

## THE LAWS OF TORAH-STUDY

These chapters explain the two positive commandments of learning Torah and respecting those who teach it.

### CHAPTER ONE

This chapter explains who is obligated to learn Torah and to teach Torah, whether one may teach for payment, and tells us to divide our learning time into three parts.

1) Women, servants and children are exempt from learning Torah, but a child's father is obligated to teach him Torah, for it is written, "And you shall teach them to your children and speak of them". A woman is not obligated to teach her son, because only those who are obligated to learn are obligated to teach.

2) Just as one is obligated to teach one's son, so is one obligated to teach one's grandson, for it is written, "...but teach them to your sons, and your son's sons". This doesn't just apply to teaching one's sons and grandsons, but every learned Jew is obligated to teach all his students, for it is written, "And you shall teach them to your children". This tells us to teach our children, and students are [also] called children, as it is written, "And the sons of the prophet went out". If so, why is there a commandment to teach one's sons and grandsons? This tells us to give our sons precedence over our grandsons, and our grandsons precedence over someone else's son. One is obligated to hire a teacher for one's son, but one may only teach someone else's son for free.

3) Someone whose father did not teach him is obligated to teach himself as much as he can, for it is written, "...that you may learn them, keep and do them". This is similarly stated in any case where the learning is before the action, for learning causes action but action does not cause learning.

4) Someone who wanted to learn Torah but had a son whom he wanted to teach takes precedence over his son, but if his son was more sensible and intellectual than him then the son takes precedence. Even though his son may take precedence, he should not miss out on his own learning, for just as he is commanded to teach his son so is he commanded to teach himself.

5) One should learn Torah before one gets married, for if one gets married first one won't be able to concentrate on one's learning. If, however, one's inclinations overcame one so that one could not learn, one should get married first.

6) From when is a father obligated to teach his son Torah? When the child begins to speak he should teach him the verse, "Moses commanded us a Torah, the inheritance of the congregation of Jacob", and also the first verse of the Shema. Then he should teach him bit by bit, verse by verse, until he is six or seven years old and according to his capacity, and then one should let a teacher take over.

7) If the custom of one's country was for the teacher to take wages then one pays him, and he is obligated to teach the children (and accept the wages) until they have read the Written Torah in its entirety. In a place where the custom is to be paid for teaching the Written Torah one may accept the wages, but it is [always] forbidden to teach the Oral Torah for payment, for it is written, "Behold, I have taught you statutes and judgements, even as the Lord my God commanded me, et cetera" - just as God taught for free, so also should we teach for free, and that just as Moses learnt without having to pay, so should we learn without having to pay. If one could not find someone to teach one for free, one may pay someone [to teach one], for it is written, "Buy the truth, et cetera". One might have thought that this verse permits one to teach for payment, but it is also written, "...but don't sell it"<sup>8</sup>. From here we learn that it is forbidden to teach for payment, even if one's own teacher had taken payment.

8) Every Jew is obligated to learn Torah, whether he is rich or poor, physically complete or disabled, or whether he is young or an old person of failing strength. Even if he is a poor person supported by charity and begging,

and even if he had a wife and children, he still has to set aside time during the day and by night for Torah study, for it is written, "...but you shall engage in it by day and night".

9) OF the great Sages of Israel, some were woodcutters, others were water-fetchers, and others were blind. Even so, they learnt Torah by day and by night, and they were of the people who received from as far back as Moses and passed on traditions by word of mouth.

10) One is obligated to learn the Torah till the day of one's death, for it is written, "In case they leave your mind through your life". As long as one learns Torah, one is not forgotten.

11) One is also obligated to divide one's [learning] time into three: a third for learning the Written Torah, a third for learning the Oral Torah and a third in which to understand and comprehend what one learnt into the first two thirds by deriving facts from other facts, and one should use the thirteen principles of Rabbi Ishmael until one understands the principles of the principles, how we learn what is permitted and what is forbidden, and other traditional matters. This type of learning is the Talmud.

12) How is division of time done? If one had a profession at which one worked for three hours a day, and one learnt Torah for nine hours, then of those nine hours one should learn the Written Torah for three, the Oral Torah for another three, and for the remaining three one should contemplate what one learnt [in the first six hours], and equate facts. Matters of Kabbalah are counted as part of the Written Torah whereas explanations of them are part of the Oral Torah. Esoteric philosophy is part of the Talmud. This is talking about when one first starts to learn Torah, but once one has matured in wisdom one no longer needs to learn the Written Torah or the Oral Torah [as much]. One should nevertheless still read occasionally from the Written Torah and matters of tradition so that one won't forget any part of the Torah law. Every day, though, one should learn as much Talmud as one can.

