

Laws of Torah Study, Chapter 4 (Auto Translated)

English

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Shiur Overview

Rambam Hilchos Talmud Torah Chapter 4 – Complete Summary

Introduction to the Chapter – The Place of Chapter 4 in the Rambam's Order

Pshat: The Rambam's order in Hilchos Talmud Torah: Chapter 1 – the obligation to learn; Chapter 2 – the melamed tinokos and his work; Chapter 3 – the keser Torah, learning on the highest level; Chapter 4 – how one learns on the highest level, the order of the **yeshiva**, of a rebbe who truly teaches Torah.

Chiddushim:

1. **Two levels in Talmud Torah:** According to the Rambam there are two levels in the mitzvah of Talmud Torah: (a) the mitzvah **k'ra'ui** – the keser Torah, where one is nosei v'nosein mida'as atzmo, one learns on the highest level; (b) the mitzvah that is **shaveh l'chol nefesh** – perhaps b'dieved, the basic obligation that everyone must fulfill. Chapter 4 deals with the first level – the beis hamidrash / yeshiva, not the melamed tinokos.

2. **Melamdei tinokos vs. yeshiva:** By melamdei tinokos (Chapter 2) there was no condition of "hagun" – one teaches every child, because this is chinuch. Chapter 4 speaks of an **elite institution** – the beis hamidrash – where there are already conditions for whom one accepts.

Halacha 1 – Ein melamdim ela l'talmid hagun

Divrei HaRambam: "One may teach Torah only to a worthy student, one who is beautiful in his deeds, or a tam. But if he was walking in a path that is not good – one returns him to the good, guides him on the straight path, and tests him, and afterwards brings him into the beis hamidrash and teaches him. The Sages said: Whoever teaches an unworthy student is like one who throws a stone to Markulis, as it says 'Like binding a stone in a sling, so is giving honor to a fool.' And there is no honor except Torah, as it says 'The wise shall inherit honor.' And similarly a rebbe who does not walk in a good path, even though he is a great sage and all the people need him, one does not learn from him until he returns to the good, as it says 'For the lips of a kohen shall guard knowledge and they shall seek Torah from his mouth, for he is an angel of Hashem of hosts.' The Sages said: If the rebbe is like an angel of Hashem of hosts – they shall seek Torah from his mouth, and if not – they shall not seek Torah from his mouth."

Pshat:

One may only teach Torah (on the level of beis hamidrash) to a student who is hagun – either "na'eh b'ma'asav" (he already has good deeds), or "tam" (he is innocent, not bad). If the student is holech b'derech lo tovah, one must first return him

to the good, test him, and only then bring him into the beis hamidrash. Also a rav who does not walk in a good path – even if he is a great sage – one may not learn from him until he does teshuva.

Chiddushim and Biurim:

1. Explanation of "tam" – three approaches:

(a) **Tam = he doesn't yet have a chazakah for good or bad.** Like the distinction between "mu'ad" and "tam" by an ox: "na'eh b'ma'asav" is like a "mu'ad l'tovah" – he already has a chazakah of good deeds. A "tam" hasn't yet "gored three times" – he doesn't have a bad record, but also not a proven good record.

(b) **Tam = he has good intentions even without good deeds.** He is innocent, he wants good, but he hasn't yet begun to do.

(c) **Tam = he doesn't yet know what he should do.** He is not bad, he is simply not yet informed. He is in a state of "tam" because he doesn't yet have enough knowledge to be "holech b'derech lo tovah" – one must already know something in order to be able to be a rasha.

2. "Holech b'derech lo tovah" – only when he already knows what he should do:

It is precise that "holech b'derech lo tovah" speaks only of one who **already knows** his chovas ha'adam, he already knows all the mitzvos, **and he doesn't do it.** But a person who doesn't yet know – he is in the state of "tam", and with him **one does teach** kol haTorah kulah.

3. The rebbe's responsibility to return him to good – not just to throw him out:

The Rambam does **not** say that one throws the student out. "Machzirin oso l'mutav" – **one must actively work with him.** The rosh yeshiva cannot turn away and say "it has nothing to do with me." If the student came to you, it's your problem. If he is not yet ready to learn, you should first teach him mussar, guide him. It's not an excuse to say "I won't teach you." But it is also recognized that perhaps this is a "different department" – there is an organization for baalei teshuva, and the beis hamidrash itself is not the place for this.

4. Machzir l'mutav through learning itself:

According to the fact that one must learn Torah kol yamav v'chol shnasav (Chapter 3), one can say that "machzirin oso l'mutav" means **also through learning** – one learns with him the part of Torah that will bring him to teshuva. For example: **Sefer HaMada** should be learned with everyone, because these are yesodei hadas. One learns the entire Rambam with everyone. The issur of "ein melamdim" speaks only of the level of the yeshiva – the highest level of lomdus.

5. The beis hamidrash as an elite institution:

The beis hamidrash is **not open to everyone.** It is an elite institution where people are already worthy (or will become worthy) of kisrah shel Torah. One of the conditions is good

deeds. Talent is perhaps obvious (like Rav Chaim's vort about a chazzan – first he must be able to sing, that doesn't need to be said; we speak that even if he can already, he must also be hagun).

6. Comparison to the four sons of the Haggadah:

In the Haggadah one teaches all four sons – chacham, rasha, tam, she'eino yodei'a lish'ol. **Here one teaches only the chacham and the tam.** The rasha – one yells at him in the Haggadah, and perhaps this is the concept of "machzirin oso l'mutav" – one tries to educate him that he should do teshuva, but one doesn't teach him on the level of beis hamidrash.

7. "K'zorek even l'Markulis" – why specifically this metaphor:

The verse is "K'tzror even b'margemah ken nosein l'chesil kavod" (Mishlei 26:8). The simple meaning: Just as one throws a stone with a sling, so is when one gives honor to a fool – it does great damage. The main chiddush: **The person thinks he is doing a good thing, but he is doing the opposite.** By Markulis – the avodah zarah of Markulis is through throwing stones. The person thinks he is striking the avodah zarah (he is fighting it), but in truth he is honoring it. The same thing: the rebbe thinks he is inserting Torah into the unworthy student, but in truth the student will **use the Torah for bad ways** – he will become a "rasha naval birshus haTorah."

8. "Kavod" = Torah:

The Rambam expounds that "kavod" in the verse means **Torah**, as it says "kavod chachamim yinchanu." When one gives a fool "kavod" – that means when one teaches him Torah – he will use the kavod/Torah for bad. **Another pshat:** If one thinks that by placing the unworthy student among rabbis and giving him honor he will become good – the Rambam says **the opposite:** he will use the honor for bad, he will become **more crooked.**

9. [Digression: Rabbi Meir Shapiro's approach:]

Rabbi Meir Shapiro used to say that a rebbe's grandchild he always accepts into yeshiva, even if he doesn't know at the test – because a rebbe he will be anyway, let him at least know how to learn a bit. The counter-point: According to the Rambam this can be the opposite – if he is eino hagun, this can make him **worse**, not better. But Rabbi Meir Shapiro's story doesn't speak of an "eino hagun" – just of one who doesn't hold from learning, which is a different category.

10. The rav she'eino holech b'derech tovah:

Also the rav must be hagun. Even if he is a great sage, even if kol ha'am tzrichin lo – if he doesn't walk in a good path, one may not learn from him until he does teshuva. This speaks of a rav who **continues to learn**, gives shiurim, but **does aveiros on the side** – he uses the Torah as a "kardom lachpor bah." He says beautiful shiurim, no one says such good shiurim as him – but he is a rasha, a baal machlokes, etc. **Question:** Who should return him to good? He is himself the greatest sage, there is no rebbe above him. **Answer:** He will have to **himself** do teshuva – "ad sheyachzor l'mutav."

11. "Im domeh harav l'malach Hashem Tzevakos" – explanation:

The verse says "Ki sifsei kohen yishmeru da'as v'Torah yevakshu mipihu ki malach Hashem Tzevakos hu" (Malachi 2:7). The Rambam explains:

- **"Kohen"** here doesn't mean the kohen of keser kehunah, but an **oved Hashem** – originally this was the job of the kohanim to teach Torah to the people.

- **"Yevakshu"** – in the language of a student, one comes **asking** to learn from him, "doresh u'mevakesh."

- **"Ki malach Hashem Tzevakos hu"** – he is a **tzaddik** who does the will of Hashem.

The chiddush: "Domeh l'malach" doesn't mean any mystical level – it simply means that **he does the will of Hashem**, he does his mission. An angel does the will of Hashem – if the Jew also does his mission, he is "domeh l'malach." It's one or the other, there is no middle ground.

12. The heter of Rabbi Meir (by Acher):

The Gemara brings a heter from Rabbi Meir, that if one is an **adam gadol** one can **tocho ochel klipaso zerok** – one can learn the content and throw away the bad externality. But for **most people** the heter is not applicable. Tosafos connects this with the sugya of **Acher** (Elisha ben Avuyah). Later it is mentioned that a rebbe one must judge favorably, but here we speak in a case where it is **obvious** that one cannot judge him favorably.

13. The Rambam's way of bringing maamarei Chazal:

In all chapters of Hilchos Talmud Torah the Rambam brings **maamarei Chazal and pesukim** – which is **not his usual way** in other halachos. He brings "amru chachamim" and pesukim as support. Perhaps he wants to show that this is a halacha with a source, not just a sevara.

14. [Digression: Two roles in the yeshiva – rosh yeshiva vs. mashgiach:]

In the yeshiva structure there can be a **rosh yeshiva** (the one who learns Gemara Tosafos with the olam) and a **mashgiach** (the one who guides people, says mussar). These are **two different positions.** The Rambam speaks here of the rosh yeshiva who learns, not of the one who returns people to good. The rosh yeshiva who learns with the olam cannot give away time for each individual's derech tovah – he must be kishro shel Torah, he may not give away time for his own parnassah, kal vachomer for other matters. Therefore one needs a **system.**

Halacha 2 – The order of the yeshiva: how one sits

Rambam's words: "The students sit before him in a kaf (semicircle), so that all of them see him and hear his words. And the rebbe should not sit on a chair and his students on the ground, but either all on the ground or all on benches. In earlier times the rebbe would sit and students would stand, and before the destruction of the Second Temple they instituted that all should sit."

