints are not against us, but against Hashem."

One who doubts his teacher — is like one who doubts the Divine Presence, as it states: "And the people spoke against Hashem and against Moshe."

What is considered dissension against one's teacher? This refers to one who establishes his own study hall, and sits and expounds and teaches without his teacher's permission while his teacher is still alive; this is so even if his teacher is in a different city. One may never render legal decisions in the presence of his teacher; and one who does render a halachic decision in his teacher's presence is liable to death by the hand of Heaven.

If there is a distance of twelve *mil* [1 *mil* = 2000 cubits] between one and his teacher, and a person asked him regarding a halachic matter — he is permitted to respond. If it is in order to deter another from a forbidden act — it is permitted to rule even in the presence of one's teacher.

How does this apply? If, for example, one saw another doing something forbidden because he did not know that it is forbidden, or due to his

54. במדבר-פנחם, כו, טו. 55. סנהדרין, קי, א. 56. במדבר-חוקת, כ, יג. 57. שמות-בשלח, טז, ת. 58. סנהדרין, קי, א. 59. במדבר-חוקת, כא, ה.

דְּדַבֵּר זֶה אִסּוּר, וְאִפְלוּ בְּפְנֵי רַבּוֹ, וְאִם עַל פִּי שְׂלֵא יִתֵּן לוֹ רַבּוֹ רְשׁוּת; שְׂכַל מְקוֹם שִׁישׁ חֲלוּל הַשֵּׁם, אִין חוֹלְקִין כְּבוֹד לְרַבּוֹ.

במה דברים אמורים? בדבר שנקרה נקרה; אבל לקבע עצמו להוראה, ולשבת ולהורות לכל שואל – אפלו הוא בסוף העולם, ורבו בסוף העולם – אסור לו להורות עד שימות רבו, אלא אם כן נמל רשות מרבו.

ולא כל מי שמות רבו, מתר לו לישב ולהורות בתורה, אלא אם כן היה תלמיד שהגיע להוראה.

וְכָל תַּלְמִיד שְׂלֵא הִגִּיעַ לְהוֹרָאָה, וּמוֹרָה – הָרִי זֶה שׁוֹמֵה, רִשָּׁע וְגַם רוֹחֵ; וְעָלִיו נֶאֱמַר: "כִּי רַבִּים הָלָלִים הַפִּילָה"<sup>60</sup>. וְכֵן חָכָם שֶׁהִגִּיעַ לְהוֹרָאָה, וְאִינוּ מוֹרָה – הָרִי זֶה מוֹנֵעַ תּוֹרָה, וְנוֹתֵן כּוֹשְׁלוֹת לַפְּנֵי הָעוֹרִים; וְעָלִיו נֶאֱמַר: "וְעַצְמִים כָּל הָרְגִיה"<sup>61</sup>.

אלו התלמידים הקטנים שלא הרבו תורה פראוי, והם מבקשין להתנגד בפני עמי הארץ ובין אנשי עירם, וקופצין ויושבין בראש לדון ולהורות בישראל – הן המרביץ את המחלוקת, והם המחריבין את העולם, והמכבין גרה של תורה, והמחבלים בפרם ה' צבאות. ועליהן אמר שלמה בחכמתו: "אחוזו לנו שועלים – שעלים קטנים, מחבלים פרמים"<sup>62</sup>.

wickedness — one must deter him from it, by telling him: 'That is forbidden,' even in his teacher's presence, and despite his teacher not having given him permission; for in a situation of desecration of Hashem's name, we are not concerned with giving honor to a teacher.

When does the above apply? In a matter that happened to come up. However, to establish oneself as a halachic arbiter and sit and rule to all questioners — even if he is at one edge of the world and his teacher is at the opposite extreme — he may not rule until after his teacher's passing, unless he obtains permission from his teacher.

Not everyone whose teacher has passed away is permitted to sit and rule in matters of Torah law, unless he is a scholar worthy of ruling.

ד Any student who is not worthy of issuing rulings, and it does rule — is a fool, wicked, and prideful; regarding him it states: "For many are the dead that she has felled". But a wise man who is worthy of rendering halachic decisions, and does not rule — is considered to be withholding Torah, and places a stumbling block before the blind; regarding him it states: "And mighty are all her victims."

Those lesser students who have not studied as much Torah as is appropriate, and out of a desire to appear important in front of the simple folk and the people of their city, jump forth and sit at the fore to judge and rule in Israel — they are those who increase strife and bring destruction to the world, and extinguish the lamp of Torah and sabotage the vineyard of Hashem, Lord of hosts. Regarding them Shlomo said in his wisdom: "Take hold for us of the foxes — small foxes who sabotage the vineyards."

60. משלי, ז, כו. 61. שם. 62. שיר השירים, ב, טו.

וְאִסּוּר לֹא לְתַלְמִיד לְקַרֹּת לְרַבּוֹ בְּשֵׁמוֹ, וְאֶפְלוּ שְׂלֵא בְּפָנָיו. וְלֹא יִזְכִּיר שְׁמוֹ בְּפָנָיו, וְאֶפְלוּ לְקַרֹּת לְאַחֵרִים שֵׁשֶׁמֶם כְּשֵׁם רַבּוֹ, כְּדֶרֶךְ שְׁעוֹשֶׂה בְּשֵׁם אָבִיו; אֲלֵא יִשְׁנֶה שְׁמֵן, אֶפְלוּ לְאַחַר מוֹתָם – וְהוּא שְׂיִתְּהִי הַשֵּׁם פְּלֵא, שֶׁכֵּל הַשּׁוֹמֵעַ יִדַּע שֶׁהוּא פְּלוּנִי.

**It is forbidden for a student to call his teacher by his name, even when not in his presence. He should not mention his name in his presence, even if he means to call others whose name is the same as his teacher's, just as is the practice regarding his father's name. Rather, he should make some change to their name, even if it is after the teacher's passing — that is, if it is an unusual name, where all who hear assume that he refers to so-and-so.**

וְלֹא יִתֵּן שְׁלוֹם לְרַבּוֹ אוֹ יַחְזִיר לוֹ שְׁלוֹם, כְּדֶרֶךְ שְׁנוֹתְנִין הַרְעִים וּמַחְזִירִין זֶה לְזֶה; אֲלֵא שׁוֹחֵחַ לְפָנָיו, וְאֹמֵר לוֹ בִּירְאָה וְכַבּוּד: 'שְׁלוֹם עֲלֶיךָ, רַבִּי'. אִם נָתַן לוֹ רַבּוֹ שְׁלוֹם, יַחְזִיר לוֹ: 'שְׁלוֹם עֲלֶיךָ, רַבִּי וּמְרִי'.

**One should not greet his teacher or respond to his greeting in the manner that friends greet and respond to each other; rather, he should bow before him and say to him with reverence and respect: 'Peace upon you, my teacher.' If one's teacher greets him, he should respond: 'Peace upon you, my teacher and master.'**

וְכֵן לֹא יַחְלִץ תְּפִלָּתוֹ בְּפָנָיו רַבּוֹ, וְלֹא יִסֵּב, אֲלֵא יֵשֵׁב כְּיוֹשֵׁב לְפָנֵי הַמֶּלֶךְ. וְלֹא יִתְפַּלֵּל לְפָנָיו רַבּוֹ, וְלֹא לְאַחַר רַבּוֹ, וְלֹא בְּצַד רַבּוֹ; וְאִין צְרוּךְ לֹמֵר, שְׂאִסּוּר לוֹ לְהִלָּךְ בְּצַדוֹ, אֲלֵא יִתְרַחֵק לְאַחַר רַבּוֹ, וְלֹא יִתְּיָה מִכֵּן בְּגִנַּד אַחֲרָיו; וְאַחַר כֵּן יִתְפַּלֵּל. וְלֹא יִכְנֵם עִם רַבּוֹ לְמַרְחָץ.