13) A woman who studies Torah is rewarded, but not as much as a man is, for the reason that she has not been commanded to learn. Anyone who does something voluntarily is not rewarded as much as someone who is obligated to do it is. Even though she is rewarded for learning, the Sages commanded that one should not teach Torah to one's daughter, for the reason that most women don't have the mentality for learning, and they think of Torah matters as being nonsensical. The Sages said that teaching one's daughter Torah is like teaching her trivialities. This is talking only about the Oral Torah, but one nevertheless shouldn't teach her the Written Torah either, but if one did it is not like teaching her trivialities.

## CHAPTER TWO

This chapter tells us to found schools in all towns for the children, when children may leave their learning, and what the maximum size for a class is.

1) In every country, district and town we should arrange for Torah lessons for the children. A city which does not have a Torah-school for its children is excommunicated until arrangements for Torah lessons are made. If the citizens of that town don't want to make such arrangements then the city should be destroyed, for the world exists only because of the [merit of the] Torah study of school children.

2) A child should start learning Torah when he is six or seven years old, depending on his capacity and physical capabilities, but he should not start to learn if he is less than six. The teacher may hit his pupils in order to instill fear of him in them, but he should not hit them too hard or in a harsh manner. Therefore, he should not hit them with a whip or stick, but he may with a small strap. The pupils should sit and learn for the whole day and for some of the night as well in order that they will be educated to learn by day and by night. The children should not waste any time at all, except towards the end of the day on Fridays and the days before Festivals, and also on the Festivals themselves. They should not learn anything new on the Sabbath, but they should revise what they learnt during the week. Children should not waste their learning time even to help build the Temple.

3) A teacher who sets the children work and then leaves them to it, or who does different work with them, or who is slovenly with their studies, is included in the curse of, "Cursed is he who does the work of the Lord

negligently". Therefore, one should only employ a God-fearing teacher who reads a lot with the children and is quick to correct them.

4) Somebody who isn't married shouldn't teach children, on account of the mothers who come to be with their children. Similarly, a woman shouldn't teach children, on account of the fathers who come to be with their children.

5) A single teacher shouldn't teach more than 25 children [at once]. If there were more than 25 children but fewer than 40, then someone else should help him with the teaching. If there were more than 40 children, then two [independent] teachers should be appointed.

6) A child should be taken from one teacher to a faster teacher, whether he is faster in reading or correcting. This is talking about a situation where the two teachers lived in the same town with no natural boundaries, such as a river, between them. One may not, however, move a child from one town to another, or from one side of a natural boundary to another, unless there was a strong bridge which is not liable to collapse spanning it.

7) If a member of a *movoi*, or even of one of the courtyards therein, requested to be the teacher, then his neighbours may not disagree with him. Similarly, a teacher whose friend opened a school next to his own in order to teach other children or to take children from him may not stop his friend, for it is written, "The Lord was well pleased for His righteousness' sake, to acclaim the Torah and to make it glorious".

### CHAPTER THREE

This chapter tells us that the commandment to study Torah is above all other commandments, and how someone who wants to learn should conduct himself.

1) Israel has been crowned with three crowns: The crown of Torah, the crown of priesthood and the crown of monarchy. Aaron received the crown of priesthood, for it is written, "...and he shall have it, and his descendants after him, the covenant of everlasting priesthood". The crown of monarchy was received by David, as it is written, "His descendants shall endure for ever, and his throne shall be like the sun before Me". The crown of Torah is ready and waiting for all Jews, as it is written, "Moses commanded us a Torah, the inheritance of the congregation of Jacob" - anybody who wants Torah is invited to come and get it. What if one thinks that the latter two crowns are more important than the crown of Torah? The verse, "By Me kings reign and princes decree justice, by Me princes rule" teaches us that the crown of Torah is the greatest of them all.

2) The Sages said that an illegitimate learned person has priority over an ignorant High Priest, for it says, "She is more precious than rubies", which refers to the High Priest who enters the Inner Sanctum on the Day of Atonement.

3) Of all the commandments there is none as meritorious as learning Torah (which is above all other commandments), for the reason that learning brings one to action. Therefore, one should learn before doing anything.

4) If one had the option of either doing a mitzvah or learning Torah, then one should not interrupt one's learning if it possible for the mitzvah in question to be done by others, but if not, one should do the mitzvah and then return to one's learning.

5) The beginning of one's Judgement [after death] is based on how much learning one did, and then on one's other actions. Therefore, the Sages said that one should always busy oneself with Torah, whether for the sake of it or not, for out of learning not for the sake of it one will come to learning it yes for the sake of it.

