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Nedarim Daf 37

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Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Teaching Scripture

The *Mishna* had stated: And the vower may teach him Midrash, *halachos* and *aggados* (*for mitzvos were not given for the purpose of deriving benefit, and therefore the Torah learning is not regarded as a forbidden benefit*), but he may not teach him Scripture.

The *Gemora* asks: The reason that he cannot teach him Scripture is because he benefits him (*by not taking any money*); if so, it should also be forbidden to teach him Midrash?

Shmuel answers: Our *Mishna* is discussing a place where the custom is to take money for teaching Scripture, but they do not take money for teaching Midrash (*in which case, even if he waives the payment, he is not providing the subject of the neder with any monetary benefit*).

The *Gemora* asks: Why should we make such a conclusion in order to explain the *Mishna*?

The *Gemora* answers: The *Mishna* is teaching us the following: Even in a place where the custom is to take money for teaching Scripture, one is only permitted to take money for Scripture, but not for Midrash.

The *Gemora* asks: Why do we make such a distinction?

The *Gemora* cites a Scriptural verse: *Hashem*

commanded me at that time, and it is written: Behold, I have taught you laws and statutes, as Hashem my God commanded me. The Gemora expounds as follows: Moshe said: Just as I taught you the Torah and I did not take any money for it, so too, you should teach others Torah and do not take money for it. If so, the halachah should be that one who teaches Scripture should not be allowed to take any money either?

Rav said: While it’s true that one cannot take money for teaching Scripture, he may take money for watching the students as they are studying (*this applies only to Scripture teaching, for the students are young and need to be safeguarded*).

Rabbi Yochanan said: While it’s true that one cannot take money for teaching Scripture, he may take money for teaching them the proper cantillation of the verses.

The *Gemora* asks on Rav from our *Mishna*: He may not teach him Scripture. Now, this is understandable according to Rabbi Yochanan, for since one is permitted to take money for teaching the proper cantillation of the verses, and here, he is waiving the payment, he is violating the terms of his *neder*. However, according to Rav, why shouldn’t he be permitted to teach adults; they do not need to be protected (*and therefore, the teacher should not be allowed to take money for teaching and when he teaches for free, there is no benefit*)!?

The *Gemora* answers: Our *Mishna* is discussing a case where he is teaching a minor (*and therefore, he would be permitted to take money; waiving the fee is therefore considered a benefit*).

The *Gemora* asks: If it is referring to a minor, let us consider the last part of the *Mishna* which says: He may, however, teach his sons and his daughters Scripture. Now, is it possible for a minor to father children?

The *Gemora* answers: It is as if there are some words missing in the *Mishna* and this is the way it should read: He may not teach him Scripture if he is a minor. If he is an adult, he may teach him, and also his children, Scripture.

The *Gemora* asks on Rav from a *braisa*: Children are not taught new Scriptural material on *Shabbos*, but they may review it for the first time. Now, this is understandable according to Rabbi Yochanan, for since one is permitted to take money for teaching the proper cantillation of the verses, one is prohibited from taking compensation for employment on *Shabbos*; however, they may review on *Shabbos*, for the teacher is not paid for that. However, according to Rav, who holds that the teacher is compensated for safeguarding the children, why should there be a distinction between teaching them new material and reviewing with them; they both should be forbidden!?

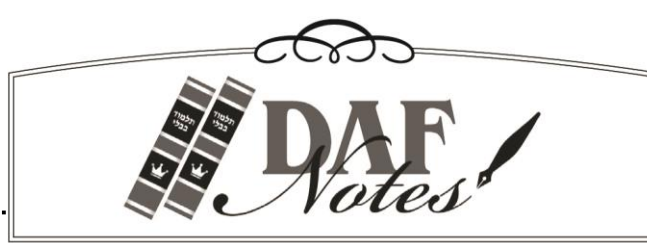
The *Gemora* responds: And according to Rabbi Yochanan, is the *braisa* understood? Why should it be forbidden to receive compensation for teaching the proper cantillation of the verses on *Shabbos*? Isn't his payment for *Shabbos* absorbed within the larger sum (*of many days*), and it is permitted to receive

compensation on *Shabbos* when it is absorbed within a larger sum (*it would not appear like engaging in commerce on Shabbos*), as we learned in the following *braisa*: If one hires a day laborer to look after the child (*that he should not become tamei; it was customary for a child to draw the water from the spring to sanctify the ashes of the red heifer*); the red heifer; or to watch over the shoots (*for the korban omer*), he may not pay him for *Shabbos*. Therefore, if the heifer or the shoots were lost on *Shabbos*, he is not responsible to pay for them (*since he is regarded as an unpaid custodian*). If, however, he was hired by the week, or month, or year, or seven-year period, he may pay him for *Shabbos*. Therefore, he would be liable if they were lost. (*Why, then, can the teacher not be paid for Shabbos when it will be absorbed within a larger sum?*)

Rather, the *Gemora* explains the *braisa* differently: Children are not taught new Scriptural material on *Shabbos*, for their fathers wish to fulfill the commandment of *Shabbos* (*learning new material takes longer and the fathers would not disturb the children's studies until they are finished; this would deprive them of spending time with their children; reviewing, on the other hand, is not so time consuming*).

Alternatively, it is because they eat and drink on *Shabbos*, and they feel tired (*they do not have the strength to study new material*), as Shmuel states: Any change in schedule may lead to a stomach illness.

The *Gemora* asks: Why doesn't the one (Rabbi Yochanan) who holds that one may take money for teaching them the proper cantillation of the verses explain like the one (Rav) who said that one may take money for watching the students as they are studying?