**One also must not remove his tefillin in his teacher's presence, nor should he recline; rather, he should sit as one does in the presence of a king. One should not pray while standing in front of his teacher, nor directly behind this teacher, nor at his teacher's side; he obviously should not walk alongside him, but should remain a distance behind his teacher, and should not be directly behind him; and then he should pray. One may not enter a bathhouse along with his teacher.**

לֹא יֵשֵׁב בְּמִקוֹם רַבּוֹ. וְלֹא יִכְרִיעַ דְּבָרָיו בְּפָנָיו, וְלֹא יִסְתֵּר אֶת דְּבָרָיו. וְלֹא יֵשֵׁב לְפָנָיו עַד שִׂיאֵמַר לוֹ: 'שֵׁב'; וְלֹא יַעֲמֹד מִלְּפָנָיו עַד שִׂיאֵמַר לוֹ: 'עֲמֹד', אוֹ עַד שִׂיפְלוּ רִשׁוֹת לַעֲמֹד. וְכִשְׂפִטְמַר מִרַבּוֹ, לֹא יַחְזִיר לוֹ אַחֲרָיו, אֲלֵא גִרְתַּע לְאַחֲרָיו, וּפְנָיו בְּגִנַּד פָּנָיו.

**One may not sit in his teacher's usual place. One may not confirm the accuracy of his teacher's statements in his presence, nor may he contradict his words. One may not sit in front of his teacher until told: 'Sit;' and one may not arise from before him, until told: 'Arise,' or until he obtains permission to rise. When one leaves his teacher he should not turn and show him his back, but should instead retreat backwards, with his face towards his teacher's face.**

ז וְחַיֵּב לְעֹמֵד מִפְּנֵי רֵבּוֹ, מִשִּׁירָאָנּוּ מִרְחוֹק מְלֵא עֵינָיו, עַד שִׁיתְּפֹסֵף מִמּוֹנוֹ וְלֹא יִרְאֶה קוֹמָתּוֹ; וְאַחֵר כִּדּוּ יֵשֵׁב. וְחַיֵּב אָדָם לְהַקְבִּיל אֶת פְּנֵי רֵבּוֹ בְּרֵגֶל.

**One is obligated to rise before his teacher as soon as he sees him from the distance from as far as the eye can see, and until he is concealed and the student can no longer see his form; then he may be seated. One is obligated to pay a visit to his teacher on festivals.**

ח אֵין חוֹלְקִין כְּבוֹד לְתַלְמִיד בְּפְנֵי הַרְבֵּה, אֲלֵא אִם כֵּן הָיָה דְרָדָךְ רֵבּוֹ לְחַלֵּק לוֹ כְּבוֹד. וְכָל מְלָאכּוֹת שֶׁהָעֶבֶד עוֹשֶׂה לְרֵבּוֹ, תַלְמִיד עוֹשֶׂה לְרֵבּוֹ; וְאִם הָיָה בְּמִקּוֹם שֶׁאֵין מִכִּירִין אוֹתוֹ, וְלֹא הָיָה לוֹ תַפְלִין, וְחָשׁ שֶׁמָּא יֵאָמְרוּ: 'עֶבֶד הוּא' – אֵינוֹ נוֹעֵל לוֹ מִנְעֵלוֹ, וְאֵינוֹ חוֹלְצוֹ. וְכָל הַמוֹנֵעַ תַלְמִידוֹ מִלְשִׁמּוֹשׁוֹ – מוֹנֵעַ מִמּוֹנוֹ חֶסֶד, וּפּוֹרֵק מִמּוֹנוֹ יִרְאַת שָׁמַיִם; וְכָל תַלְמִיד שֶׁמּוֹלֵל בְּדַבָּר מִכָּל כְּבוֹד רֵבּוֹ, גּוֹרֵם לְשִׁכְיֵתָהּ שֶׁתִּסְתַּלַּק מִיִּשְׂרָאֵל.

**We do not give honor to a student in his teacher's presence, unless his teacher is accustomed to honoring him. All tasks that a servant carries out for his master, a student must carry out for his teacher; but if he is in a place where people do not know him, and he does not have tefillin, and he is concerned that people may assume that he is a slave — he should not put his master's shoes on him, nor remove them. One who prevents his student from serving him is withholding kindness from him, and removing fear of Heaven from upon him. Any student who takes any point of his teacher's honor lightly, causes the Divine Presence to leave Israel.**

ט רָאָה אֶת רֵבּוֹ עוֹבֵר עַל דְּבָרֵי תוֹרָה, אֹמֵר לוֹ: 'לְמַדְתֵּנוּ רֵבּוֹנוּ כִּדּוּ וְכָד'. וְכָל זְמַן שֶׁמּוֹכִיר שְׂמוּעָה בְּפְנֵי, אֹמֵר לוֹ: 'כִּדּוּ לְמַדְתֵּנוּ רֵבּוֹנוּ'. וְאֵל אֵימַר דְּבַר שְׂלֵא שְׁמַע כְּרֵבּוֹ, עַד שֶׁיִּזְכִּיר שֵׁם אוֹמְרוֹ.

**If one saw his teacher transgressing matters of Torah, he should tell him: 'Our teacher, you taught us such-and-such.' Any time that he mentions a teaching in his presence, he should say: 'So you taught us, our teacher.'<sup>[18]</sup> One should not repeat something that he did not**

### 18. "One should not repeat something . . . without mentioning who said it"

The Sages taught: "One who says a statement in the name of the one who said it brings redemption to the world."<sup>72</sup> This is also a halachic obligation: "One who does not say a teaching in the name of the author transgresses a prohibition."<sup>73,74</sup>

However, we find many Talmudic sages who did not quote the original author of their statement. Most notably, Rabbi Eliezer the Great was described as "never saying anything he hadn't heard from his teacher,"<sup>75</sup> yet we find many teachings of his without mention of his teacher's name! Furthermore: We know that he had more than one teacher — and we therefore

מדה"ת ס"כ: רעק"א לש"ע: שערי תשובה שם" ועוד – שמקורו במדרש במדבר רמז תרצה. י"ש משלי עה"פ רמז תתקם.

72. סוכה כו.. וש"נ. וראה שם כח סע"א: "הוקקתוני... מרבתי... לא אמרתי דבר שלא שמעתי מרבי מעולם. ועד"ו ביומא סו ב.

72. אבות פ"ו בסופו. חולין קד, ב. גדה יש ב.

73. מג"א או"ח סקנ"ו סק"ב. ובש"ל"ה (עג, סע"א) "ומדברי קבלה ומד"ם פ"ק דגדלים (ראה בהערה הבאה) תני ר' חייא כל מי שאינו אומר דבר בשם אומרו עובר בלאו שנאמר אל תגול דל כי דל הוא".