6) Someone who has made up his mind to fulfil the commandment of learning Torah is right and should be crowned with the crown of Torah, and he shouldn't think about other things or associate Torah with riches and honour. The way of the Torah is to eat bread with salt, drink water from a cup, sleep on the ground, lead a life of

hardship and labour at learning Torah. There is no end to learning, and it is not permitted to waste learning- time. The more one learns the more one is rewarded. The reward is proportional to the effort made.

7) If one puts off learning because one wants to amass money, or until one retires, or until one feels like it, then one will never warrant the crown of Torah. One should, however, make one's Torah learning fixed, and one's work temporary. One should never put off learning till one feels like it, because one may never feel like it.

8) It is written in the Torah, "It is not heaven...nor is it beyond the sea". This means that the Torah is not found with those who have haughty mannerisms, nor with the sea-faring merchants. Therefore, the Sages said that not everybody who occupies himself with business becomes clever. They commanded that one shouldn't work a lot, but that one should occupy oneself with Torah.

9) The Torah is compared to water, as it is written, "Hey, everyone that thirsts come to the water", i.e. just as water doesn't remain in high places but collects in low places, so also Torah isn't found with haughty or proud people but with humble people, who reach for the dust of the feet of Sages, are without desires and enjoy their time, and who work just enough to be able to support themselves and learn Torah in the rest of their time.

10) Anybody who undertakes to learn Torah all the time, not work, and support himself from charity is desecrating God's Name, disgracing the Torah, extinguishes his Jewish spark, causes bad to befall him and destroys his life in the World To Come, for it is forbidden to benefit from Torah matters in this world. The Sages said that anyone who does benefit from Torah matters is destroying his life, and they further commanded one not to make a garland with which to glorify oneself, nor an axe with which to dig. Furthermore, one should like one's work and dislike being a rabbi. Any Torah which one studies without working at is worthless, and causes punishment. A man who acts like this will become a bandit.

11) Someone who supports himself by his own work is at an advantage. This was the way of the first pious people, and will merit one to all the honour and goodness of this world and the World To Come, for it is written, "For you shall eat of the labour of your hands; you shall be happy, and it shall be well for you". The words, "you shall be happy" refer to this world, and the words, "and it shall be well for you" refer to the World To Come, where everything is good.

12) Torah matters do not stay with someone who is careless about them, and nor with someone who is gluttonous, but they will stay with someone who is willing to die for them, or who leads a troubled life, and does not sleep excessively. By way of a hint, the Sages said that the verse, "This is the Torah: when a man dies in a tent, et cetera" teaches us that the Torah stays only with someone who commits himself to the tent of wisdom. Solomon is his wisdom similarly said, "If you faint on the day of adversity, your strength is small". He also said, "So I was great and rose above all who were before me in Jerusalem, and my wisdom also remained with me", i.e. what he learnt in anger he did not forget. The Sages said that a covenant was made stating that anyone who learns Torah in a synagogue will not forget it quickly, but anyone who learns in privacy will become wise, as it is written, "...but with the lowly is wisdom". Anyone who learns aloud will always remember what he learnt, but anyone who learns in silence will quickly forget.

13) Even though it is a commandment to learn by day and by night, most of one's wisdom comes at night. Therefore, someone who wants the crown of Torah will be careful not to waste even a single night on sleeping, eating, drinking, talking, et cetera, but will learn Torah instead. The Sages said that there is no crying out of Torah except at night, as it is written, "Arise, cry out in the night". Anyone who learns Torah at night will be treated kindly during the day, as it is written, "The Lord will command His steadfast love in the daytime, and in the night His song shall be with me, a prayer to the God of my life". Any house in which words of Torah are not heard at night will be burnt down, as it is written, "Utter darkness is laid up for his treasures; a fire not blown shall consume him; it shall go ill with he who is left in his tent". The words, "because he has despised the word of the Lord" refer to someone who is uninterested in Torah. Similarly, anyone who could occupy himself with Torah but doesn't, or who reads nonsensical things, leaves his learning and neglects it is despising God's word. The Sages said that anyone who neglects Torah study for riches will eventually become poor, and that anyone who learns Torah despite being poor will eventually become rich. This idea is mentioned in the Torah: "Because you wouldn't serve the Lord your God with joyfulness and with gladness of heart for the abundance of all things,

you shall therefore serve your enemies...in hunger, and in thirst, and in nakedness, and in want of all things". The Torah has also said, "...that he might afflict you, and that he might prove you, to do you good at your latter end".

## CHAPTER FOUR

This chapter tells us not to teach Torah to dishonest people, how a class should be conducted, the laws regarding a Bet Hamedrash, and how to ask two students who ask questions simultaneously.