Pshat:

The students sit in a half-ring around the rebbe, so that all can see and hear him. The rebbe should not sit on a bench when students sit on the ground – all on benches or all on the ground. Earlier students would stand, but before the destruction of the Second Temple they began that all sit.

Chiddushim:

1. Importance of seeing the rebbe: It is important not only to **hear** the rebbe, but also to **see** him. Therefore one must sit in a half-ring, not in straight rows, because in straight rows the back ones cannot see.

2. The rebbe should not sit higher: One might have thought that it is **kavod haTorah** that the rebbe should sit on a bench and students on the ground. But the Rambam rules **against** this. In the Gemara it says: "**Lo yilmad harav k'shehu yoshev al gabei mitah v'salmidav al gabei karka**" – the Rambam's psak seems to go further than the simple language of the Gemara.

3. Connection to derech ha'emtzei in kavod: Earlier the Rambam said that a talmid chacham must maintain his honor, but only with a **derech ha'emtzei** – not too much pride. Here we see the same approach: the rebbe **sits at the head** (a certain honor – he is the rebbe, one must hear him), but **not on a higher level** – that would already be too much pride.

4. Historical development – from standing to sitting: Earlier students would **stand** (like by krias haTorah – a kavod haTorah), but **before the destruction of the Second Temple** they already began that all sit, because it is easier to learn while sitting. From this comes the name "**yeshiva**" – earlier it was called "**amidah**".

Halacha 2 (continued) – The meturgeman / chozer

Rambam's words: "If the rebbe teaches himself – [teaches directly]. And if he teaches through a meturgeman – the meturgeman stands between the rebbe and the students, the rebbe says to the meturgeman, and the meturgeman makes it heard to the students. And the rebbe should not raise his voice more than the meturgeman, and the meturgeman should not raise his voice when asking the rebbe more than the rebbe's voice. The meturgeman is not permitted to diminish or add or change."

Pshat:

Two ways of teaching: (a) the rosh yeshiva himself is the maggid shiur; (b) there is a **meturgeman** (in Chabad it's called a **chozer**) who repeats the shiur. The meturgeman stands between the rebbe and the students.

Chiddushim:

1. Practical reason for a meturgeman: In the past there was no microphone, so the meturgeman had to **shout** so that all would hear. Sitting in rings also helps for this – one is closer to the rebbe.

2. The meturgeman may not answer questions himself: When a student asks a question, **the meturgeman may not answer himself**. He must ask the rebbe, the rebbe answers to the meturgeman, and the meturgeman answers to the questioner. This is an order of **kavod** – everything goes through the rebbe.

3. Voice rules – learned from Moshe Rabbeinu: The rebbe should not speak louder than the meturgeman (because the meturgeman's job is to speak loudly). And the meturgeman, when he speaks **to** the rebbe, should speak **quieter** than the rebbe – out of respect. Only when he speaks to the olam, does he speak louder. This is all learned from **Moshe Rabbeinu** – how Moshe spoke with the Almighty and how he spoke with the Jews.

4. The meturgeman may not change: The meturgeman doesn't have the right to change, add, or subtract. This is the same yesod as that he may not answer himself – **he is not the rebbe**. It is very natural that a meturgeman begins to see

himself as **he** is the rebbe, because **he** has the mic. But one must remember: **You are only the meturgeman**.

5. [Digression: A maggid vs. a talmid chacham:] A person can be a **good maggid** – he can explain well, he can say well what is written – but that doesn't mean he is a **gadol b'Torah**. He is a meturgeman, he can repeat what the chachmei haTorah say. He may indeed **explain better** with a clearer language, but he **may not insert his own opinions**, because he doesn't have his own **da'as Torah** on the level of the rebbe.

6. The Ra'avad's hasagah – av u'vno or rabo v'salmido: The Ra'avad makes a hasagah: "**Mikurei chiddush hayu – Rav Shimi targimin v'harav Shila.**" The Ra'avad says that what the Rambam writes is based on a **one-time incident**, not on a general halacha. The Ra'avad's approach: **Generally** one can assume that the meturgeman is a **weaker** talmid chacham than the rebbe – therefore one tells him he should not answer himself. But by **av u'vno or rabo v'salmido** it sometimes happens that a father loves his child so much, or a rebbe loves his student so much, that **even though** the student/son is himself a distinguished talmid chacham, he allows himself to be the meturgeman. In such a case the rule is different – one cannot assume that the meturgeman is weaker.

7. The meturgeman says the rebbe's name explicitly: When the meturgeman repeats for the olam, he should say "kach amar rabbeinu ploni" – with the rebbe's name explicitly. This is interesting because the rebbe himself may not say his rebbe's name (he says "avi mori" or "mori v'rabbi"), but the meturgeman, for whom it is not his rebbe, should indeed say the name clearly – so the olam should know from whom he is repeating. This is a din in clarity – "b'shem omro."

8. [Digression: Old teachers:] Often one throws out a teacher because he is already old – this is a painful thing. The Rambam's approach with the meturgeman gives a **solution**: if the rebbe is already old and one can hardly hear him – **take a meturgeman, take a helper**, instead of sending him away.

9. The Rema's comment: The Rema in Hilchos Talmud Torah says that today the entire halachos of meturgeman are not common, therefore he is not lengthy in this.

Halacha 3 – The rebbe should not be angry when students don't understand / The student's obligation to ask

Rambam's words: "The rebbe who taught and the students did not understand, he should not be angry at them and rage, but should repeat the matter even several times, until they understand the depth of the halacha. And similarly the student should not say 'I understood' when he did not understand, but should repeat and ask even several times. And if his rebbe was angry at him and raged, he should say to him: 'Rebbe, it is Torah and I need to learn, and my understanding is limited.' And the student should not be embarrassed from his friends who learned on the first or second time and he did not learn except after several times... for if he is embarrassed, he will be entering and leaving the beis hamidrash and he learns nothing."

Pshat:

The rebbe should not become angry when students don't understand, but he should repeat it again and again until they understand. The student has an obligation not to say "I understood" when he didn't understand, and he should not be embarrassed from friends who understood faster.

Chiddushim:

1. This is like a "deal" between rebbe and student: Like a business transaction – the rebbe promised that they will understand, and both sides must be honest about it. The rebbe's job is to say it two times, three times – that is his responsibility.

2. Why does the rebbe become angry: The sevara is that the rebbe becomes frustrated because he thinks he is not saying it well enough – he is angry at himself. Therefore, when the student says "Rebbe, your understanding is refined, you say it well, I don't understand well" – he takes the "blame" upon himself – and the rebbe gets the patience to repeat it.

3. The obligation on the student to ask again – a din in Torah: The obligation on the student to ask again is apparently a din in Torah, not just a mussar matter.

4. The Rambam's advice – "v'da'ati ketzarah": The student sometimes thinks that it is not derech erez to ask so many times, it is chutzpah. The Rambam says that everything can be found a refined way to say – "Rebbe, it is Torah and I need to learn, and my understanding is limited."

5. The concern of "at the expense of others": A person would think – how may I be mevatel them from Torah? They already understand, and because of me the rebbe must say it again? The answer: let them hear again, it won't hurt, they will review, nothing happened. Furthermore, the rebbe doesn't have a thousand students – he has a smaller group, and everything is about understanding.

6. The reality of "one person asks": Usually, if there is one who says "Rebbe, I didn't understand", there are about fifty percent of the class who also didn't understand – but they are all embarrassed. Usually the one who asks is not a fool, but he is more humble and not embarrassed. Often the truth is that the rebbe didn't explain it well, or it indeed needs to be said twice for such a complicated thing.

7. "Ein habayshan lamed v'lo hakafdan melamed" (Avos 2:5): The Rambam brings this Mishnah – an embarrassed person cannot learn, an impatient person cannot teach. Both sides must give up their natural tendency – the student his embarrassment, the rebbe his anger.

Halacha 3 (continued) – When the rebbe should indeed be angry: misrashlim

Rambam's words: "In what case are these words said? When the students did not understand the matters because of their depth, or because their understanding is limited. But if it is apparent to the rebbe that they are negligent in matters of Torah and lax about them, and therefore they do not understand – he is obligated to rage at them and embarrass them with words in order to sharpen them. And so it says: 'Throw bitterness at the students.'"

Pshat:

The rebbe's patience is only when the deficiency is in the depth of the subject or in the student's mind. But when they are lazy

and don't exert themselves – then he is obligated to be angry.

Chiddushim:

1. The Rambam's "beautiful structure": The Rambam makes a clear order – what is written "lo yich'os" speaks in one case (when it is deep or difficult), and what is written "zerok marah" speaks in another case (when they are lazy). He unifies two contradictory statements of Chazal.

2. "Chayav ligoz" – not just to act: He must truly be angry, not just act angry. He should show his anger and embarrass them with sharp words – "kedei l'chadedam."

Halacha 4 – The rebbe should not conduct himself with levity

Rambam's words: "It is not proper for a rebbe to conduct himself with levity before his students, and not to laugh before them, and not to eat and drink with them – so that his awe should be upon them."

Pshat:

The rebbe should not be a joker, not laugh with them, not play with them, not eat with them – so that they should have fear of him.

Chiddushim:

1. "Kalus rosh" doesn't necessarily mean a bad thing: It means more that he should not be on the same level as the students – he should not joke with them, not be too close. There must be a certain "gap" between him and them.

2. "Hatel mora al hatalmidim" – broader than just yelling: The deeper meaning: when one has fear/seriousness for someone one takes seriously, one will get more out of him. The seriousness helps the learning itself. Yelling is only when one is already at an emergency. But in general, "hatel mora" means a certain seriousness that helps the learning itself.