74. הגמ"א מציין לגדלים פ"ק אבל בגדלים שלפנינו ליתא. וראה שו"ת נוב"ז

וְשִׁמּוֹת רבו – קורע כל בגדיו, עד  
שהוא מגלה את לבו; ואינו מאחה  
לעולם.

במה דברים אמורים? ברבו מכהק  
שלימד ממנו רב חכמתו. אבל אם לא  
למד ממנו רב חכמתו – הרי זה תלמיד  
הקר, ואינו חיב בכבודו בכל הדברים  
האלו; אבל עומד מלפניו, וקורע עליו  
כשם שהוא קורע על כל המתים שהוא  
מתאבל עליהם.

אפלו לא למד ממנו אלא דבר אחד, בין  
קטן בין גדול – עומד מלפניו, וקורע  
עליו.

וכל תלמיד חכם שדעותיו מכוונות –  
אינו מדבר בפני מי שהוא גדול ממנו

hear from his teacher without mentioning who  
said it. When his teacher passes away, one must  
rend all layers of his clothing until his heart is  
revealed; and he may never mend them.

Regarding whom does the above apply? To his  
principal teacher, from whom he has learned the  
majority of his wisdom. But if he did not learn  
the majority of his wisdom from him — he has  
the status of both a student and a colleague, and  
is not obligated in his honor in all of the above;  
but he still must rise in his presence, and rend  
his clothes just that he would for any deceased  
for whom he mourns.

Even if he only learned one thing from him,  
whether small or great — he must rise in his  
presence, and rend his garment in mourning for  
him.

A Torah scholar of deliberate character does not  
speak in the presence of one who is greater than

cannot assume that every teaching is from a specific  
individual (see footnote).<sup>76</sup>

The explanation:

Rabbi Eliezer didn't merely parrot over what his  
teacher had taught him, but worked hard to understand  
those teachings fully until his own intellect necessitated  
those same ideas. When he taught those ideas after-  
ward they had become his own, and he taught them as  
such.

We see this concept (that by fully understanding an  
idea it becomes your own) in the fact that Torah  
teachings are called in the name of the scholar, not  
"Hashem's." As Rashi teaches, "at first the Torah is  
called Hashem's Torah, but once someone has learned

it, it is called their Torah."<sup>77</sup> We see from here that  
once one learns and understands the teachings, it  
becomes their own.<sup>78</sup> The same applies to Rabbi Eliezer  
— he was able to teach these ideas in his own name  
without violating the prohibition<sup>79</sup> since he had fully  
assimilated them into his own intellect.<sup>80</sup>

A further point:

Why is it that by citing teachings with their authors  
we bring redemption to the world?

Because, by mentioning the originator of this idea,  
we reveal — and bolster — our connection to the  
traditions passed down from Moshe Rabbeinu; we  
demonstrate that all the novel Torah teachings were  
actually transmitted to Moshe at Sinai.

*Likkutei Sichos vol. 36 pg. 180.*

77. תהלים א, ב. וראה קדושין לב, סע"א ואילך. ע"ז יט, א.

78. שהכוונה בזה לאחר ש"יהנה" בתורה, כבהמשך הנב" ש"ענין בתלמודו  
לדמות מילתא למילתא להקשות ולתריץ כו" (פרש"י ע"ז יט, א. ד"ה ואח"כ  
יהנה), ליסבר – שבת סג, א.

79. נדרים פ' א.

80. וכדמוכח גם מהפסוק "זכרו תורת משה עבדי" - לפי שמיטע עצמו נקראת  
על שמו.

76. ואין לתרין עפ"י דב"י הנב" (יבמות צו, ב). על ר' אלעזר שלא אמר דבריו  
בשם ר' יוחנן רבו וכששמעו ר"י הקפיד עד שאמרו לו ר' אמו ור' אפי שכשם  
שיושע לא אמר כל דבר בשם משה רבינו כי הבל יודעין שלמד הכל ממושה  
כך גם הבל יודעים שר"א למד כל תורתו מנחך כי אין לתרין זה ברבי אלעזר  
הגדול כי ממה שאמר "הרבה תורה למדתי ולא הסתתי מרבותי" (מתהרין סח  
א). מוכח שהיו לו יותר מרב אחד וא"כ היה צריך להוכיח בכל דבר מאיזה  
רב קבלו.

בְּחִכְמָה, אִם עַל פִּי שְׂלֵא לָמוּד מִמֶּנּוּ  
כָּלוּם.

אִי הָרַב הַמְּבַחֵק שְׂרָצָה לְמַחֵל עַל כְּבוֹדוֹ  
בְּכָל הַדְּבָרִים הָאֵלֶּה, אוּ בְּאַחַד מֵהֶן, לְכָל  
תַּלְמִידָיו, אוּ לְאַחַד מֵהֶן – הִרְשׁוּת בְּיָדוֹ.  
וְאִם עַל פִּי שְׂמַחֵל, חַיֵּב הַתַּלְמִיד לְהַדְרֹו,  
וְאִפְלוּ בְּשַׁעַר שְׂמַחֵל.

יב בְּשֵׁם שְׁהַתְּלַמִּידִים חֲיָבִין בְּכָבוֹד הָרַב, כִּד  
הָרַב צָרִיךְ לְכַבֵּד אֶת תַּלְמִידָיו וּלְקַרְבָּן;  
כִּד אָמְרוּ חֲכָמִים: 'הִי כְבוֹד תַּלְמִידָךְ  
חָבִיב עֲלֶיךָ כַּשֵּׁל חֲבֵרְךָ'<sup>63</sup>. וְצָרִיךְ אָדָם  
לְהִזָּהֵר בְּתַלְמִידָיו, וּלְאַהֲבָן, שֶׁהֵן הַבְּנוִים  
הַמְהַנִּיזִין בְּעוֹלָם הַזֶּה וּלְעוֹלָם הַבָּא.

יג סְטֻדֵּנְטִים מוֹסִיפִין חֲכָמַת הָרַב,  
וּמְרַחֲבִין לְבוֹ. אָמְרוּ חֲכָמִים: 'הִרְבֵּה  
חֲכָמָה לָמוּדַי מִחֲבֵרַי יָתֵר מִרְבוֹתַי,  
וּמִתַּלְמִידַי יָתֵר מִכָּלֵם'<sup>64</sup>; וּבְשֵׁם שְׁעָן  
קָטָן מְדַלֵּק אֶת עֵץ גְּדוֹל, כִּד תַּלְמִיד קָטָן  
מְהַדְרֵה אֶת הָרַב, עַד שִׁיּוֹצִיא מִמֶּנּוּ  
בְּשֵׂאוֹתָיו חֲכָמָה מִפְּאֲרָה.

him and wisdom, even if he has not been taught anything by him.

A principal teacher who wishes to forgo his honor in regard to all of the above subjects or any one of them, for all of his students, or any one of them — has the right to do so. Although he has foregone his honor, the student is obligated to respect him even at the very time that he has foregone it.

Just the students are obligated in their teacher's honor, so too the teacher must honor his students and draw them close; as the sages said, 'Your student's honor should be as important to you as that of your colleague.' One must take care regarding his students, and love them, for they are sons who benefit him in this world and in the world-to-come.

Students add to the teacher's wisdom, and broaden his understanding. The sages said: 'Much wisdom I have learned from my colleagues, more than from my teachers; and from my students most of all.' For just as a small piece of kindling can ignite a large timber, so too a minor student sharpens his teacher, for by the questions he poses — he draws out magnificent wisdom from him.