1) One should teach Torah only to someone who is honest and acts pleasantly, or to a simpleton. If someone had bad customs, one should first bring him back to the good ways, makes sure that he sticks to these ways, and then one may take him to a Bet Hamedrash and teach him Torah. The Sages said that anyone who teaches a dishonest person is like someone who throws a stone at Markulis, which is the way that that idol was worshipped, for it is written, "As one who binds a stone in a sling, so is one who gives honour to a fool". The only honour is Torah, as it is written, "The wise shall inherit honour". Similarly, one should not learn from a Rabbi who does not have good ways, even though he may be very learned and everybody needs him, until he returns to the good ways, for it is written, "For the priest's lips should keep knowledge, and they should seek Torah from him, for he is a messenger of the Lord of hosts". The Sages said that if a Rabbi is similar to a messenger of God, Torah will seek him out, and if not, Torah won't seek him out.

2) What teaching method should be used? The teacher should sit at the top, and everybody should sit round him in a semi-circle so that they all will be able to see him and hear what he says. The teacher shouldn't sit on a chair if the students sit on the ground, but either they all sit on the ground, or they all sit on chairs. Originally, both the students and the teacher used to stand, but since the destruction of the second Temple all teachers stand, and all students sit.

3) If the teacher speaks directly to the students he should just speak to them continuously. If he speaks to them via a translator, then the translator should stand between him and the students, and repeat to them everything that the teacher says to him. If one of the students asks the translator a question, then the translator should ask it to the teacher and then repeat the teacher's answer to the person who had asked the question. The translator shouldn't speak louder than the translator, or vice versa. The translator is not permitted to take away from, add to or otherwise change what the teacher says, unless he was the teacher's father. If the teacher says to the translator that what he is teaching he had heard from his teacher or father, then the translator should say it to the class in the name of the teacher, and mention the teacher's teacher or father by saying that it was originally said by so-and-so, even if the teacher didn't mention his name, because it is forbidden to call one's Rabbi or father by name.

4) The teacher shouldn't get angry or annoyed with the class even if they didn't understand what he said, but he should go back over the matter and rephrase it, even many times, until they fully understand it. Similarly, a student shouldn't say that he understands something if he doesn't, but should ask for it to be repeated until he does understand it. If the teacher got annoyed with him he should say, 'Rabbi, this is Torah and I need to learn, but I am slow to understand'.

5) A student who has learnt many times shouldn't embarrass someone who has learnt just a few times, for if someone is embarrassed in this way he won't learn anything when he comes to a Bet Hamedrash. Therefore, the first Sages said that an easily-embarrassed person shouldn't be taught by someone who is hot-tempered. This is talking about a situation when the students don't fully understand the matter or are slow to understand, but if the teacher sees that they aren't understanding because they don't really want to he is obligated to get annoyed with them and to humiliate them in order to make them understand. Concerning this the Sages said that one should instill fear [of one] in one's students. Therefore, a teacher shouldn't act frivolously or play in front of his students, nor eat or drink with them, so that they will always be afraid of him and will learn from him quickly.

6) When a teacher enters a Bet Hamedrash one shouldn't ask him any questions until his mind has settled, and a student shouldn't ask any questions until he has sat down and made himself comfortable. Two people shouldn't ask questions together. One shouldn't ask a teacher a question on a subject which is different [from the one which he is teaching], but one should ask only on the relevant subject, in order that he won't be embarrassed.

The teacher may try to mislead his students by asking them false questions in order to sharpen their wits and to see whether they remember what they had learnt or not. He may even ask them about a different subject in order to hurry them up.

7) One shouldn't ask a question while standing, and one shouldn't answer a question while standing, sitting in a high place, sitting far away from the asker, or if there were people between oneself and the asker. One may ask the teacher questions only on the topic which he is teaching. One should ask seriously, and not more than three questions on the same topic.

8) If two people asked questions simultaneously, then the following applies: if one of them had asked about the subject at hand and the other hadn't, then the teacher should answer the question on the subject at hand first. If one of them had asked a question which requires an immediate answer and the other hadn't, then the teacher should answer the question which requires the immediate answer first. If one of them had asked a question on halachah and the other on midrash, then the teacher should answer the question on halachah first. If one of them had asked on midrash and the other on aggadah, then he should answer the one on midrash first. If one of them had asked on aggadah and the other on the comparison of circumstances in halachah, then he should answer the one on the comparison of circumstances in halachah first. If one of the people who had asked was learned and the other was a student, then the teacher should answer the learned person first. If one of them was a student and the other an ignoramus, then the teacher should answer the student first. If both of them were learned, or if both were student, or if both were ignoramuses, or if both questions fell into the same category, then the teacher may choose whom he answers first.