3. A rebbe who conducts himself with distance – for the benefit of the students: A rebbe who maintains distance from his students does it for their benefit – this helps them learn better from him. The olam doesn't always grasp this.

4. [Digression: Chassidic tishes:] Today's chassidic rebbes do eat once with their students at the tish – but perhaps this doesn't mean "eating with them" in this sense, because the rebbe sits on a stage, it's not a conversation meal.

Halacha 5 – Halachos of question and answer: how one asks the rebbe

Rambam's words: "One does not ask the rebbe when he enters the beis hamidrash until his mind settles on him. And the student does not ask immediately, but waits a bit until the rebbe rests. And two students do not ask at once. One does not ask while standing, and one does not answer while standing, and not from high, and not from far, and not from behind the elders. And one asks the rebbe only in the subject. And one asks only with fear. And one should not ask about a subject more than three halachos."

Pshat:

One should not bombard the rebbe with questions when he enters. One should give him a chance to calm down. One doesn't ask standing, not from high, not from far, not from

behind the elders. One asks only in the subject, with fear of honor, and not more than three halachos at once.

Chiddushim:

1. The rebbe is a person: Even though he knows everything, one cannot immediately bombard him with questions. He needs derech erez – one should give him a chance to come to himself.

2. Also the student needs rest before asking: Not only does the rebbe need to calm down – also the student should not ask when he enters, but he should first come to himself. Because "she'eilas chacham chatzi teshuvah" – the way one asks makes a lot of difference, so he should be able to ask clearly.

3. "Me'umad" – kavod or quality of learning? Is this only a matter of kavod, or also a matter of yishuv hada'as – that a person cannot have yishuv hada'as when he stands? The old order (before the exile) was that students stand and the rebbe sits. After the takanos hagalus this changed – today all sit.

4. "V'lo meirachok, v'lo mei'acharei hazekeinim" – kavod or practical? Is this only kavod, or also a practical thing – when someone shouts from behind one cannot hear clearly what he says? Perhaps it is both.

5. What does "b'inyan" mean – several approaches:

- (a) "B'inyan" means in the subject/sugya that one is learning now – not jumping to another topic.

- (b) "B'inyan" means a specific question – not a general question like "tell me everything about Shabbos", but look beforehand, learn, and then ask a specific halacha.

- (c) It may be that "sho'alin b'inyan" doesn't speak of during the shiur, but when the chacham enters the beis hamidrash – one should not bombard him with questions from all directions, but ask in order, in the subject.

6. "Lo yish'al yoser mishalosh halachos": "Inyan" can be smaller than a masechta – it means the sugya/subject that one is learning today. One should not ask more than three questions at once, because the rebbe's time is not free – it must go with order and respect.

7. [Digression: Today's reality:] Today there is not the entire formal institution of questions through the meturgeman. But in the times of the Geonim the main learning was through answers to questions – that was the order.

Halacha 5 (continued) – The rebbe's permission to ask trick questions, and the student's limitation

Rambam's words (based on the Gemara): The student may not ask the rebbe trick questions in order to catch him. But the rebbe has permission to ask the students such questions in order to sharpen them – "l'chadedan". The rebbe may even ask from another subject that they are not engaged in.

Pshat:

There is a fundamental distinction between the student's role and the rebbe's role in asking questions. The student must ask with respect, in the subject; the rebbe must sharpen the students, even with difficult or inappropriate questions.

Chiddushim:

1. Why may the student not catch the rebbe, but the rebbe may catch the student: The distinction is twofold: (a) **Kavod** – when a student catches the rebbe at a mistake, he embarrasses him, and this is wrong. But when the rebbe catches the student, this is not embarrassment, because a student is still a student – one doesn't expect from him that he should know everything. (b) **Function** – the job of the rebbe is to sharpen the students ("l'chadedan"), but the job of the student is not to sharpen the rebbe.

2. Why may the rebbe ask from another subject, but not the student: A psychological-intellectual answer: the student hears general rules and can more easily remember from different places. But the rebbe, when he delves into a subject, he is "really there" – he is so immersed that he cannot so easily jump to another topic. **Brought from Rav Yosef (Hutner?)** that the older a sage becomes, the harder it becomes for him to answer on a topic he is not in – not because he loses sharpness, but because he delves more into each subject, it becomes more a part of his being.

3. Two points that mix together – kavod harav and quality of learning: The Rambam mixes here two motives: (a) respect for the rebbe, and (b) effectiveness of learning – how one gets the best, clearest answers. Both must be kept in mind. **The two points are very connected** – when one has respect the right way, one learns better. Kavod harav is not just etiquette, it is part of the learning process.

4. [Digression: Rav Chaim Kanievsky:] The order how people "killed" Rav Chaim Kanievsky with questions from all directions – throwing questions without order – was not a proper thing according to this rule. Even though he was great enough that embarrassment is not relevant, but the rule remains a rule.

5. The rebbe also likes questions – but with a condition: A rebbe likes when one asks questions, because it makes him go look. But the student should "be mechadesh" – ask a question that sharpens the rebbe, not trick questions. A question that comes from the subject that one is learning sharpens the rebbe, and this is good.

Halacha 6 – Order of precedence in questions: who gets answered first

Rambam's words: "Two who ask – one asks in the subject and one not in the subject, we attend to the subject. A practical matter and not a practical matter, we attend to the practical matter. Halacha and midrash, we attend to halacha. Midrash and aggadah, we attend to midrash. Aggadah and kal vachomer, we attend to kal vachomer. Kal vachomer and gezeirah shavah – we attend to kal vachomer."

"If two people ask questions – one a chacham and one a student, one attends first to the chacham. Both chachamim, both students, two amei ha'aretz, or both asked two halachos/questions/answers/practical matters – it is as the meturgeman wishes."

Pshat:

When two people ask at once, there is an order of precedence: subject before not in the subject, practical matter before non-practical, halacha before midrash, midrash before aggadah, kal vachomer before aggadah, kal vachomer before gezeirah

shavah. A chacham comes before a student. If both are in the same level, the meturgeman has the choice.

Chiddushim:

1. One must even answer she'lo b'inyan: From the fact that the Rambam says "nizkakin l'inyan" (not "one answers only b'inyan") we see that one must indeed answer also the one who asks she'lo b'inyan – but the one who asks b'inyan has precedence. This is a chiddush – one would have thought that she'lo b'inyan one may not ask at all.

2. What does "midrash" mean as opposed to "aggadah": "Midrash" means **midrash halacha** – that is, the explanation of where one derives a halacha from a verse (drashas hapesukim). "Aggadah" means aggadah as it is – mussar, machshavah, stories. Therefore midrash (halacha) comes before aggadah.

3. Why is kal vachomer higher than gezeirah shavah: A **kal vachomer is a sevara-based thing** – it sharpens the student's thinking, because it is a rational process of working out. A **gezeirah shavah is a "piece of information"** – a tradition that two words are connected, but it doesn't sharpen the thought as much as a kal vachomer. Therefore, when one speaks with the student, kal vachomer is more "mechadeid" – more lomdus, more serious.

4. "Inyan" in the context of thirty days before the holiday: The concept "inyan" can also mean the subject of the time – like erev Pesach, when "inyan" means hilchos Pesach, which takes over the regular sugya. In certain commentators it says so on the subject of "nizkakin l'inyan".

5. Why does the chacham come first: The chacham receives more honor. A student receives more honor than an am ha'aretz, but a chacham receives even more honor than a student. The order of precedence is a matter of kavod.

6. These are halachos for the meturgeman, not for the rebbe: An important chiddush – the entire halacha speaks to the meturgeman. The rebbe himself can decide what he wants to do. But the meturgeman, who receives questions from different people, must know whose question he should transmit to the rebbe first. The meturgeman is the one who decides whose question he will now ask the rebbe during the shiur.

7. How it worked practically: People asked questions to the meturgeman (perhaps like one sends up notes), and the meturgeman decided which question he gives over to the rebbe.

Halacha 7 – Ein yesheinim b'veis hamidrash / Kedushas beis hamidrash

Rambam's words: "One does not sleep in the beis hamidrash. Anyone who dozes in the beis hamidrash – his wisdom becomes torn to shreds." "And one does not converse in the beis hamidrash except in words of Torah." Even "one who sneezed" – one does not say "refuah" to him in the beis hamidrash. "The sanctity of the beis hamidrash is stricter than the sanctity of the beis haknesses."

Pshat:

One may not sleep in the beis hamidrash – not even doze (misnamneim). The one who dozes, his wisdom becomes torn into pieces – he remembers a half piece here, a half piece there. One may not speak any other conversations in the beis hamidrash, only divrei Torah. Even such a small thing as wishing "refuah" after a sneeze is forbidden – kal vachomer other things. The kedushah of the beis hamidrash is even stricter than beis haknesses.

Chiddushim:

1. Great chiddush – "beis hamidrash" doesn't mean the building, but during learning: "Beis hamidrash" in Chazal doesn't necessarily mean the physical building. "Beis hamidrash" means **during the shiur** – the time when the rebbe teaches the students. What we call "a shiur" is called in Chazal "beis hamidrash." The place is the time. Often one sees in Chazal "na'aseh beis hamidrash" – this means during learning.

2. Proof from the precision: What does "ein mesichin b'veis hamidrash" mean? One can certainly say "good morning" after the shiur in the building! It must mean during the learning.

3. Answer to a contradiction with the Shulchan Aruch: In Shulchan Aruch Hilchos Talmud Torah (Rema) it says that chachamim did indeed sleep in the beis hamidrash. This is apparently a contradiction to the Rambam's "ein yesheinim b'veis hamidrash." But according to this chiddush there is no contradiction at all: "ein yesheinim b'veis hamidrash" means **during the learning** – during the shiur one doesn't sleep. But sleeping in the physical building, when there is no shiur, is not a problem at all.