שיעור 35  
פרק אחד ליום

## פָּרָק ו

אִי כָּל תַּלְמִיד חֲכָמִים – מִצְוָה לְהַדְרֹו, וְאִם  
עַל פִּי שְׂאִינוֹ רַבּוֹ, שְׂנֵאָמְרוּ: 'מִפְּנֵי שִׁיבָה  
תִּקּוּם, וְהִדְרַת פְּנֵי זָקֵן'<sup>65</sup>, זֶה שְׂקִנְיָה  
חֲכָמָה. וּמֵאַיִמִי חֲיָבִין לְעֻמֵּד מִפְּנֵי  
הַחֲכָם? מִשִּׁיקְרָב מִמֶּנּוּ בְּאַרְבַּע אַמּוֹת,  
עַד שִׁיעֵבֵר מִכְּנַגַּד פְּנָיו.

It is a mitzvah to honor every Torah scholar, even if he is not one's teacher, as it states: "In the presence of old age you shall rise, and respect the presence of an elder" — this means one who has acquired wisdom. From when is one obligated to rise in the presence of a scholar? When he approaches within four cubits, until he has passed from his presence.

63. אבות, ד, יב. 64. מכות, י, א. 65. יוֹקְרָא קְרוּשִׁים, יט, לב.

- אין עומדין מפניו לא בבית המרחץ ולא בבית הכסא - שנאמר: "תקום, והדרת", קימה שיש בה הדור. ואין בעלי אמניות תיבין לעמוד מפני תלמידי חכמים בשעה שעוסקין במלאכתן, שנאמר: "תקום, והדרת" - מה הדור שאין בו חסרון כים, אף קימה שאין בה חסרון כים.
- ב** One does not rise in his presence in a bathhouse or in a lavatory — as it states: “Rise . . . and respect,” meaning that one must rise when it infers respect. Tradesmen are not obligated to rise in the presence of Torah scholars while they are involved in their work, as it states: “Rise . . . and respect” — just as honor involves no loss, so too one must rise only when it involves no loss.
- ומנין שלא יעלים עיניו מן החכם, כדי שלא יראהו עד שלא יעמוד מפניו? תלמוד לומר: "ויראת מאלהיך"<sup>66</sup> - הא כל דבר שהוא מסור ללב, נאמר בו: "ויראת מאלהיך".
- ג** It is improper for a scholar to trouble the people and to intentionally walk in front of them so that they rise in his presence. He should rather take a short route, intending that no one take note of him, in order not to trouble anyone to stand. The sages would go on a roundabout, outer route where those who would recognize them were not commonly found, to avoid troubling others.
- אין ראוי לחכם שמטריח על העם, ויבין עצמו להן כדי שיעמדו מפניו; אלא ילך בדרך קצרה, ומתפונן שלא יראה אותו אחר, כדי שלא יטריחו לעמוד. והחכמים היו מקיפין והולכין בדרך החיצונה שאין מכיריהן מצויין שם, כדי שלא יטריחו.
- ד** One who rides has the same status as one who walks. Therefore, just as one rises before a scholar who walks, one must rise before one who rides.
- רוכב, הרי הוא כמתהלך, וכשם שעומדין מפני המתהלך, כך עומדין מפני הרוכב.
- ה** When three companions walk on the road — the teacher should be in the center, the greater student at his right, and the lesser student at his left.
- שלשה שהיו מהלכין בדרך - הרב באמצע, גדול מימינו, ומבן משמאלו.
- ו** One who sees a scholar — need not rise before him until he reaches within his four cubits; and once he has passed, he may sit. If one sees the
- הרואה חכם - אינו עומד מלפניו, עד שיגיע לו לארבע אמות; ובין שעבר, ישב. ראה אב בית דין - עומד מלפניו

66. ויקרא-קדושים, יט, לב.



מְשִׁירָאָנוּ מֵרְחוֹק מֵלֵא עֵינָיו, וְאִינוּ יוֹשֵׁב  
עַד שְׂעֵבֵר מֵאַחֲרָיו אַרְבַּע אַמּוֹת. רָאָה  
אֶת הַנָּשִׂיא – עוֹמֵד מִלְּפָנָיו מְשִׁירָאָנוּ  
מֵרְחוֹק מֵלֵא עֵינָיו, וְאִינוּ יוֹשֵׁב עַד שְׂעֵבֵר  
בְּמִקוּמוֹ, אוֹ עַד שְׂתִיבְפָּהּ מֵעֵינָיו. וְהַנָּשִׂיא  
שְׂמַחֵל עַל כְּבוֹדוֹ, כְּבוֹדוֹ מְחוּל.

כְּשֶׁהַנָּשִׂיא נִכְנָס, כָּל הָעָם עוֹמְדִין; וְאִין  
יּוֹשְׁבִין, עַד שְׂאִמְר לְהֵן: 'שְׁבוּ'. כְּשֶׁאֵב  
בֵּית דִּין נִכְנָס, עוֹשִׂין לוֹ שְׁתֵּי שׁוּרֹת  
עוֹמְדִין מִכָּאן וּמִכָּאן, עַד שְׂנִכְנָס וְיּוֹשֵׁב  
בְּמִקוּמוֹ, וְשָׂאֵר הָעָם יּוֹשְׁבִין בְּמִקוּמָן.

ז חֲכָמִים שְׂנִכְנָס, כָּל שְׂנִייעַ לוֹ בְּאַרְבַּע אַמּוֹת  
עוֹמֵד מִלְּפָנָיו, אֶחָד עוֹמֵד וְאֶחָד יּוֹשֵׁב, עַד  
שְׂנִכְנָס וְיּוֹשֵׁב בְּמִקוּמוֹ.

בְּנֵי חֲכָמִים וְתַלְמִידֵי חֲכָמִים – בְּזִמְן  
שְׂהַרְבִּים צְרִיכִין לְהֵן, מִקְּצִין עַל רֵאשִׁי  
הָעָם וְנִכְנָסִין לְמִקוּמָן. וְאִין שָׁבַח לְתַלְמִיד  
חֲכָמִים שְׂפִינָם בְּאַחֲרֹנָה; וְצֵא לְצַדֵּךְ,  
חֹזֵר לְמִקוּמוֹ.

head of the Beis Din — he must stand in his presence upon seeing him from as far as the eye can see, and may not sit until he passes four cubits beyond him. If one sees the Nasi [leader of the people] — he must rise before him upon seeing him from as far as the eye can see, and may not sit until he takes his place or until he is out of sight. <sup>[19]</sup>If the Nasi forgoes his honor, his honor is forgone.

When the Nasi enters, all the people must rise; they may not sit until he tells them to do so. When the head of the Beis Din enters, two lines are formed by standing on either side, until he enters and is seated in his place, but the rest of the people may remain seated in their places.

When a scholar enters and arrives within four cubits of anyone present, they must rise before him; and so one rises and the one behind him sits, until the sage proceeds and is seated in his place.

Sons of sages and of Torah scholars — when they are needed by the public — are permitted to spring over the heads of the people assembled and to enter their places. It is not praiseworthy for Torah scholars to enter last; if one went out for an urgent matter, he may return to his place.

