



## Rambam Hilchot Talmud Torah

### Rabbi Yitzchak Etshalom

#### Part 7

**7:** If the \*minhag hamedina\* (local custom) was to pay the teacher, he brings him his payment. [the father] is obligated to pay for his education until he learns the entire Written Torah. In a place where the custom is to teach the Written Torah for money, it is permissible to teach for a salary. However, it is forbidden to teach the Oral Law for a salary, as it says: \*R'eh limadti etchem hukkim umishpatim ka'asher tzivani hashem\* (See, I have taught you laws and judgements just as Hashem commanded me) (Devarim [Deuteronomy]4:5) just as I [Moshe] studied for free, so you learned from me for free. Similarly, when you teach in the future, teach for free, just as you learned from me. If he doesn't find anyone to teach him for free, he should find someone to teach him for pay, as it says: \*Emet k'ne\* (acquire - or buy - truth) (Mishlei [Proverbs] 23:23) I might think that [in that case] he should teach others for money, therefore Scripture says: \*v'al timkor\* (and do not sell it) ) ibid.); so you see that it is forbidden to teach for pay, even if his teacher taught him for pay.

**Q1:** Why the distinction between the written law and the oral law?

**KB:** We've always been allowed to pay scribes, eh?

**YE:** Another response: someone who is teaching the pure text is merely a facilitator - teaching grammar, lexicon, history etc. Therefore, he is not in the model of Moshe Rabbenu, from whom the entire halakha of free teaching is derived. On the other hand, the Rebbe who teaches the Torah sheba'al peh is teaching Halakha, mussar (ethics); hashkafa (Jewish perspectives and values) etc. That is the model of Moshe Rabbenu.

**Q2:** If it is prohibited to teach the oral law for pay, how can someone learn from a teacher who is charging money? Shouldn't the teacher also be a role model?

**KB:** The teacher ought to be one. But if such a sterling person can't be found we work with what we can get.

**YE:** I agree - but note that R does not say that the father hires such a person - in which case he would be setting his son up with an unworthy role model. R relegates this Halakha to your own study - find a teacher, even if you have to pay. Remember, R. Meir followed on foot while Acher taught him on Shabbat. I don't believe that R. Meir's father would have hired Acher as a Rebbe for his son, but someone mature enough to seek wisdom is also, hopefully, mature enough to sift out the negative modelling here. Obviously, this is not the ideal.



**Q3:** The question which screams out from this Halakha: how can we (Jewish educators) get salaries for our work?

**KB:** I always found it problematic myself. However, there seems to be a lot of literature on the subject. The Chofetz Chaim perhaps?

**YE:** Clearly a large question: However, it seems that we pay all such people (teachers, judges etc.) \*s'char batala\* - the money they would have made had they involved themselves in business, instead of community affairs. See Ketubot 105 - also, Keith, you hit it on the head with the Chafetz Chaim - see Biur Halakha, OH 231.