4. Distinction between beis haknesses and beis hamidrash: A beis haknesses perhaps has a kedushah in the building itself (kedushas hamakom). But a beis hamidrash – the kedushah is not in the building, but in the time when one learns. Therefore it says "beis hamidrash" (singular) and not "batei midrash" (plural) – because it doesn't speak of physical buildings, but of the state of learning.

5. "Chochmaso na'ases kera'im kera'im" – simple reason: The one who dozes during the shiur, he catches a half piece here and a half piece there, and his wisdom becomes like a torn garment. The one who doesn't go to the beis hamidrash at all, he can completely turn around without a shirt – but the one who dozes, has a torn shirt, which is perhaps even worse.

6. "Refuah" after a sneeze – how strict it is: Even such a small thing as saying "refuah" (which is a matter of courtesy) one doesn't say during learning. This shows how strict one must be with learning – there are barely a few seconds that one can learn, and in those seconds one should not answer a phone, not say refuah, nothing.

7. It's not just kavod for the rebbe – it's "serious": The halachos are not just a matter of kavod for the rebbe. It is a matter of how one must learn – with full seriousness. The entire Chapter 4 establishes that the beis hamidrash / yeshiva is a serious institution where one learns Torah on the highest level, with order, with kavod, with seriousness – and all this is part of the keser Torah.

Rambam Hilchot Talmud Torah Chapter 4 – Conditions for Entry to the Beit Midrash

Introduction: The Order of Chapters in Hilchot Talmud Torah

Speaker 1: Okay, gentlemen, we're going to learn the Rambam Hilchot Talmud Torah Chapter 4.

Let me say an introduction. The Rambam says as follows: until now we learned Chapter 1 that one must learn, Chapter 2 is how the teacher of children works, Chapter 3 that one must learn on a higher level, meaning what is called keter Torah, not the masses who study halachot. And Chapter 4 apparently speaks of how one learns on that higher level, meaning not the system of the teachers of children, but rather the system of the yeshiva, of a rabbi who truly teaches out the Torah.

Two Levels in the Mitzvah of Talmud Torah

You could say that the teachers of children is like the mitzvah of chinuch to learn, and this is learning itself, when one is already a bar da'at, and one learns already to be a keter shel Torah.

Speaker 2: Yes, but most people don't reach that level. Most people are... it's not just chinuch.

Speaker 1: I'm telling you, as it appears in the Rambam there are two levels of the mitzvah of Talmud Torah. There is the mitzvah properly, and there is the mitzvah that one must fulfill, perhaps bedieved, or it's something that applies to everyone.

Speaker 2: You mean the level when one is already korei v'shoneh, one is already in Talmud, one learns already, one is already nosei v'notein from one's own understanding.

Speaker 1: That could be, but the Rambam presents it this way. I understand why, because that's how it should be. The Rambam presents it more as there being keter Talmud Torah properly.

Halacha 1: We Only Teach Torah to a Worthy Student

Speaker 1: Okay, we're going to see the Rambam Halacha 1.

"Ein melamdin et haTorah ela l'talmid hagnun." We only teach Talmud Torah to a hagnun, meaning a refined, noble person. He brings two options: "**O na'eh b'ma'asav**," a person who has beautiful deeds, a ba'al ma'asim, a person who conducts himself with good deeds, "**O l'tam**," a person who is innocent, even if he doesn't yet have good deeds, but he has good intentions.

Discussion: What Does "Tam" Mean?

Speaker 2: A tam means what? Like the tam of the Haggadah?

Speaker 1: I understand from the context here, that a tam means not necessarily that he's not yet a ba'al ma'asim, but not a bad person, a tam is a simple person.

Speaker 2: Perhaps a tam means like he doesn't yet have a chazakah. Na'eh b'ma'asav means like he's already a mu'ad, a mu'ad to do good things, and a tam is he hasn't yet pushed three times, and he doesn't yet know, hasn't done bad, he doesn't have a bad record.

The Distinction Between Teachers of Children and Beit Midrash

Speaker 1: So gentlemen, if you're not refined, close this video and start explaining the Mishnayot in the Matnitin. Our video is in the category of teachers of children. Teachers of

children must also teach the entire Written Torah, as it is written. And this is the next level, this is for a different school, apparently. Because as I say, apparently the mitzvah of teachers of children doesn't say "only" one teacher. Teachers of children must teach everyone, he's just a regular child.

Machzirim Oto L'Mutav

I mean the next, now it will become clear. What does the Rambam say? If he's not a good student, what should one do? Should one throw him out? God forbid. "**Aval manicho v'holech b'derech lo tovah**." Ah, but the student is poor.

Speaker 2: Ah, yes, but very good, but he says we don't accept him in. I agree, we don't accept him in.

Speaker 1: No, but I'm saying, the Rosh Yeshiva can't turn around and say it has nothing to do with me. The work when the Rosh Yeshiva has come to you, is your problem. If he's not yet worthy to learn, you should first learn with him a bit of mussar, you should first guide him.

Speaker 2: Okay, you're saying something good. But you understand that with the Mishnah's child coming to me, you read that with the teachers of children there isn't even that. There's no boy who is holech b'derech lo tovah. No boy. No boy. For a child, first yes. Here we're talking, with a child it says one should hit him, give a slap. One works with him, as one works with children. But also, also at the level of Torah for children there is this heter. The level here is that if someone is holech b'derech lo tovah, essentially he knows that he shouldn't learn. But you're saying very well, one must make it so there are other classes, there's no excuse to say I won't teach you. But in general, this is a level that is already a level... But you're right.

Discussion: What Does "Holech B'Derech Lo Tovah" Mean?

Speaker 1: Could be, aha, when we're speaking here of a high level of learning, don't learn with him further if he's not an adam hagnun. What does adam hagnun mean? Someone who already knows what a person must do, he knows the chovat ha'adam, he knows all the mitzvot, and he doesn't do it. Ah, then. But a person who is just like that, he doesn't know, learn with him, learn with him kol haTorah kulah. He is in the category of tam. He is in the category of tam, he says so, yes. He must already know something to be able to be holech b'derech lo tovah, he's not a baby who knows nothing.

The Process of Being Machzir L'Mutav

Speaker 1: Okay. "**Aval manicho v'holech b'derech lo tovah hu, u'machzirim oto l'mutav**." The rabbi should first be machzir him l'mutav. Apparently the rabbi, no? What we're saying is it's a different department, there's an organization for ba'alei teshuvah. But one must also look, understand, because according to the work of the rabbi, as we learned in the previous chapter, that he must learn Torah kol yamav v'chol shnotav, one can make it so that machzir l'mutav also means through learning. That one should learn with him the part of Torah that they will listen to, one should learn with him Sefer HaMada. Yes, apparently Sefer HaMada one should indeed learn with everyone, because it's not lomdut, these are the foundations of the faith, one should learn this with the halacha. An entire Rambam one learns with everyone. This speaks of the level of the yeshiva.

It's hard to know, all these halachot in general, an entire Rambam, we've already spoken that one can pasken from the Rambam, what are the rules in a certain sense. Practically one

must try to use common sense, that someone should learn with him what will return him to good, he should begin to go on the good path. "**Manichin oto b'derech hash'arah,**" we show him the path of estimation, "**u'vodkin oto,**" we check him out, did the work with him actually help, his act of doing teshuvah. "**Achar kach machnisin oto l'beit hamidrash u'melamdin oto.**" Only afterwards do we take him into the beit midrash and teach him.

Beit Midrash as an Elite Institution

Speaker 2: Yes, so the beit midrash is an elite institution, it's not for everyone, it's a different level, like people are already worthy of its crown of Torah. Or there one goes to be worthy, I don't know exactly which level, but it's not for everyone, it's not open to everyone. One of the conditions is one must have good deeds. Understandably, could be that one must have talents and such, that's perhaps obvious, the Rambam doesn't need to write that. Like Rav Chaim about a chazzan, right? First he must be able to learn, we're not talking about that. We're talking that even if he can already learn...

Comparison to the Four Sons of the Haggadah

Speaker 1: So different from the Haggadah where we teach all four, chacham, tam, rasha, she'eino yodei'a lish'ol, here we only teach the chacham and the tam. Because the Haggadah doesn't teach the rasha, we yell at him. Perhaps that is machzir oto l'mutav, that's still part of it, we do try to educate him that he should do teshuvah.

The Statement of Chazal: Like Throwing a Stone to Mercury

Speaker 1: "**Achar kach machnisin oto l'beit hamidrash u'melamdin oto.**" He brings on this the statement of the Sages. It's interesting that in all these chapters he keeps bringing a statement of Chazal, it's not truly his way in all halachot to do this, right? But here in these halachot he must bring statements of Chazal. This is the halacha, this is the halacha. No, he brings a verse, a midrash, a statement on this. "**Amru chachamim,**" how does it say? So the Sages said, "**Kol hashaneh l'talmid she'eino hagun.**" Perhaps he wants to bring a verse, in order to show, he brings that it's a halacha. "**K'ilu zorek even l'markulis,**" that it's a defect in the matter of idolatry.

Discussion: Why Specifically "Zorek Even L'Markulis"?

On one hand, why does he bring specifically this thing of even l'markulis? I mean that, and one catches him back over the pearl. The simple meaning is this, when a person thinks he's doing a good thing, he's doing the opposite here. Yes, he thinks he's honoring the idolatry by throwing at it. The same thing, he thinks, he has here a talmid she'eino hagun, he says, let's push Torah into him. It won't work, on the contrary, he'll use the Torah in bad ways. It's the same thing, you think you're doing a good thing, you're doing a bad thing. Like someone throws back a stone at a pearl, he thinks he's shaming the pearl.

Speaker 2: But perhaps because this is in a verse? He brings a verse?

Speaker 1: But why do we expound in the verse at all this way? "**Kitzror even b'margeimah,**" like a... it says how the translation is. Like someone throws a stone with a stone shooter, a "sling" he says, "**ken notein lichsil kavod.**" So here stands simple pshat, simple pshat in the verse, for the pshat lovers, the simple pshat means that when one gives honor to a fool, one does great damage, because he will

afterwards take that honor and use... ah, that's the point, because if he's a talmid she'eino hagun, but you say, you know what, let's place him among the rabbis and give him honor, so he'll become good. On the contrary, he'll use the honor for bad, he'll become more crooked.