— Pardes Hamelech —

### 19. "If the Nasi forgoes his honor, his honor is forgone"

The term "nasi" can be used to refer to a King. For example, the Sifrei<sup>81</sup> and Mishnah<sup>82</sup> cite the verse "When a nasi sins,"<sup>83</sup> and explain, "A nasi refers to a king." However, there is a distinction: the title "king" denotes a higher status than "nasi."

Here, however, nasi refers to the head of the High Court. We find it used in this way in the Mishnah:

"The nasi [President of the Court] and the Chief-Justice."<sup>84</sup> In the Talmud, we read, "Hillel — you who is called the Nasi of Israel."<sup>85</sup> Likewise, "Hillel and Shimon . . . conducted their nesius [leadership] one hundred years before the end of the Temple Era."<sup>86</sup>

It is clear that the Rambam is referring to this use of the term, as a king cannot choose to waive the honor due to him.<sup>87</sup>

Likkutei Sichos vol. 19 pg. 166.

85. שבת לא, א. שם ט"ז, א.

86. שבת טו, א.

87. רמב"ם הלכות מלכים פ"ב ה"ג.

81. ויקרא ד, כב.

82. הוריות י, יא.

83. ויקרא ד, כב.

84. חגיגה פ"ב מ"ב. ועוד.

בני חכמים – בזמן שיש בהן דעת לשמע, הופכים פניהן כלפי אביהן; אין בהן דעת לשמע, הופכים פניהן כלפי העם.

ח תלמיד שהוא יושב לפני רבו תמיד, אינו רשאי לעמוד מפניו אלא שחרית וערבית בלבד, שלא יהא כבודו מרבה מכבוד שמים.

ט מי שהוא זקן מפלג בוקנה – אף על פי שאינו חכם, עומדין לפניו. ואפלו החכם שהוא ילד, עומד בפני הזקן המפלג בוקנה; ואינו חייב לעמוד מלא קומתו, אלא כדי להדרו. ואפלו זקן גוי, מהדרין אותו בדברים ונותנין לו יד לסמכו – שנאמר: "מפני שיבה תקום"<sup>67</sup>, כל שיבה במושמע.

י תלמידי חכמים – אינן יוצאין לעשות בעצמן עם כל הקהל בבנין והפירה של מדינה וכיוצא בהן, כדי שלא יתבזו בפני עמי הארץ. ואין גובין מהן לבנין החומות ותקון השערים ושכר השומרון וכיוצא בהן, ולא לתשורת המלך. ואין מחיבין אותן לתן המס, בין מס שהוא קצוב על בני העיר בין מס שהוא קצוב על כל איש ואיש, שנאמר: "גם פי יתנו בנוים, עתה אקבצם; ויחלו מעט, ממושא מלך שרים"<sup>68</sup>.

וכן אם היתה סחורה לתלמיד חכמים, מניחין אותו למכר תחלה; ואין מניחין אחר מבני השוק למכר, עד שימכר הוא.

Sons of sages, when they have the intelligence to understand, turn their faces toward their fathers; if they do not have the intelligence to understand, they turn their faces toward the people.

A student who regularly sits before his teacher, may not stand up except for in the morning and evening alone, for the teacher's honor should not be greater than the honor of Heaven.

An aged person who is of outstandingly old age — although he is not wise, one must rise before him. Even a wise man who is young must rise in the presence of an old man who is outstandingly aged; but he need not rise to his full height, just enough to honor him. Even an aged gentile should be honored verbally and should be given a supportive hand, as it states: "In the presence of the aged — you shall rise," implying all those aged.

Torah scholars are not required to go out themselves along with the entire community for municipal building or digging works and the like, so that they not be demeaned in the presence of the common folk. We do not collect funds from them for building the city walls or repairing the gates, or for the guards' wages and the like, nor for a gift to the king. They are not required to pay taxes, whether a tax levied on the populace as a whole or a tax levied on each individual, as it states: "Though they are given among the nations, I will now gather them in; and they will soon be free of the burden of kings and princes."

So too, if Torah scholars have merchandise to sell, we allow it to be sold first; we do not allow others in the marketplace to sell their own

67. ויקרא-קדושים, יט, לב. 68. הושע, ה, י.

ובן אם תהיה לו דין, והוא עומד בכלל בעלי דינין הרבה – מקדימין אותו, ומושיבין אותו.

א"י עון גדול הוא לבזות את החכמים או לשנא אותן; לא הרבה ירושלים, עד שבזו בה תלמידי חכמים – שנאמר: "ויהיו מלעבים במלאכי האלהים, ובזוים דבריו, ומתעטעים בגבאייו"<sup>69</sup>; בלאמר, מכזון מלמדי דבריו. וכן זה שאמרה תורה: "ואם פתקתי תמאסו"<sup>70</sup> – ואם במלמדי חקתי תמאסו. וכל המבזה את החכמים – אין לו חלק לעולם הבא, והרי הוא בכלל: "פי דבר ה' בזה"<sup>71</sup>.

יב אף על פי שהמבזה את החכמים אין לו חלק לעולם הבא – אם באו עדים שבזוהו, אפילו בדברים – חיב נדוי, ומנדין אותו בית דין ברבים,

וקונסין אותו ליטרא זהב בכל מקום, ונותנין אותה לחכם, והמבזה את החכם בדברים, אפילו לאחר מותו – מנדין אותו בית דין, והן מתירין אותו בש"חור בתשובה; אבל אם היה החכם חי – אין מתירין לו אותו, עד שיצא זה שגדוהו בשבילו. וכן החכם עצמו, מנדה לכבודו לעם הארץ שהפקיר בו, ואין צריך לא עדים ולא התראה; ואין מתירין לו, עד שיצא את החכם, ואם מת החכם, באין שלשה ומתירין לו. ואם רצה החכם למחול לו ולא נדהו, הרשות בידו.

wares until the scholar sells his. So too, if he has a court case and he stands among the many other waiting litigants, he is brought to the fore and seated.

It is a great sin to demean the sages or to hate them; for Yerushalayim was not destroyed until Torah scholars were demeaned within it — as it states: "And they would mock the messengers of Hashem and demean his words and scoff at his prophets"; meaning that they would demean those who teach his word. This is as the Torah stated: "And if you despise my statutes" — if you despise those who teach my statutes. One who demeans the sages has no portion in the world-to-come, and is in the category of: "For he has demeaned Hashem's word."

Although one who demeans sages has no portion in the world-to-come, if witnesses come and testify that he demeaned a sage, even verbally — he is liable to excommunication, and the court excommunicates him publicly,

In addition, he is fined a pound of gold, which is given to the sage. One who verbally demeans a sage, even after his passing — is excommunicated by the court, and is released when he repents; if however, the sage is alive — he is not released until he mollifies the sage on whose behalf he was excommunicated. The sage himself may excommunicate — for his own honor — a boor who has treated him wantonly, without the need for witnesses nor forewarning; and he is not released until he mollifies the sage. If the sage passes away, three assemble and release him. If the sage chooses to forgo the slight and not to excommunicate him, he may do so.

69. דברי, הימים-ב לו, טז. 70. ויקרא-בחוקתי, כו, טו. 71. במדבר-שלא טו, לא.