The *Gemora* answers: Rabbi Yochanan would say: Do daughters need watching (*they generally stay inside, and therefore, the Mishna should have made a distinction between sons and daughters*).

The *Gemora* asks: Why doesn't the one (Rav) who said that one may take money for watching the students as they are studying explain like the one (Rabbi Yochanan) who holds that one may take money for teaching them the proper cantillation of the verses?

The *Gemora* answers: Rav maintains that teaching the proper cantillation of the verses is a Biblical obligation, and therefore, one may not receive payment for this.

For Rav Ikka bar Avin said in the name of Rav Chananel, who said in the name of Rav: What is the meaning of that which is written [Nechemia 8:8]: *And they read in the scroll, in God's Torah, distinctly, heeding the sense, so that they understood the reading?* (This verse discusses what Ezra read from the Torah on Rosh Hashanah at Yerushalayim's gates in front of the people returning from the Babylonian exile.) *And they read in the scroll, in God's Torah* refers to Scripture; *distinctly* refers to Targum; *heeding the sense* refers to the division of verses; *so that they understood the reading* refers to the cantillation. Others say that it refers to the Traditions (*the manner in which a word is spelled*). (36b3 – 37b3)

Rabbi Yitzchak said: The textual reading, as transmitted by the Scribes (from the People of the Great Assembly), their scribal embellishments, words that are read but not written, and words which are written but not read, were all halachah (taught) to Moshe at Sinai.

The *Gemora* provides examples for each of the above categories: The textual reading, as transmitted by the

Scribes: words as *eretz* (land – can be vocalized as *aretz*), *shamayim* (heavens – vocalized as *shamayim*, and not *shamim*), *Mitzrayim* (Egypt – vocalized as *Mitzrayim*, and not *Mitzrim*).

Scribal embellishments: [*I will get a loaf of bread; nourish yourselves*] *then pass on*. [The word 'then' is written for stylistic embellishment.] [*Let the maiden live with us a year or ten months*] *then she will go*. [The word 'then' is written for stylistic embellishment, as it could have said: and she will go.] [*Let her be sequestered outside the camp seven days*] *then she may be gathered in*. [The word 'then' is written for stylistic embellishment.] First went singers, then musicians. [It could have simply stated: The singers preceded the musicians.] *Your righteousness is as the great mountains*. [The word 'as' is written for stylistic embellishment.]

Words that are read but not written: 'Euphrates' in the verse: *as he went* (is read although it is not written). 'Man' in the verse: *was as a man might inquire of the word of God*. 'Coming' in the verse: [Behold, the days are 'coming' said Hashem, when the city] *shall be built up*. 'Of her' in the verse: [let there be no] *remnant* [of her]. 'Es' in the verse: *All was related to me* (es) [all that you did]. 'To me' in the verse: [She told her, "all that you say (to me) I will do. She went down to the] *threshing floor* [and did all that her mother-in-law had instructed her]. 'To me' in the verse: [And she said, He gave me these six] *measures* [of barley, for he said (to me)]. All these words are read but not written.

The following are written but not read: The word 'please' in (the verse) *forgive*. 'This is' in (the verse) *the commandments*. 'He will draw' in (the verse) *the archer*. 'Five' in (the verse) *and on the southern side*. 'If'



in (the verse) *that I am a redeemer*. All these words are written but not read. (37b3 – 38a1)

DAILY MASHAL

INSIGHTS TO THE DAF

Compensation for Teaching Torah

Rabbi Yochanan said: While it's true that one cannot take money for teaching Scripture, he may take money for teaching them the proper cantillation of the verses.

One is obligated to teach others the laws and statutes of the Torah without demanding payment. The Chasam Sofer rules: Nowadays that the entire *Gemora* and the poskim are written down, one is not obligated to teach them inside for free; rather, he is required to teach orally the *halachos* and the rationale behind them. If, however, one teaches the students the *Gemora* inside, he may demand payment. The reason that the *Gemora* makes a distinction between Scripture and Midrash is because the Scripture was already written down. (Although Rebbe arranged the Mishna, it was not written down until much later.) Therefore, if one teaches student the correct method to read the *Gemora*, he may demand payment.

The Ran cites a Yerushalmi which rules that although a person may not receive compensation for teaching Torah, he may demand payment for the loss of income that he suffers by the fact that he does not pursue other means of support. This is true as long as he devotes himself completely to teaching.

Other Rishonim rule that if a teacher has no other means of support, he may receive compensation for teaching Torah.

Abaye said: We have a tradition from our Forefathers and Rabbis that there is no true poverty except for one who is lacking Torah knowledge.

This is what was taught by the Sage in Bavel. Our Gemora relates that a similar idea was taught in Eretz Yisrael in the following manner: "One who has knowledge has everything; without it what does he have; whoever has acquired knowledge, what is he lacking; one who has not acquired knowledge, what has he acquired?"

Ohr Somayach quotes the Steipler zt"l as saying the following: Our Sages teach that the word "zaken" does not necessarily refer to an elderly person, but is an acronym for a Torah scholar — "zeh kana chochma", "this person has acquired knowledge". One might recognize that the words "zeh kana" (this one acquired) can be seen in the word "zaken", but how do we see that he has specifically acquired "chochma" — Torah wisdom — and that the word zaken therefore refers to a Torah scholar? The answer: The only real acquisition a person has is Torah. Material assets come and go and are external to the person; Torah is eternally part of the person who 'acquires' it. Torah knowledge and wisdom is our only true acquisition.