Speaker 2: But you're turning it, one honor is the Torah. Kavod doesn't just mean honor. How we teach him Torah, as it says "**Kavod chachamim yinchalu.**" It's a good thing, on the contrary, he'll use the honor and he'll "abuse" it, he'll be a rasha naval birshut haTorah he'll be.

Speaker 1: No, good. No, the zorek even b'margeimah fits. You think you're doing a good thing, you think this will be machzir him in teshuvah? No, first one must learn with him what it means to learn with him. No, he'll even use the Torah for bad.

Discussion: Rabbi Meir Shapiro's Approach

Speaker 2: One hundred percent, nu? So the question is whether... You know, Rabbi Meir Shapiro said that a rabbi's grandson he always accepts into the yeshiva, even if he can't pass the test, because he'll be a rabbi anyway, let him at least know how to learn a bit. But you're saying that it's the opposite, otherwise he shouldn't know how to learn, because it can make him worse.

Speaker 1: But that's also, the story doesn't go from any eino hagun. True, true. Just, one doesn't hold from learning. Okay, that's right. But one can sometimes think in such cases of people who should become better and they're not selling anyone truth. Yes, yes.

The Rabbi Who Doesn't Walk in a Good Path

Speaker 1: The Rambam says further, "**V'chen harav she'eino holech b'derech tovah, af al pi shehu chacham gadol v'chol ha'am tzrichin lo, ein mitlamdim mimenu ad sheyachzor l'mutav.**"

But what happens if the student is not holech b'derech tovah? We take care of him. But what does one do when the one who is machzir in teshuvah himself is a rasha? "**Harav she'eino holech b'derech tovah, af al pi shehu chacham gadol v'chol ha'am tzrichin lo**" – no, he's a tremendous sage, he understands better than anyone, but he's no good. "**Ein mitlamdim mimenu ad sheyachzor l'mutav**" – until he does teshuvah.

Oy, now, you can't be machzir him l'mutav, because there are no rabbis who should be machzir him l'mutav, he'll have to do it himself. Oy, he's alone? Ah, "yachzor l'mutav."

The Verse: "Ki Malach Hashem Tzeva'ot Hu"

Speaker 1: **Sheneh'emar,** as it says, sheneh'emar, "**Ki siftei kohen yishmeru da'at.**" This is the source of the pshat that the Rambam mentioned earlier, yes? Ah, apparently, because he's not... How did he begin to learn? No, he's "eino holech b'derech tovah." He means he continues to learn. He says, "kol ha'am tzrichin lo." He means he continues to give classes, but he does sins on the side. He uses the kardom, the Torah kardom, lachpor bah. He does sins.

Don't we know of such an obvious thing? We all know of such a reality. "But, he has great authority, great Torah." Ah, it's not the simple meaning of Torah, but that's how it's become. He gives very beautiful classes, about this it says "kol ha'am tzrichin lo," no one gives such good classes as him. But he's a rasha, he's a ba'al machloket, and such things. Oy, good.

"Ein mitlamdim mimenu ad sheyachzor l'mutav," until he returns to the good path. **Sheneh'emar, "Ki siftei kohen yishmeru da'at, v'Torah yevakshu mipihu."** The mouth of the kohen – here we don't mean the kohen of keter kehunah, we mean here presumably kohen means a servant of Hashem, I know. Also originally this was the job of the kohanim. **"V'Torah yevakshu mipihu,"** one should learn Torah from him. **"Ki malach Hashem Tzeva'ot hu,"** because he's very holy, he's an angel who does the will of Hashem. "Yevakshu" – one asks, right? "Yevakshu" perhaps means in the language of student, one comes to learn from him, one comes to ask. Doresh u'mevakesh, yes, one comes to learn Torah from him. Why? **"Ki malach Hashem Tzeva'ot hu,"** because he's a tzaddik.

The Statement of Chazal: "Im Domeh HaRav L'Malach Hashem Tzeva'ot"

We see here, **amru chachamim, "Im domeh harav l'malach Hashem Tzeva'ot hu,"** what is this? That he does the will of Hashem.

You see, the Rambam puts in here and makes the statement into a statement that I understand very simply. **"Im domeh l'malach Hashem Tzeva'ot hu"** means that he does the will of Hashem. What does an angel do? An angel does the will of Hashem, he does his mission. If the Jew does his mission,

Rambam Hilchot Talmud Torah Chapter 4 – Halacha 1 (Continued): The Rabbi Must Be "Domeh L'Malach Hashem"

What Does "Domeh L'Malach Hashem" Mean

"V'im lav, al yevakshu Torah mipihu." One like the other, there's no middle way. Meaning a way that the rabbi must be domeh l'malach Hashem, to what? I know what he means, must he fly in heaven? No, it means that he does what an angel does. What does an angel do? An angel does the mission of the Omnipresent. He also does the mission of the Omnipresent. He's not corrupt, he doesn't use his ways badly.

The Heter of Rabbi Meir – Tocho Achal Klipato Zarak

The Gemara says, in order, on this halacha there is a heter from Rabbi Meir, that if one is an adam gadol and one can do tocho achal klipato zarak. But for most people there isn't this heter. The Gemara brings the Gemara in the sugya, says the Tosafot, ah, the sugya with the story with Acher. Yes.

Okay. One must also know this, because later one thinks here that a rabbi one must judge favorably. No, one may not be like Acher the rabbi. Okay. We're speaking here in a manner that is very obvious when one cannot judge him favorably. Okay.

So, until here is who is the student and who is the rabbi. Ah, so it's already even in my head.

Halacha 2 – The Order of the Yeshiva: How One Sits

The Order When One Comes to the Yeshiva

And afterwards we're going to learn how the order works, when one comes, this is the gate of the yeshiva, one is accepted in. Now, how does it look from the inside?

So, it could be that here one sees some such authority higher than the Rosh Yeshiva, like there is like the president of the institution who is the rabbi. Even if the head of the institution is no good, he must be the rabbi.

The Rosh Yeshiva and the Mashgiach – Two Different Roles

Why does he want to be machzir him l'mutav? Because it says exactly chozer, he goes himself, sheyachzor himself. No, because also in the beginning, who is the... I thought, the rabbi is the one who is machzir people l'mutav, maniach people is not necessarily the same melamed, because he learns Gemara Tosafot with the people. Now he's going to also have to start guiding people, and saying mussar to people, which is a different position.

Okay, one must... again, this is a practical question. And the halacha was said originally in a manner, which was practical for them. If it's different today, if it's the reality, one must know.

I say this, just kena, for this with the yeshiva, there's more a Rosh Yeshiva and the mashgiach. Rabbi, it must there is a system for this. One tries, those who are good people try to use the system for good, and those who aren't, the system doesn't help.

No, I say, why? Because the yeshiva needs to be learning, he is the one who teaches and learns with the community, and he cannot be free, he will lose his keter shel Torah (crown of Torah). He may not give away time for his own livelihood, and now he has to give away time for everyone's derech tovah (good path). What comes to him? Okay, whatever, that I know. I'm telling you, you know.

Again, this wanted to be emphasized, one doesn't expect that it came out that the whole piece of Torah, or?

The Students Sit in a Tura – A Half Ring

Before the students, they made for him a tura. The students make a tura around him, they sit in front of him around, and they sit in rings around him. A half ring, yes. **Kedei sheyuklu omrim veshorei veshomei devarav,** so that everyone can see him and hear him.

There is here a halacha that it's important to see him. It should be like a circle. It's that l'ikuva if you're far and the bottom one can't see, it's a problem, l'chora. A gamuna learning yes, that it's like him far. Okay. There is here the first ones can see him better, but regemim, everyone should be able to somewhat see and hear him.

The Rebbe Should Not Sit Higher Than the Students

Velo yeshev, vera'ah ve'al kitro b'talmidim, velo karka, it shouldn't be that the rebbe should sit on a bench, and he is on the floor. Why? He has oy haklal ha'aretz, oy haklal on the hasadot, they should all sit on benches, or they should all sit on the ground. Very important.

The kalb you could have thought that it's an inyan of kavod haTorah that the rebbe should sit on a bench. It's an inyan that stands in the Gemara, **"Lo yilmod harav keshehu yoshev al gabei mitah vetalmidav al gabei karka, ela o hu omed vehem omdim, o hu yoshev vehem yoshvim."** It's against an explicit halacha in the Rambam.

But he learns, it's not relevant to him what it says in the Gemara. Okay, we can say practically, I want to be able to see, I don't know.

Connection to Derech Ha'emtzai in Kavod

Earlier we also learned, the Rambam says that a talmid chacham must maintain his kavod, but only with a derech ha'emtzai, he may not be too much of a baal ga'avah. So he sits

b'rosh, it's a certain kavod. He is the rebbe, and we need to be able to hear from him. Also, he sits b'rosh, but not on a higher level, because that is already too much ga'avah. He says.

Historical Development – From Standing to Sitting

But Rishonim, once it was yes the custom that **"haya harav yoshev vetalmidav omdim."** Not that on the same level, they were standing. But **"mikodem churban bayit sheni,"** already from before that, not from that period, still from before that period, like before the beginning of the period, **"haya kol echad lomed letalmidav keshehen yoshvin,"** that everyone should sit and learn.

It shows that even the rebbe, the students used to stand, and it used to be that the rebbe sits and students stand, but it became that everyone sits. It's like they used to do standing, and they held that this is the kavod haTorah, like by kria haTorah one should stand. There are those who say yes. But it's hard, it's easier to sit and learn. It used to be called an amidah, afterwards they changed the name to a yeshiva. Okay.