יג הרב שגדה לכבודו, חִבֵּן כָּל תַּלְמִידָיו לְהוֹג נְדוּי בַּמִּנְדָּה; אֲבָל תַּלְמִיד שֶׁגָּדָה לְכַבּוֹד עַצְמוֹ, אִין הָרַב חִיב לְהוֹג בּוֹ נְדוּי, אֲבָל כָּל הָעָם חִיבִין לְהוֹג בּוֹ נְדוּי. וְכֵן מִנְדָּה לְנִשְׂאִי, מִנְדָּה לְכָל יִשְׂרָאֵל; מִנְדָּה לְכָל יִשְׂרָאֵל, אִינוּ מִנְדָּה לְנִשְׂאִי. מִנְדָּה לְעִירוֹ, מִנְדָּה לְעִיר אַחֶרֶת; מִנְדָּה לְעִיר אַחֶרֶת, אִינוּ מִנְדָּה לְעִירוֹ.

If a sage excommunicated someone for his own honor, all his students must follow the excommunication laws regarding the one excommunicated; but if a student excommunicated someone for his own honor, the teacher is not required to follow the excommunication laws regarding him. The people, however, are required to treat him as excommunicated. So too, one excommunicated by the leader must be treated as excommunicated by all Israel; but one excommunicated by all Israel need not be treated as excommunicated by the leader. One excommunicated in his own city must be treated so in other cities as well; but one excommunicated in a different city, need not be treated so in his own.

יד בַּמָּה דְּבָרִים אֲמוּרִים? כִּמִּי שֶׁגָּדוּהוּ מִפְּנֵי שִׁבְזָה תַּלְמִידֵי חֻכְמִים. אֲבָל מִי שֶׁגָּדוּהוּ עַל שְׂאָר דְּבָרִים שֶׁחִיבִין עֲלֵיהֶן נְדוּי – אִפְלוּ גָּדוּהוּ קָמוּן שְׁבוּיִשְׂרָאֵל, חִיב הַנִּשְׂאִי וְכָל יִשְׂרָאֵל לְהוֹג בּוֹ נְדוּי, עַד שֶׁיִּחְזֹר בְּתוֹשָׁבָה מִדְּבַר שֶׁגָּדוּהוּ בְּשִׁבְלֹו, וְיִתְחַרְוּ לוֹ.

14. To whom does the above apply? To one who was excommunicated for demeaning Torah scholars. But one who is excommunicated for other matters which bear the penalty of excommunication — even if the least among Israel excommunicated him, the leader and all Israel must treat him as excommunicated, until he repents from the matter for which he was excommunicated, at which point they release him.

עַל אַרְבָּעָה וְעֶשְׂרִים דְּבָרִים מִנְדִּין אֶת הָאָדָם, בֵּין אִישׁ בֵּין אִשָּׁה; וְאֵלוּ הֵן: (א) הַמְבַזֵּה אֶת הַחֻכְמִים, וְאִפְלוּ לְאַחַר מוֹתוֹ; (ב) הַמְבַזֵּה שְׁלוֹחַ בֵּית דִּין; (ג) הַקּוֹרֵא לְחֵבְרוֹ 'עֶבֶד'; (ד) הַמְזַלְזֵל בְּדָבָר אֶחָד מִדְּבָרֵי סוֹפְרִים, וְאִין צָרִיד לֹאמֹר בְּדָבָרֵי תוֹרָה; (ה) מִי שֶׁשְּׁלַחַו לֹא בֵּית דִּין וְקָבְעוּ לוֹ זְמַן, וְלֹא בָּא; (ו) מִי שֶׁלֹּא קָבַל עָלָיו אֶת הַדִּין, מִנְדִּין אוֹתוֹ עַד שֶׁיִּתֵּן; (ז) מִי שֶׁיֵּשׁ בְּרִשּׁוֹתוֹ דְּבַר הַמְזִיק, כְּגוֹן כְּלָב רַע אוֹ סֵלָם רָעוּעַ, מִנְדִּין אוֹתוֹ עַד שֶׁיִּסּוֹר הַגָּזֶק; (ח) הַמּוֹכֵר קֶרֶקַע שְׁלוֹ לְגוּי, מִנְדִּין אוֹתוֹ

There are twenty-four matters for which a person may be excommunicated, whether man or woman; they are: 1. One who demeans a sage, even after his passing; 2. One who demeans a messenger of the court; 3. One who calls his fellow a 'slave'; 4. One who makes light of rabbinically ordained matters, and certainly one who does so regarding matters of Torah; 5. One who was summoned by the court at an appointed time, and did not appear; 6. One who does not accept the court's judgment is excommunicated until he pays; 7. One who possesses a harmful object, such as a dangerous dog or

עד שיקבל עליו כל אדם שיבוא מן הגוי לְיִשְׂרָאֵל חֲבָרוּ בְּעַל הַמְצָר; (ט) הַמְעִיד עַל יִשְׂרָאֵל בְּעִרְכָּאוֹת שֶׁל גּוֹיִם וְהוֹצִיא מִמּוֹנוּ בְּעִדּוֹתוֹ מִמּוֹן שְׂלֵא בְּדִין יִשְׂרָאֵל, מִנְדִּין אוֹתוֹ עַד שִׁישְׁלָם; (י) טֵבַח כֹּהֵן שְׂאִינוּ מִפְּרִישׁ הַמִּתְּנוּת וְנוֹתֵן לְכֹהֵן אֲחֵר, מִנְדִּין אוֹתוֹ עַד שִׁיתָן; (יא) הַמְחַלֵּל יוֹם טוֹב שְׁנֵי שָׁל גְּלוּיֹת, אִף עַל פִּי שֶׁהוּא מְנַהֵג; (יב) הַעוֹשֶׂה מְלֶאכֶה בְּעֶרֶב הַפֶּסַח אַחֵר חֲצוֹת; (יג) הַמּוֹכִיר שֵׁם שָׁמַיִם לְבַמְלָא, אוֹ לְשִׁבְעָה בְּדַבְרֵי הַבָּאִי; (יד) הַמְּבִיא אֶת הַרְבִּים לְיָדֵי חֵלּוּל הַשָּׁם; (טו) הַמְּבִיא אֶת הַרְבִּים לְיָדֵי אֲכִילַת קֳדָשִׁים בְּחוּץ; (טז) הַמְּחַשֵּׁב שְׁנַיִם וְקוֹבֵעַ חֲדָשִׁים בְּחוּצָה לְאַרְץ; (יז) הַמְּכַשִּׁיל אֶת הָעוֹר; (יח) הַמְּעַבֵּב הַרְבִּים מִלְּעִשׂוֹת מְצוּהָ; (יט) טֵבַח שִׁצְיָאֵת מְרַפָּה מִתַּחַת יָדוֹ; (כ) טֵבַח שְׂלֵא בְּרֶךְ סַבִּינוּ לְפָנֵי הַקָּם; (כא) הַמְּקַשֶּׁה עֲצָמוֹ לְדַעַת; (כב) מִי שֶׁגִּרַשׁ אֶת אִשְׁתּוֹ, וְעוֹשֶׂה בֵּינוּ וּבֵינָה שְׁתַּפּוֹת אוֹ מִשָּׂא וּמִתָּן, הַמְּבִיאִין לָהֶן לְהוֹדִיקָן זֶה לָזֶה, בְּשִׁבְאוֹ שְׁנֵיתָן לְבֵית דִּין מִנְדִּין אוֹתָן; (כג) הַקָּם שֶׁשְׂמַעְתּוֹ רָעָה; (כד) הַמְּנַדָּה מִי שְׂאִינוּ חֵיב נְדוּי.