9) One may not sleep in a Bet Hamedrash. Anybody who dozes in a Bet Hamedrash will forget what he has learnt. Solomon said in his wisdom, "...and drowsiness shall clothe a man with rags". One may talk only about Torah matters in a Bet Hamidrash - even if someone sneezes in a Bet Midrash one may not say, 'Bless you!' to him. It need not be said that one may talk about other things. A Bet Hamedrash is holier than a synagogue.

## CHAPTER FIVE

This chapter discusses respecting one's Rabbi, whom one should fear, and how a Rabbi should love his students.

1) Just as one is commanded to honour and fear one's father, so also is one obligated to honour and fear one's Rabbi even more so than one's father, for the reason that one's father brings one into this world, but one's Rabbi brings one into the World To Come by teaching one. Returning a lost item which belongs to one's Rabbi takes precedence over that of one's father. If one sees one's Rabbi carrying something heavy at the same time that one sees one's father carrying something heavy, one should help one's Rabbi first. If both one's Rabbi and one's father were being held to ransom, then one should redeem one's Rabbi first, but if one's father was a learned sage one should redeem him first. Even if one's father was [learned but] not as learned as one's Rabbi he takes precedence in the returning of a lost item. There is no honour or fear greater than that which one's Rabbi deserves. The Sages said that one should fear one's Rabbi as one fears God, and that anyone who disagrees with his Rabbi is like someone who disputes God, as it is written, "...when they contended against the Lord". Anyone who quarrels with his Rabbi is like someone who quarrels with God, for it is written, "...because the children of Israel contended with the Lord, and He was sanctified by them". Anyone who resents his rabbi or grumbles against him is like someone who grumbles against God, for it is written, "...your murmurings are not against us, but against the Lord". Anybody who speaks against his Rabbi is like someone who speaks against God, for it is written, "And the people spoke against God and against Moses".

2) Disputing a Rabbi consists of setting a time for teaching and/or actually teaching without his permission while he is still alive, even if he is in another country. It is always forbidden to teach in one's Rabbi's presence, and one who does is liable to death.

3) If one was [at least] 12 mil away from one's Rabbi and someone asked one a question on halachah, it is permitted to answer. It is permitted to set aside something which is forbidden, even in one's Rabbi's presence. For example, if one sees someone unknowingly doing something forbidden, one is allowed to tell him that it is

forbidden, even if one's Rabbi is present and even without his permission, because whenever there is a desecration of God's Name, we don't worry about the honour of a Rabbi. This is talking about a situation when something has already happened, but to set oneself up to answer people's questions is forbidden, even if one's Rabbi is at the other end of the world, until one's Rabbi passes away or unless one received permission from him to do so.

3) Not everybody whose Rabbi has died is permitted to teach, but only someone who has reached a sufficiently high level may teach. Any student who does not reach this [high] level is a fool, a wicked person and haughty, and about him it has been said, "For she has cast down many wounded, and many strong men have been slain by her". Any person who does reach this level but does not teach is preventing Torah-learning, and is like someone who puts an obstacle in front of a blind person. It has been said about such people, "...and many strong men have been slain by her"<sup>6</sup>. These types of students who don't learn Torah as appropriate but learn because they want to grow in the eyes of ignoramuses and members of their towns, and sit on the High Court of Israel, are those who cause arguments, destroy the world, extinguish the light of Torah and destroy the works of God. Solomon in his wisdom said about them, "Take us the foxes, the little foxes, that spoil the vineyards, for our vineyards are in blossom".

5) It is forbidden to call one's Rabbi by name, even behind his back. It is also forbidden to mention his name in his presence. Even to call [in the presence of one's Rabbi or father] someone who has the same name as one's Rabbi or father is forbidden, but one should change their name to something similar. For example, if his name was 'Ploni' one should call him 'Pelee', or something else that is similar. One should not greet one's Rabbi, or return greetings to him, in the same way that one does with a friend, but one should bow slightly and say, 'Greetings, my Rabbi' in reverence. One returns greetings by saying, 'Peace on you, my revered Rabbi'.

6) One shouldn't take off one's tephillin in one's Rabbi's presence, nor should one recline, but one should sit as if one were sitting before a king. One shouldn't pray in front of one's Rabbi, behind him or at his side, and it need not be said that it is forbidden to walk at his side, but one should walk some distance, but not directly, behind him, and then pray. One shouldn't enter a wash-house with one's Rabbi, sit in his place, decide matters in his presence, contradict him, sit down in his presence before receiving permission to sit, or stand up in his presence before receiving permission to stand. When one leaves one's Rabbi one shouldn't turn one's back on him, but one should leave walking backwards so that one is always facing him.

7) One is obligated to stand for one's Rabbi when one sees him [approaching] from afar, and to remain standing until he has passed, and then one may sit down again. One is always obligated to welcome one's Rabbi on a Festival.