Halacha 3 – The Meturgeman / Chozer

Two Ways of Learning – Directly or Through a Meturgeman

The Rambam says further, **"im haya harav melamed bifnei hatalmidim,"** there are two ways of learning. Either that the rosh yeshiva himself is the maggid shiur, the rosh yeshiva has a good lashon limudim and he says, or it's like Moshe and Aharon, yes, Moshe was the rebbe and Aharon was the mult, the peh, the mult.

"Ve'im haya melamed al yedei meturgeman," there is someone who says over the shiur, someone who is the chozer, in Chabad what's called a chozer, yes. **"Hameturgeman omed bein harav uvein hatalmidim,"** so the meturgeman is the one who stands between the rebbe and the students, harav above with the meturgam, and the meturgam omer letalmidim.

I think that it can also be that the rebbe can't speak so loud, once there wasn't any microphone, he had to simply shout. So the meturgam... precisely this sitting in rings also helps for this, because it says they are closer when you don't have the rings, so you sit more in a straight line. By a shiur once there is such a... a shiur mixed not once such a chas? A chas, yes.

The Meturgeman May Not Answer Questions Himself

It says if you know that the rebbe should be such a zaken, he says, zaken vechacham one doesn't need to have anymore. Here, another thing, when he asks, normally one asks questions, yes? He says, that if there is a meturgam, the meturgam should not answer himself. Right. You see here what this is the word. He should not think that he knows and he is the manhig, rather **"vehu sho'el larav, veharav meshiv lameturgam, vehameturgam meshiv lasho'el."**

And this takes much longer with this. And this is indeed an inyan of kavod, that the rebbe should not answer directly to the questioner, but if it goes through a meturgam, it should always go through a meturgam. I don't know. It's the seder, once the seder that you need a meturgam makes it so. Yes.

Voice Rules – How Loud One Speaks

"Velo yagbiah harav kolo yoter min hameturgam, velo yagbiah hameturgam kolo b'eit shesho'el larav yoter mikol harav."

So the rebbe should not speak higher, because the job of the meturgam is to speak higher. The kavod of the chacham is that he doesn't strain himself, so it looks. And the same opposite, he should not shout when he speaks. When he speaks to the olam, he speaks yes higher than the rav, but when he speaks to the rebbe, he should not shout higher at him, he should speak quieter than...

All these things are gemarot that one learns it out from places. Yes, for everything there are indeed pesukim, I remember. From Moshe Rabbeinu who learned with the Jews. From Moshe Rabbeinu with the Aibishter and Moshe Rabbeinu with the Jews, yes.

The Meturgeman is a Practical Advice

It's not such a bad custom that one should find a meturgeman. And sometimes, today there are already mics with other advices, but sometimes you have an old rebbe who says a shiur, and the rebbe says Torah by the tish, no one understands, you need a meturgeman. There are rebbes who have. Turgeman.

One sees here other things, that one shouldn't... There is many times a painful thing that one throws out a melamed because he is already a bit old. Many times I don't understand it, says no choice. Sometimes the cheder. Yes, many times don't understand it, says no choice. But here we see a certain mahalach, he is already old. Take a meturgam, take a helper. Here I'm speaking in yeshiva, not the cheder.

The Meturgeman May Not Change

The rebbe says further, **one meturgam is already lo livchot velo le'oto velo leshanot.** The meturgam, here he calls him turgemen, the same person, yes, but the meturgam doesn't have the right to change. It's the same thing as he may not answer himself.

It's very natural, that the meturgam begins to look at himself like he is the rebbe. Yes, he has the mic. But you have a whole side to remember, you are only the meturgam. You are only the baal drashi Award. He is a mic. You let he has the mic, and he is a mic.

A Maggid is Not the Same as a Gadol B'Torah

It's very important to think, you there is a person is a good maggid, you're not a gadol b'Torah, you're a maggid, you're a b'targum with the targum, you can say what it says, or you can say what the chachmei haTorah say. It doesn't mean that he may not be a better mesbir be clear and the better nusach, one may not add one's own ke'ilu, because he doesn't have his own da'at Torah, his own opinion doesn't mean the same chashuv as the rebbes.

He is not rashai lo livchot velo lehosif velo leshanot, ilu have no rebbe targum'en aviv shel chacham oyf rabo, because then the rebbe is also mutzvo and kibud av... no he should be able better indeed, he is his father or his rebbe. No then he is not with turgamin that he sees himself in the CCP. He is your turgamin is a job! Again, he has the great voice, he can be a good mesbir, otherwise the cursor wouldn't have been that chacham vedir and would have become his meturgaman. Yes.

The Ra'avad's Hasaga – Av Uvno or Rabo Vetalmido

You ask a practical kash how this happened. It happened! Ah, ah, ah, you have me alech been to the Ra'avad's hasaga. The holy Ra'avad... I know me alech here doesn't have no Ra'avad.

And the holy Ra'avad has me alech said the hasaga. **Amar Avraham, here what is the mikori chidush hiyu. How, Rav Shmi turgamin veharav Shila.**

It happens! It's not no that all things. Once, mikori chidush, he means l'chora that it was exactly once. The holy Ra'avad already makes the mahalach. That it once happened, there was a meturgeman for Rav Shila.

He says indeed that b'derech klal you can believe that the meturgeman is a weaker talmid chacham than the rebbe. But an av uvno, it happens sometimes that a father loves his child so much and he sees so strongly his ma'alah, or a rebbe loves his student so much, that although he is himself a chashuv talmid chacham, he lets him be...

This is the word. The meturgeman won't say himself, because we have a chazaka that you are that one's meturgeman he will be a weaker talmid chacham, because he is indeed a weaker talmid chacham. Except an av uvno or rabo, there is such a metziut that an av uvno or rabo should be so strong.

Rambam Hilchot Talmud Torah Perek 4 – Laws of Meturgeman, Rebbe and Student, and Question and Answer

Halacha 1 (Continued) – Meturgeman: Av Uvno, Rav Vetalmido

He says indeed that b'derech klal you can believe that the meturgeman is a weaker talmid chacham than the rebbe. But av uvno, rabo vetalmido, it happens sometimes that a father loves his child so much and he sees so strongly his ma'alah, or a rebbe loves his student so much, that although he is himself a chashuv talmid chacham, he lets him be... This is the word. The meturgeman should not say himself, because we have a chazaka that you are that one's meturgeman because you are indeed a weaker talmid chacham. But av uvno, rabo vetalmido, there is such a metziut that av uvno, rabo vetalmido, should be a meturgeman for someone who is b'dargato.

Yes. In any case, here one can perhaps answer on the Ra'avad's kushya that the Ra'avad means to say that it's not a proof, it was only once, a yotzei min haklal. Okay. In any case, it makes sense the Ra'avad's thing, it's not hard to understand. Okay.

The Meturgeman Says the Rebbe's Name Explicitly

Another thing, another halacha for the meturgemanim. Yes. You learned it, what should be the meturgeman. **Amar Rav, the meturgeman...** The Rema in Hilchot Talmud Torah says that today the whole laws of meturgeman are not common, so he is not lengthy in this. It ended. Today... It can be, every thing ended. Yes.

It says further, one has a meturgeman, a rav shlamed, he says, what happens with a... **Amar Rav**, you skipped the thing. **Amar Rav, hameturgeman, kach amar li rebbi, o kach amar li aba mori.** The rav, in his shiur, he learns from his rebbe, so is the seder. **So keshe'omer hameturgeman hadevarim la'am, he should remember the kavod of the rebbe, and he should say b'shem hachacham, he should say the rebbe told me b'shem his rebbe, and there he mentions the name of the rebbe. Ve'omer kach, kach amar rabbeinu ploni rabbeinu ba'al hashiur, even shelo yizkor hachacham shemo, she'ein lo lehazkhir shem rabo ela bishmo.** Ah, even the chacham may not say rabo bishmo, he should say avi mori or mori verabi, because he may not say the rebbe's name. But the meturgeman doesn't say over avi mori, because it's not his

rebbe, should he yes say clearly? This is presumably a din in clarity, kedei the olam should know clearly from whom he says over. But b'shem omro. The Gemara comes out that it's more consistent with the halacha of an amora not saying the rebbe father's name, but the meturgeman may yes.

He says the correct translation. He is not medayek, how? He is not medayek, he is not a machnia'dige medayek, he is a human medayek. One tells him so, so makes sense. Therefore one must also know who is the ba'al habayit, ploni vechdomeh.

Halacha 2 – The Rebbe Should Not Be Angry When Students Don't Understand

And now we're going to learn certain things that make sense.

How does one learn? **Harav shlamed velo hevinu hatalmidim**, the rebbe taught but the students don't understand, **lo yich'as aleihem veyirgaz**, he should not become angry at them. **Ela chozer veshaneh hadavar afilu kamah pe'amim**, he should say it over again and again, **ad sheyavinu omek hahalacha**, until they will understand the depth of the matter. Then he should not become angry.

The Student Should Not Say "I Understood" When He Hasn't Understood

Vechen lo yomar hatalmid hevanti, this is a command on the rebbe. Also there is a command on the student. The student, he feels bad that he doesn't understand, he should not say "hevanti" if he hasn't understood. **Ela**, it's a mitzvah on him, and this is l'chora not a din in midrash but a din in Torah, **ela chozer vesho'el afilu kamah pe'amim**, he should ask over and over again.

Ve'im ka'as alav rabo veragaz, if the rebbe does get angry at him, l'chora this will cause that he won't want to ask over again. The Rambam says an advice, **yomar lo**, he should say, **"rebbi, Torah hi velilmod ani tzarich, veda'ati ketzara"**, he should speak pleadingly, "Rebbe, I love the Torah very much and I want to understand it, and I have a short da'at, my da'at doesn't understand better."

No, this is because sometimes the student thinks that it's not derech erez to say over so many times. It's a chutzpah to say. The Rambam says, everything one can find a refined way to say, it's not derech erez to say.

This is Like a "Deal" Between Rebbe and Student

But here one sees that it's like a tevi'ah. That means, the rebbe who learns before the students, the tna'i, the deal that they both make is that he has provided that they will understand. And they both must be responsible for this. That means, like a masa umatan b'mamonah, he must not get angry when they don't understand, he should say it over twice. This is his job, say it twice.