shaky ladder, is excommunicated until he removes the threat; 8. One who sells his property to a gentile is excommunicated until he commits himself to pay for any liability the gentile may bring upon his Jewish colleague with whom he shares a property border; 9. One who testifies against a Jew in gentile courts, and collects monetary judgment from him when not in accordance with Jewish law, is excommunicated until he repays the funds; 10. A ritual slaughterer who is himself a kohen, who does not separate the priestly gifts and give them to another kohen, is excommunicated until he gives them; 11. One who desecrates the second festival day of the diaspora, although it is only a *minhag*; 12. One who performs labor on the eve of Pesach after midday; 13. One who expresses the name of Heaven in vain, or for a frivolous oath; 14. One who brings the public to desecrate Hashem's name; 15. One who brings the public to eat consecrated food outside the Beis Hamikdash courtyard, or Yerushalayim; 16. One who reckons years and establishes new moons outside Eretz Yisrael; 17. One who causes the blind to stumble; 18. One who prevents the public from fulfilling a mitzvah; 19. A ritual slaughterer who supplies a 'torn' animal for consumption; 20. A ritual slaughterer who did not check his knife in the presence of a sage; 21. One who intentionally arouses himself; 22. One who divorces his wife, and then sets up a partnership or business relationship between them, which brings about an close relationship between them — if they come before the court, they are excommunicated; 23. A sage about whom evil rumors abound; 24. One who excommunicates those who are not liable to excommunication.

שיעור 36  
פרק אחד ליום

## פָּרָק ז

חכם זמן בהכמה, וכן נשיא או אב בית דין, שפּרַח – אין מנדין אותו בּפּרְהָסָא לְעוֹלָם, אֲלָא אִם בּן עֲשֵׂה בְּרַבְעָם בֶּן נֶבֶט וְחִבְרִי. אֲבָל כְּשֶׁחָטָא שְׂאָר חַטָּאוֹת, מִלְּקִין אוֹתוֹ בְּצַנְעָה, שְׁנַאמְר: "וְכִשְׁלַת הַיּוֹם, וְכִשְׁלַג גַּם נְבִיא עִמָּךְ לַיְלָה"<sup>72</sup> – אִף עַל פִּי שְׂכֵשֵׁל, כְּפִהוּ כְּלַיְלָה. וְאוֹמְרִים לוֹ: 'הַכְּבֵד וְשֵׁב בְּבֵיתְךָ'.

וכן כל תלמיד חכמים שנתחייב נדוי – אסור לבית דין לקפץ ולגדלותו במהרה, אלא בורחין מִדְּבַר זֶה וְנִשְׁמָטִין מִמֶּנּוּ. וְחִסְדֵי הַחֲכָמִים הָיוּ מִשְׁתַּבְּחִין, שְׁלֹא נִמְנּוּ מֵעוֹלָם לְגַדּוֹת תְּלָמִיד חֲכָמִים, אִף עַל פִּי שְׁנִמְנִין לְהַלְקוֹתוֹ אִם נִתְחַיֵּב מִלְּקוֹת; וְאֶפְלוּ מִכַּף מִדְּרוֹת, נִמְנִין עָלָיו לְהַכּוֹתוֹ.

וכיצד הוא הנדוי? אומרין: 'פלוני בְּשִׁמְחָא', ואם נדוהו בְּפָנָיו, אומרין: 'פלוני זה!'

והחרם, אומרין: 'פלוני מְחָרֵם'. וְאָרֹר – בו אלה בו שְׂבוּעָה, בו נדוי.

כיצד מתירין הנדוי או החרם? אומרין לו: 'שרוי לך ומחול לך'; ואם התירוהו שְׁלֹא בְּפָנָיו, אומרין: 'פלוני, שְׂרִי לוֹ וּמְחוּל לוֹ'.

⌘ If an old and wise sage or the leader or the head of the Beis Din left the proper path – he is never publicly ostracized, unless his actions are like those of Yeravam Ben Nevat and his colleagues. But if his transgressions are of a different nature, he is flogged privately, as it states: “For you have stumbled today, and the prophet has stumbled with you in the night” — which teaches that although he has stumbled, you must conceal it as the night. He is told: ‘Retain your honor and stay home.’

So too, with any Torah scholar who has become liable to be ostracized — the court may not spring forward and ostracize them quickly; rather, they flee from this action and try to avoid it. The pious sages commended themselves on that they never voted to ostracize Torah scholars, although they did vote to whip one if he was liable to lashes; even regarding rabbinically ordained lashes, they would vote to whip him.

⌘ What is the procedure for ostracism? They announce: ‘So-and-so is ostracized’; and if they ostracize him in his presence, they announce: ‘This person, so-and-so.’

To excommunicate, they announce: ‘So-and-so is excommunicated.’ ‘He is cursed’ includes a curse, an oath, and ostracism.

⌘ How is ostracism or excommunication rescinded? He is told: it is permitted for you and pardoned for you; and if it was rescinded in his absence they say: ‘So-and-so — it is permitted for him and pardoned for him.’

72. הושע, ד, ה.

מה הוא המנהג שינהג המגדה בעצמו, ושנוהגין עמו? מגדה אסור לספר ולכבס כאבל כל ימי נדויו, ואין מזמנין עליו ולא כוללין אותו בעשרה לכל דבר שצריך עשרה, ולא יושבין עמו בארבע אמות. אכל שונה הוא לאחרים, ושנין לו; ונשפר, ושובר, ואם מת בנדויו – בית דין שולחין ומניחין אכן על ארזו, כלומר שחן רוגמין אותו, לפי שהוא מברל מן הצפור; ואין צריך לומר, שאין מספדין אותו, ואין מליין את מפתו.

ד What is the practice that the ostracized person must follow, and is followed with him? One who is ostracized may not have his hair cut or his clothing laundered, like a mourner, for as long as he is ostracized. He is not included in the invitation for grace after meals, and is not included in the quorum of ten for any matter that requires ten, and one may not sit within four cubits of him. However, he may teach others and they may teach him; he may be hired by others and hire them. If he died while ostracized — the court sends to have a stone placed on his coffin, meaning that it is as if he is stoned, for he is apart from the public; and it goes without saying that he is not eulogized, nor is his coffin escorted to burial.

יתר עליו המחרם – שאינו שונה לאחרים, ואין שנין לו; אכל שונה הוא לעצמו, כדי שלא ישפח תלמודו. ואינו נשפר, ואין נשפרין לו; ואין נושאין ונותנין עמו, ואין מתעסקין עמו, אלא מעט עסק, כדי פרנסתו.

ה In addition to the above, one who is excommunicated may not teach others, and they may not teach him; but he may study himself so that he does not forget his learning. He may not be hired by others nor may they be hired to him; we do not engage in commerce with him, nor do any business with him except for a small amount of trade, just enough for his livelihood.

מי שישב בנדויו שלשים יום, ולא בקש להתירו – מנדין אותו שנית; ישב שלשים יום אחרים, ולא בקש להתירו – מחרמין אותו.

ו One who has sat ostracized for thirty days and did not ask to be released — is ostracized a second time; if he sat for another thirty days and did not request to be released — he is excommunicated.

בכמה מתירין הנדוי או החרם? בשלשה, אפלו הדיוטות; ויחיד ממחה, מתיר הנדוי לבדו. ויש לתלמיד להתיר הנדוי או החרם, ואפלו במקום הרב.