8) One should honour a student in the presence of his Rabbi unless the Rabbi would respect his students. A student should do for his Rabbi anything that a servant would do for his master. If one was in a strange place and didn't have any tephillin and one was afraid that people would look on one as a servant, then one should not help one's Rabbi put on and take off his tephillin. Any Rabbi who prevents his student from waiting on him is doing so out of kindness, but nevertheless weakens his fear of God. Any student who disrespects his Rabbi causes the Divine Presence to leave Israel.

9) If one's Rabbi revises a Torah matter one should tell him that one has already learnt it. Whenever one mentions something which one had learnt from someone else, one should say it in the name of that person. When one's Rabbi dies, one should tear one's clothes as a display of one's feelings, and one should never repair them again. This is in reference to the Rabbi from whom one learnt most of one's knowledge. Any other Rabbi is like a fellow student and does not have to be respected in these ways, but one should nevertheless stand over him [in the event of his death] and tear one's clothes, like one does with people whom one is obligated to mourn, even if one had learnt just one thing from him.

10) Any right-thinking learned sage shouldn't speak in the presence of someone cleverer than him, even if he hadn't learnt anything from him.

11) A Rabbi who wants to forego his honour in all or any of these matters for all or any of his students may do so. Nevertheless, a student is still obligated to glorify him, even at the time of the foregoing.

12) Just as students are obligated to honour their Rabbi so also is the Rabbi obligated to honour them and to bring them closer to him. The Sages said that the honour of one's students should be as dear to one as one's own. One should always love one's students, for they are the ones who create pleasantries in this world and in the World To Come.

13) Students add to the wisdom of their Rabbi, and open his heart. The Sages said that they learnt more from their Rabbis than from their friends, but learnt even more from their students. Just as a small candle can light a big one so a student sharpens his Rabbi's wits, by extracting from him his wisdom by means of questions.

## CHAPTER SIX

This chapter tells us to respect a learned sage, the difference between a learned sage, one's father and a Prince, and discusses the law regarding one who puts a learned sage to shame, and also lists the offenses punishable by excommunication.

1) It is a commandment to glorify a learned sage, even if he isn't one's Rabbi, for it is written, "You shall stand up before the old man, and honour the face of the old man". The words 'old man' refer to someone who is learned. If he comes within four cubits of one one is obligated to stand up, and one has to remain standing until he has passed.

2) One does not have to stand up for a learned sage in a wash-house or toilet, for it is written, "You shall stand up...and honour"<sup>1</sup> - the standing up has to be honourable. A workman while working does not have to stand up for a learned sage, for the reason that the standing up has to be honourable - just as honour doesn't involve a loss of money so also standing up shouldn't involve a loss of money. We learn from the words, "...and fear your God; I am the Lord"<sup>1</sup> that one shouldn't try to avoid noticing a sage until he has passed. This verse is mentioned in connection with anything that involves devotion.

3) It is not becoming of a sage to bother people by walking amongst them to make them stand up, but he should go by the shortest route and try not to be seen in order to bother as few as people as possible. The Sages used to use a circuitous route in order not to be seen at all so that no-one would be bothered.

4) A sage who travels in a vehicle is covered by the same law as one who walks, and one has to stand up for him in the same way that one has to for one who walks.

5) If three people were walking together, the Rabbi should walk in the middle, the next greatest on his right, and the third on his left.

6) If one sees a sage approaching one shouldn't stand up until he is within four cubits of one, and one may sit once he has passed. If one sees a Head of a Court of Law [approaching] one should stand up when one sees him from afar and one should not sit down until he has passed more than four cubits away from one. If one sees a Prince approaching one should stand up the moment that one sees him, and one should not sit down until he has. A Prince can forego his honour. When a Prince enters a Bet Hamedrash everybody should stand up, and they should not sit down until he says so. When the Head of a Court of Law enters a Bet Hamedrash everybody should stand up in two rows for him to walk between, and they should all wait for him to sit down before doing so themselves.

7) When a sage enters a Bet Hamedrash one should stand up when he gets within four cubits of one, and one should wait for him to sit down before doing so oneself. If the sons or students of a sage entered at a time when people need them they may sit in the sage's seat, but one doesn't have to honour the last one to enter. If one had to go out to attend to one's needs one may return to one's place afterwards. When a sage speaks and his sons want to listen to him they should look at him, but if not they should look at the people.



8) A student who sits in front of his Rabbi should get up only for morning and evening prayers, so that the honour he gives to his Rabbi won't be greater than the honour he gives to God.