The same thing the student, he should ask over if he hasn't understood. L'chora the sevara why the rebbe will become angry, he will become frustrated, because he thinks that he doesn't say it well enough, he is angry like at himself. Once the student tells him, da'atcha tzrufa, you say well, I don't understand well, take upon yourself the blame, and the rebbe will get the patience to say it over.

The Student Should Not Be Embarrassed Before Friends

Now, another detail in this, **"velo yehi hatalmid bush mechaverav"**. He should not be embarrassed when he sits with other friends, **and his friends learned it b'fa'am rishona o b'fa'am shniya**, they understood it, **vehu lo**

lamad ela le'achar kamah pe'amim, he only caught on after saying it many times. The Rambam says, if he will be embarrassed, **"nimtza nichnas veyotzei leveit hamidrash vehu einu lomed klum"**, he will be embarrassed and he will come and go from the beit midrash and he will learn nothing.

But l'chora there is indeed also a din in this that it's a bit at the expense of the time of the others. A person would think, how may I be mevateil them from Torah? They understand already, and they're going now understanding. Yes, well, let them hear again, it won't hurt, they'll review, nothing happened. Yes, that's so. Let them ask again. A person can think that it's not a good middah, it's at the other's expense. And what is the middah? That he should come to class and waste the time. He can hear, but there are here a hundred students, and because you're a weak head he has to say it again.

Okay, perhaps one, perhaps one. You're speaking of a case where the rebbe is rushed, but the rebbe doesn't have a thousand students, he has a rebbe of ten students. What's the question? Everything is on understanding.

Rambam Hilchos Talmud Torah Chapter 4 - The Order of Questions and Answers Between Teacher and Student (Continued)

There is a concept of humility, there is a concept of humility. I don't know. The reality is that usually, almost without exception, when students say it's very difficult, but generally, everyone knows that usually if there's one person who says "Rabbi, I didn't understand," there are approximately fifty percent of the class who didn't understand. But they're all embarrassed, and there's always one humble person, usually someone who is more lowly in his own eyes and isn't embarrassed to say that he didn't understand. That's usually the secret. Many times that person isn't a fool, it can even be the smartest one, but usually it's because the topics truly aren't clear, and the rabbi didn't explain it well, or it needs to be said twice because it's complicated. That's usually the reality.

"The bashful cannot learn, nor the impatient teach"

So, all these instructions are against what the common practice is, because people don't ask enough sometimes. Usually, if we're holding by the second time to repeat it, if one person asks again, he's wasting everyone's time. And the same applies, that person should just do it alone. Says the Rambam, **"Therefore the early Sages said,"** what the Sages of the Mishnah said in Avos, **"the bashful cannot learn,"** someone who is bashful and will be embarrassed to ask again, he couldn't learn, he didn't arrive at Torah. **"Nor the impatient teach,"** someone who is impatient and gets angry quickly if someone asks him again, he couldn't be a good teacher.

When the rabbi should indeed be angry: those who are negligent

Says the Rambam further, **"When does this apply? When the students didn't understand the matters due to their depth,"** this speaks of when the reason why the students didn't understand is because the subject is a deep subject, **"or because their minds are limited,"** or because they understand, they're not such sharp minds. **"But if it's apparent to the rabbi that they are negligent in matters of Torah,"** simply they're lazy, they don't exert themselves, **"and are lax about them,"** they're weak,

"therefore they don't understand," that's the reason why they don't understand, because they didn't exert themselves enough, then he shouldn't be so patient and repeat it again and again, because it won't help, **"rather he is obligated to be angry with them,"** then he is obligated to be angry at them, that is, he must show anger, he must act angry, not that he must act with rage, as you said before, but one must truly be in anger, he should show his anger, **"and shame them with words,"** he should embarrass them with sharp words, **"in order to sharpen them,"** so they should sharpen themselves. **"And thus it says,"** on this the Sages say there in the Mishnah, **"cast bitterness upon the students,"** use sharpness with your students.

Yes, so the Rambam makes such a beautiful distinction, what it says here, this speaks in such a manner, and what it says there, this speaks in such a manner, and he makes such a clear order so we should understand what's going on.

Halacha 3 - The rabbi should not conduct himself with levity

"Therefore," also because there is such a concept that sometimes one must use strictness, the rabbi must maintain a certain... because on the other hand there's always the concern of becoming lax, there truly are times when he doesn't understand because it's too deep, and so forth. But always, the thing is, people don't take it seriously enough, there's also a difficulty, and he must always cause his students to take seriously enough what the rabbi says.

Therefore, **"the rabbi should not conduct himself with levity before his students,"** it's not proper for the rabbi to conduct himself with levity. Levity doesn't necessarily mean a bad thing, more like a jester, he shouldn't be a joke-teller, he shouldn't be on the level of the students. **"Nor laugh before them,"** he shouldn't play with them, **"nor eat and drink with them,"** not eat with them. Laugh in front of them. No, play, laugh, what does that mean? He shouldn't laugh with them, he shouldn't joke with them, he shouldn't be too close with them. There must perhaps be a certain gap between him and them, in order, it says, **"so they will fear him,"** so the students should have a bit of fear of him. Because if they have fear of him, they'll be able to learn faster, such that when they're reluctant they can be threatened.

"Cast fear upon the students" - broader than just yelling

I think it's not just that. When you have fear of someone you take seriously, you'll get more out of him. It's not just about yelling at him. I mean, this is a broader thing than the yelling. Yelling is when it's needed, we're already holding by an emergency, you have to yell at him. But in the general manner, "cast fear upon the students" means there must be a certain seriousness. The seriousness also helps with learning.

And people don't grasp, when there are rabbis who conduct themselves with distance. There's a dispute among rabbis how one conducts oneself, character traits. But a rabbi who conducts himself with distance from his students is for their benefit, this helps them to learn better from him.

Discussion: Chassidic tisches

Today's Chassidic rebbes eat once with their students, I don't know. We do conduct tisch. Perhaps that doesn't mean conversing, because he sits on a stage then.

Halacha 4 - Laws of questions and answers: how one asks the rabbi

Okay, now we're going to learn laws of questions and answers. We learned earlier that there are disqualifications for asking the rav. He says, today it's not like before. One should ask in a manner of honor to the rav. Not just in a manner of honor, but in a manner that's beneficial to him. It's interesting, today there isn't this whole institution. One asks, one asks the meturgeman, he asks the questions. By the way, except by Rabbi Dovid Landau, when he makes his gathering on Chol HaMoed. I see that it's hard to translate the story, the laws. It used to be like this, the rabbi sat, and people asked questions. There was a whole order. I thought so, the main way the Geonim learned with Jews was the responsa that they answered, right? That's what I think. Yes, he even, this was still before the reform was afterward.

One shouldn't bombard the rabbi with questions when he enters

Says the Rambam thus, "**One doesn't ask the rabbi when he enters the beis medrash until his mind settles on him, and the student doesn't ask immediately, rather he should wait a bit until the rabbi rests. And two students don't ask at once.**"

And he says thus, "**One doesn't ask the rabbi when he enters the beis medrash,**" because he knows everything, so one can immediately bombard him with questions. He's not a person, he has no derech eretz, one must give him a chance to come to himself, to calm down, and then one can ask him. As one said, "**the student shouldn't ask when he enters until he sits and rests,**" also the student shouldn't ask when he comes in to ask, he should first come to himself, so he can ask with composure. A wise man's question is half the answer, it's the way how he asks that makes a lot of difference, so he can ask clearly and well.

Rambam Hilchos Talmud Torah Chapter 4 - The Order of Questions and Answers Between Teacher and Student (Continued)

Halacha 3 (Continued) - The rabbi's permission to ask the students

Speaker 1: One must be in the subject where one is. Yes, says the Rambam further, one may not try to catch my rabbi. One thinks that the rabbi also may not ask the students except once. But the rabbi is different from the students. "**And the rabbi has permission to say to his students, let specifically this one ask.**" They ask tricky questions, "**with this question and this case that is before him.**" What does that mean? He says, "**Perhaps he will permit something that is not permitted in order to sharpen them, and they will know who remembers what his deeds are and who knows what his deeds are.**" The rabbi should specifically yes.

It's very interesting, the rabbi seeks to sharpen you. The job of the students is not to sharpen the rabbi, the job of the rabbi is yes to sharpen the students.

He says further, "**And likewise he has permission to ask them about another matter they are not engaged in.**" The rabbi has yes the permission, because he doesn't need to remember it, it's still the student's job to remember. Oh, the rabbi must also remember? Indeed so.

Innovation: why the student doesn't get embarrassed when the rabbi catches him

It's very interesting. I just want to say, that you embarrass, that you catch the rabbi at something not good, that's a wrong, you embarrass him. However when the rabbi catches the student, that doesn't embarrass him. Why doesn't the student get embarrassed? Because it's not a shame for a student, he's still a student, one doesn't expect from him.

I'll tell you, there will be such people who will ask me, "Last year you ruled...". You think I remember what I said last year? But on the other hand I hold that that person should indeed remember, because what does it mean, I teach you and you don't listen?

Answer: why the rabbi can't remember from other places

It's what I think, that one can say an answer thus. I saw from Rabbi Yosef Hutner, I think, he wrote about someone, that the older he gets, he feels it's harder for him to answer a subject he's not there. Because when one gets older, it's not just that one loses the sharpness that he can answer immediately, he puts himself more into the matter, it becomes more part of him.

It's, the rabbi, when he puts himself into something, he's truly there. The student, he hears the general, he can yes remember from other places. It's very interesting.

The two points: honor of the rabbi and quality of learning

It appears here, one mixes two things. One mixes the concept of honor of the rabbi, and the concept of what is more effective, how you get the better answers and how you get the clearer answers. Both, "who stands over the army," it's not a concept in the quality of the answer, it's a concept of the honor of the rabbi. One mixes both things.