ז How many are required to release from ostracism or excommunication? Three, and they may even be ordinary people; a single expert may release from ostracism on his own. A student may release from ostracism or excommunication even in his teacher's locale.

ה אינו מופיע באף מהדורת רמב"ם

ח Does not appear in any editions of Rambam.

- מ** 9. If three declared a ban of ostracism and went on their way, and their subject repented from the matter for which they ostracized him — three others come and release him.
- י** 10. One who does not know who ostracized him, should go to the Nasi, who will release him from ostracism.f
- יא** 11. A conditional ostracism, even self-declared — requires nullification. A Torah scholar who self-ostracized, or even self-ostracized relying on the judgment of another, even for a matter for which he is liable to ostracism — may himself declare it nullified.
- יב** 12. One who dreamed that he was ostracized, even if he knows who ostracized him — requires ten people well versed in law, to release him from his ostracism; if he cannot locate ten such experts, he must trouble himself to the distance of a *parsa* [=8,000 cubits]. If he still cannot locate such experts, ten people well versed in Mishnah may release him; if he cannot locate them, ten people who know to read the Torah may release him; if he cannot locate them, even ten who do not know to read the Torah may release him. If he cannot find ten people in his locale, even three may release him.
- יג** 13. One who was declared ostracized in his own presence may not be released except in his presence. If he was declared ostracized in absentia, he may be released whether in his presence or in absentia. There need not be a specific period of time between ostracism and its nullification; rather, one can be ostracized and released in a moment, upon the ostracized person repenting for the good. If the court sees fit to leave him ostracized for several years, they may leave him, as appropriate for his wickedness.
- שְׁלֹשָׁה שְׂנֵדוּ וְהִלְכוּ לְהוֹן, וְחָזַר זֶה מִדְּבַר שְׂנֵדוּהוּ בְּגִלְלוֹ – בָּאִין שְׁלֹשָׁה אֲחֵרִים, וּמְתִירִין לוֹ.
- מִי שֶׁלֹּא יָדַע מִי נִדְּהוּ, יֵלֵךְ אֶצֶל הַנָּשִׂיא וְיִתֵּיר לוֹ נִדְוִיו.
- נִדְוִי עַל תְּנַאי, אֶפְלוּ מִפִּי עֲצָמוֹ – צָרִיךְ הֶפְרָה. תְּלִמֵיד חֲכָמִים שְׂנֵדָה עֲצָמוֹ, וְאֶפְלוּ נִדָה עֲצָמוֹ עַל דַּעַת פְּלוֹנִי, וְאֶפְלוּ עַל דְּבַר שְׁחִיב עֲלָיו נִדְוִי – הָרִי זֶה מִפֶּר לְעֲצָמוֹ.
- מִי שְׂנֵדוּהוּ בְּחֵלֶם, אֶפְלוּ יָדַע מִי נִדְּהוּ – צָרִיךְ עֲשָׂרָה בְּנֵי אֲדָם שְׂשׂוּנֵי הַלְבוֹת, לְהִתִּירוֹ מִנְדְוִיו; וְאִם לֹא מִצָּא, טוֹרַח אַחֲרֵיהֶן עַד פְּרָסָה. לֹא מִצָּא, מְתִירִין לוֹ עֲשָׂרָה שְׂשׂוּנֵי מִשְׁנָה; לֹא מִצָּא, מְתִירִין לוֹ מִי שְׂיֹדְעִין לְקִרְוֹת בְּתוֹרָה; לֹא מִצָּא, מְתִירִין לוֹ אֶפְלוּ עֲשָׂרָה שְׂאִינֵן יוֹדְעִין לְקִרְוֹת. לֹא מִצָּא בְּמִקְוֵמוֹ עֲשָׂרָה, מְתִירִין לוֹ אֶפְלוּ שְׁלֹשָׁה.
- מִי שְׂנֵדוּהוּ בְּפָנָיו, אִין מְתִירִין לוֹ אֶלֶּא בְּפָנָיו; נִדְּהוּ שְׁלֹא בְּפָנָיו, מְתִירִין לוֹ בֵּין בְּפָנָיו בֵּין שְׁלֹא בְּפָנָיו. וְאִין בֵּין נִדְוִי לְהֶפְרָה כְּלוּם, אֶלֶּא מִנְדְוִין וּמְתִירִין בְּרַגַע אַחַד, בְּשִׁיחֹזֵר הַמְּנַדָּה לְמוּטָב. וְאִם רָאוּ בֵּית דִּין לְהַנִּיחַ זֶה בְּנִדְוִיו כְּמֹה שְׁנִים, מְנִיחִין כְּפִי רִשְׁעוֹ.



וכן אם ראו בית דין להתירים לזה  
לכתחלה, ולהחרים מי שאוכל עמו  
ושותה עמו או מי שיעמד עמו בארבע  
אמות – מתרימין פדי לפרו, וכדי  
לעשות סוג לתורה, עד שלא יפרצוה  
החפאים.

אף על פי שיש רשות לחכם לנדות  
לכבודו, אינו שבת לתלמיד חכמים  
להנהיג עצמו בדבר זה, אלא מעלים אזניו  
מדברי עמי הארץ, ולא ישית לבו להן –  
כענין שאמר שלמה בַּחֲכָמָיו: "גם לכל  
הדברים אשר ידברו, אל תתן לבך"<sup>73</sup>.

וכן היה דרך חסידים הראשונים –  
שומעין חרפתו, ואינן משיבין; ולא עור,  
אלא שמוחלין למחרף וסולחין לו.  
וחכמים גדולים היו משתבחין במעשיהן  
הנאים, ואומרים שמעולם לא נדו אדם  
ולא החרמימוהו לכבודו. וזו היא דרך של  
תלמידי חכמים, שראוי לילך בה.

במה דברים אמורים? בשבוהו או  
חרפוהו בפתח. אבל תלמיד חכמים  
שבוהו או חרפו אדם בפרהסיא, אסור  
לו למחל על כבודו. ואם מחל – נענש,  
שנה בזיון תורה; אלא נוקם ונוטר הרבה  
כנחש, עד שיבקש ממנו מחילה, ויסלח  
לו.

כרד רחמנא דסינען

So too, if the court saw fit to first excommunicate one person, and to excommunicate anyone who eats or drinks with him or stands within four cubits of him — they may declare such excommunication in order to punish him, and in order to set a safeguard for Torah, so that sinners not breach it.

While a sage may declare someone ostracized for his own honor, it is not praiseworthy for a Torah scholar to conduct himself in this manner. Instead, he should avert his ears from the words of simple folk, and not pay attention to them — as the matter that Shlomo said in his wisdom: “Also to all words that they speak, do not give heart.”

This was the way of the early pious ones: they would hear themselves being shamed but would not respond; not only that, but they would pardon the one who shamed them, and forgive him. The great sages would commend themselves on their pleasant actions, and say that they never ostracized or excommunicated any person for their own honor. This is the way of Torah scholars, which is appropriate to follow.

When does this apply? When they degraded him or shamed him privately. But a Torah scholar who was degraded or shamed by another person in public, is prohibited from foregoing his honor. If he did forgo it — he is punished, for this is denigration of Torah; rather, he should be vengeful and bear the grudge extensively, like a snake, until the offender begs his pardon, and then he should forgive him.

— Blessed be Hashem, who has assisted us —

73. קהלת, ז, כא.