9) One should stand up for someone who is very old, even if he isn't learned. Even a young sage should stand for such a person. One does not have to stand up fully to honour such a person, but just enough to honour him. One has to pay respect even to an aged gentile in these manners, and one should lend him a hand for support, for it is written, "You shall stand up before the old man" - i.e. one should stand up for all elderly people.

10) Learned sages do not have to help with building, digging, et cetera for the sake of settling Israel with everyone else, so that they won't be though lowly of. They also don't have to climb up to build walls, or repair gates or watchtowers, and they also don't have to help in presenting gifts to the king. We do not make them pay taxes, whether a local tax or a national one, for it is written, "Though they have hired lovers amongst the nations, now I will gather them, and in a little while they will tremble at the burden of a king and princes". Similarly, if a learned sage had goods for sale he should be given the first opportunity to sell, and other merchants shouldn't be allowed to sell until he has sold his goods. Likewise, if he regularly used to sit as a judge he should be given preference in judging a court case.

11) It is a great sin to hate or despise a sage. Jerusalem wasn't destroyed until people started despising the sages, as it is written, "But they mocked the messengers of God, despised His words and scoffed at His prophets", i.e. they scoffed the people who taught Torah. In a similar vein the Torah said, "And if you shall despise My statutes", which refers to despising those people who teach these statutes. Anybody who despises the Sages loses his share in the World To Come and is included in the verse of, "Because he has despised the word of the Lord, et cetera".

12) Even though someone who despises the Sages doesn't have a share in the World To Come, nevertheless, if witnesses state that someone has despised even just their words, that someone is punishable by excommunication. The Court of Law should publicly excommunicate him, and he is fined a litra of gold, regardless of whether they are in Israel or not, which is given to the sage whom he despised. Somebody who despises a sage after his death is taken to a Court of Law, and should have his excommunication only after he has repented. If, however, the sage himself is still alive, then he is taken out of excommunication only if the sage agrees to it. The sage himself may excommunicate an ignoramus who scorned him, and does not need witnesses or to give him a warning [in order to be able to do so]. Excommunication of this nature is not lifted until the sage says so, but three people [acting together] may lift it. If the sage wants to forgive him and not excommunicate him, he may do so.

13) If a Rabbi isolates himself for his own respect then all his students have to honour his [wish of] isolation. If a student isolated himself for his own respect then his Rabbi does not have to honour his [wish of] isolation, but everyone else does. Similarly, one who is isolated by a Prince is isolated from everybody, but not vice versa. One who is ostracised from his towns is ostracised from other towns as well, but not vice versa.

14) This is talking about someone who is excommunicated for having despised a learned sage, but if somebody, even a child, is excommunicated for having committed an offence punishable by excommunication, then everybody, Princes included, is obligated the excommunication until the excommunicated person has repented and his excommunication has been lifted. There are 24 offenses which, whether committed by a man or a woman, are punishable by excommunication, and they are as follows:

- (i) Despising a sage, even after his death.
- (ii) Despising a messenger of a Court of Law.
- (iii) Referring to someone else as a slave.
- (iv) Ignoring a summons to a Court of Law.
- (v) Scorning the words of the Sages, and how much more so the words of the Torah.

- (vi) Not accepting the Laws - this lasts until one does.
- (vii) Having in one's possession a hazardous item, such as a dog or unstable ladder, and not taking any necessary precautions.
- (viii) Selling land to a gentile - this lasts until one accepts responsibility for anything the gentile does to accompanying fields.
- (ix) Testifying against a fellow Jew in a gentile court and extracting money from him in a manner contrary to Jewish Law - this lasts until one pays him back.
- (x) Not giving tithes to a fellow priest if one oneself is a priest - this lasts until one does.
- (xi) Desecrating the second day of a Festival in the diaspora, even though it is just a custom to observe it.
- (xii) Working after midday on the day before Passover.
- (xiii) Taking God's Name in vain, or when making a nonsensical vow.
- (xiv) Causing a lot of people to desecrate God's Name.
- (xv) Causing a lot of people to eat holy food outside the Temple.
- (xvi) Modifying the Calendar in the diaspora.
- (xvii) Misleading people.
- (xviii) Preventing the many from fulfilling a mitzvah.
- (xix) Allowing traifah food through if one is a cook.
- (xx) Failure to have one's shechitah knife checked by a sage.
- (xxi) Forcing oneself not to understand.
- (xxii) Going into partnership with one's ex-wife after having divorced her, or else fulfilling her needs. A Court of Law should excommunicate both of them until they are brought before it.
- (xxiii) Not behaving as a sage should if one is a sage.
- (xxiv) Excommunicating someone who is not punishable by excommunication.

## CHAPTER SEVEN

This chapter discusses excommunicating sages and Princes, isolation, how these are revoked, and how the first pious people never excommunicated anyone.

1) An exceedingly learned sage, a Prince or the Head of a Court of Law should never be excommunicated openly, unless he did something like Jeroboam the son of Nebat and his friends did. For other sins, however, he should be flogged in private, for it is written, "Therefore you shall fall on the day, and the prophet will fall with you as well in the night, and I will destroy your mother" - even though he may have sinned he is nevertheless punished in private, and after the punishment we say to him, 'Be honoured, and stay in your house'. Similarly, if a sage is to be punished by excommunication the Court of Law shouldn't excommunicate him promptly, but should try to avoid excommunicating him altogether. The pious sages used to pride themselves in the fact that

they never excommunicated a learned sage, even though they would bring him to be flogged if he was to be punished by flogging. They would even bring to a flogging which he deserves because of a Rabbinical decree.

2) How is somebody excommunicated? We say, 'So-and-so is excommunicated', but if he is being excommunicated in his presence then we say, 'This person is hereby excommunicated'. To isolate someone we say, 'So-and-so is isolated and cursed, imprecated and excommunicated, and on him is an oath'.

3) How is excommunication revoked? We say to him, 'You are permitted and forgiven'. If, however, his excommunication or isolation is to be revoked in his absence we say, 'So-and-so is permitted and forgiven'.

4) What does being excommunicated involve? Somebody who has been excommunicated may not shave, cut his hair or wash, in the same way as a mourner, so long as he is excommunicated, cannot count as one of the people required to make a zimmun, and also cannot count as one of the people of a quorum. We do not sit within four cubits of him, but he may teach [Torah to] others and they may learn from him. It is permitted to employ or be employed by him. If he died during his excommunication the Court of Law arranges for a stone to be placed on his coffin, i.e. he is stoned, for the reason that he was different from the rest of society. It need not be said that eulogies are not made for him, and nor is he given a [proper] funeral.

5) Isolation is more strict than excommunication. Somebody who has been isolated may not teach others, and nor may others learn from him, but he may learn for himself in order not to forget what has already learnt. It is not permitted to employ him, and it is also forbidden to accept employment from him. No business transactions are carried out with him, except for the barest minimum which he needs for support.

6) If somebody has already been in excommunication for thirty days and has not requested for his excommunication to be lifted, then he is excommunicated for a further thirty days. If after this time he still hasn't requested his excommunication to be lifted, he is isolated.

7) How many people are needed to lift a ban of excommunication or isolation? Three ordinary people are needed, but an expert in the Laws can do it on his own. A student can lift an excommunication or isolation ban, even in the place of his Rabbi.

9) If somebody was excommunicated by three people and then repented fully, then any three people can lift the ban.

10) Somebody who doesn't know who excommunicated him has to go the Prince to have his excommunication ban lifted.

11) Conditional excommunication requires cancellation, even if the condition was stipulated by the excommunicated person. A learned sage who excommunicated himself, even on someone else's suggestion or because he did something punishable by excommunication, may lift his own ban.

12) Somebody who was excommunicated in a dream needs ten people who are experts in the Law to lift his excommunication ban, even if he knows who excommunicated him. If he couldn't find ten such people, then he has to search for them as far as one parsah away. If he still could find them then ten experts in the Mishnah will suffice, failing which ten people who can read Torah, failing which ten people who can't even read will do. If he can't find ten people at all, then three people are enough.

13) Somebody who was excommunicated in his presence can have his ban lifted only in his presence, but if he was excommunicated in his absence he can have his ban lifted whether he is present or not. There are no differences between the way an excommunication ban is initiated and how it is lifted. A person can be excommunicated and have the ban lifted simultaneously upon repentance. If the Court of Law sees that someone should be excommunicated for many years then they should excommunicate him for a period of time which is proportional to his wickedness. Similarly, if the Court of Law sees it fit to isolate someone, or someone who ate or drank with him or came within four cubits of him, then they may do so, doing so in order to remove his influence and to protect the principles of the Torah so that neither his influence nor sinners will spread. Even

though a sage may excommunicate himself for the sake of honour it is not a praiseworthy practice, for a sage should listen to what people say and not ignore them, as Solomon said in his wisdom, "Also, ignore unspoken words". The way of the first pious people was not to react to derogatory statements made about them, and they would even forgive the person who had made them. The Great Sages acted in a praiseworthy manner by never excommunicating or isolating themselves for the sake of honour - this is the way in which it is fitting for a learned sage to act. This is referring only to derogatory statements made in private, but if a learned sage was disgraced or shamed by someone in public it is forbidden for him to forego his honour, and if he did forego his honour he should be punished, because it is a disgrace to the Torah. Instead, he should keep the matter in mind until the person in question asks for forgiveness, whereupon he should forgive him.