One must have both things in mind, that you should get out the most from your question. So the way how everyone harassed Rabbi Chaim Kanievsky and threw questions, I don't hold that it was a proper thing. Okay, his was enough of a gadol and there was no connection to any embarrassment, but yes, it's a rule. Yes, everything has an exception.

Would yes, I also think that we're going to learn soon about honor of the rabbi. The honor also has to do with learning, because when one has honor the right way one learns better. So it can be that the two points of honor for the rabbi and how one goes better in learning are very connected. It's not so far one from the other.

The rabbi loves questions - but with a condition

It's interesting also, I personally, I very much like when people ask me questions, because I don't always know, but it makes me go I should look it up. Yes, that person may ask, but he should innovate, I mean to say, not ask trick questions. If that person has a question, that sharpens the rabbi. That sharpens the rabbi. Certainly, certainly.

He doesn't speak here of another matter. Now one learns tractate Bava Basra, the students ask questions, it has to do with the subject. But not, "Rabbi, do you remember what I am your... what do you remember was, I am your player, I am your trick, and see if the rabbi can answer?" There will be further.

Halacha 4 - One doesn't ask while standing, nor from high, nor from afar

Speaker 1: Says the Gemara further, "**One doesn't ask while standing**" - one doesn't ask a question standing. "**And one doesn't answer while standing**" - one doesn't answer a question standing. "**Nor from high**" - not when one stands

very high one from the other. One should be, as he said before, the rabbi with the student should be on the same level. **"Nor from afar"** - not from a distance. **"Nor from behind the elders"** - one gives a space so that the questioner shouldn't stand in back and ask, but come close and ask.

Discussion: honor or quality of learning?

Speaker 1: What is this? Is this a concept of honor or also a concept of quality of learning? Because it makes clear, go further, he shouts from the back, one can't hear clearly what he says. Perhaps this is a simple thing.

I want you to know, the order by rabbis is that the one who comes in to a rabbi must stand. The Gemara will say. But here it basically says that it's a concept of honor, but a person can't have composure. When you honor him to sit... That order is what was before the exile.

I don't know, today's rabbis, certain rabbis, are still of the level of still before all these enactments of the exile, before the sin. But in the Gemara that we've now learned, once it truly was so, the students stood and the rabbis sat, but today it's not so. Today, when one learns, again, if the rabbi learns from Gemara, the question already arises. I'm only speaking of the rabbis who learn something.

Halacha 4 (Continued) - And one only asks the rabbi about the matter

Speaker 1: **"And one only asks the rabbi about the matter."** One only asks in the matter that he is engaged in.

Speaker 2: You already said that.

Speaker 1: I know, it's the same thing. I don't know. Not clear.

Discussion: what does "about the matter" mean?

Speaker 2: What does "about the matter" mean?

Speaker 1: It's the thing.

Speaker 2: What does "about the matter" mean?

Speaker 1: "About the matter" means like one asks a specific thing, one doesn't ask generalities. One doesn't ask...

Speaker 2: No, soon we'll see about this.

Speaker 1: No, let's go see. I don't know. What does "about the matter" mean?

Speaker 2: Okay, I guess, let's go further.

Speaker 1: "About the matter" means the matter that one is engaged in.

Halacha 4 (Continued) - And one only asks from fear

Speaker 1: **"And one only asks from fear."** One asks from fear of honor. Perhaps it's simply another saying of the Sages that he's joining together.

Halacha 4 (Continued) - And one shouldn't ask about the matter more than three laws

Speaker 1: **"And one shouldn't ask about the matter more than three laws."** Even when one asks from the matter that one is learning, one shouldn't ask more than three laws.

Discussion: what does "about the matter" mean in this context?

Speaker 2: It means in this matter. It can be the matter is even smaller than a tractate, as it said before. So in the chapter, in the subject that one is learning today.

Speaker 1: It can be that "asking about the matter" means like that you need to look it up. You can't come, "Rabbi, tell me what I have to do, how I must conduct myself on Shabbos." No, look it up beforehand, ask the specific law, and ask about the matter. Okay, I don't know. It can be it's... Okay, or the rabbi can give a shiur where he says everything for you, but...

Speaker 2: Right, it's like you say, that not everyone can trouble the sage that he should give the whole shiur for you. You must listen, and then you can ask what in the matter that he learned.

Speaker 1: But the question is, is it the same question that was discussed before, where the student says "I didn't understand," or is it a new question? The question is, does it simply mean that there's a "question and answer period," or are we speaking here thus? There was a time when the sage wasn't at the shiur, the sage came into the beis medrash, one shouldn't bombard him.

Speaker 2: Ah, so that's another thing. So an order how the questions work.

Speaker 1: But when one learns, one must ask a lot or more, it's not specifically the same laws. It must go with respect, the rabbi's time isn't free, it must go with an order. Okay.

Speaker 2: "And one shouldn't ask about the matter more than three laws." It's not more than three questions. Three laws at once. Okay. Sounds simple. I don't see... Okay.

Halacha 5 - Priority in questions: two ask

Speaker 1: Further, now we're going to ask about priority in asking, several people ask. **Two ask, one asks about the matter, one asks in the matter that we're now engaged in, and one asks not about the matter.**

Discussion: the concept of "matter" in different contexts

Speaker 2: It can be matter, I remember that they learned by thirty days before the festival, that sometimes one says that the matter of the day is called matter. It can be more, that erev Pesach, and the whole time is Pesach, is called asking about the matter. That generally what is now the topic is called matter, before Pesach that takes over the topic like.

Speaker 1: No, I remember that it says in certain commentators on that.

Speaker 2: Yes, yes, yes. We attend to the matter.

Speaker 1: No, good. We go... It's interesting, I think it's simple, I would have said that one shouldn't even ask him not about the matter. It appears that one must yes answer for everyone who asks. One must only answer the one who asked about the matter.

Halacha 5 (Continued) - Practical and not practical

Speaker 1: Practical and not practical, one asks a practical law and one asks something that's not relevant. **We attend to the practical,** one should first... one should conduct oneself, not look, but deal with the one who asks practically.

Halacha 5 (Continued) - Law and midrash

Speaker 1: Law and midrash, one asks a law and one asks a matter of aggadah, midrash, **we attend to the law.**

Discussion: what does "midrash" mean in this context?

Speaker 2: I think that midrash is simply the plain meaning in verses, what is relevant to aggadah?

Speaker 1: Ah, one derives it, very good. We attend to the law, first the law that one has to do, not from where one knows the law.

Halacha 5 (Continued) – Midrash and Aggadah

Speaker 1: But one asks **midrash and aggadah**, something that one...

Speaker 2: Ah, midrash means midrash halacha, the simple meaning from where one derives something.

Speaker 1: Ah, that's how it is. And a second one asks a matter of aggadah, **nizkakin l'midrash**.

Halacha 5 (Continued) – Aggadah and Kal Vachomer

Speaker 1: **Aggadah and kal vachomer**, one asks aggadah and one asks what, scholarly learning?

Speaker 2: A kal vachomer is a kal vachomer, literally.

Speaker 1: A kal vachomer means a logical argument, one of the...

Speaker 2: Not a midrash. One of the thirteen principles, no?

Speaker 1: Perhaps this is not the Rambam, perhaps other people. A kal vachomer, okay, let's say a question, he asks about the topic of a kal vachomer.

Speaker 2: I don't know, is a kal vachomer similar to the matter of midrash and aggadah, yes?

Speaker 1: No, midrash is when one derives from a verse. Thirteen principles, a kal vachomer is one of the thirteen principles through which one derives the Torah. But it seems that it's more important, it's more scholarly learning.

Innovation: Why Kal Vachomer is Higher than Aggadah

Speaker 2: A kal vachomer is a rational thing, it's more serious.

Speaker 1: It seems that one considers it more as scholarly learning, it's more complete.

Halacha 5 (Continued) – Kal Vachomer and Gezeirah Shavah

Speaker 1: **Also kal vachomer is gezeirah shavah**, also it is the same thing, not looking stringently.

Discussion: Why is Kal Vachomer Higher than Gezeirah Shavah?

Speaker 2: Further, how is a gezeirah shavah a logical argument of midrash stringently?

Speaker 1: Eh, I can understand, because kal vachomer, when you speak with the student, you sharpen his logical reasoning more than gezeirah shavah. Gezeirah shavah is a piece of information, but kal vachomer is a way of developing thought, because it's all logical arguments.

Speaker 2: Not clear, that's all the things that he brings you.

Halacha 5 (Continued) – Two Sages and Two Students Asking

Speaker 1: **Were there questioners, one sage and one student.** One is already a sage, and one is already a sage, and one is already...

Rambam Laws of Torah Study Chapter 4 – Order of Priority in Questions, Sanctity of the Study Hall

Halacha 3 (Continued) – Kal Vachomer and Gezeirah Shavah

Also kal vachomer and gezeirah shavah also, it's all looking at kal vachomer. Further, because gezeirah shavah is a type of

midrash stringently.

I can understand, because kal vachomer, when you speak with the student, you sharpen his logical reasoning. Maybe gezeirah shavah gezeirah shavah, because it's a piece of information. But kal vachomer is a way of sharpening thought, because it's all logical reasoning. It's not clear, that's all that he brings you.

Halacha 3 (Continued) – Order of Priority in Questions Before the Meturgeman

Were there questioners, one sage and one student?

One is already a sage and one is still a student of the sage. It comes to the sage, first one attends to the sage. But it's interesting – the sage already knows everything himself. **Both are sages** as one, the sage is no longer a student who already knows everything himself.

Halacha in the question, the student needs more urgently to come to the rabbi. Okay, it comes to the sage yes. Every sage was once a student, it could be that it's yes with honor. The sage comes more honor, student and sage – the student comes more honor than the am ha'aretz.

Two sages or two students or two amei ha'aretz, or both asked two halachot, or two questions, or two answers, or two cases, it's like such a meturgeman matters. Now the translator can say, here we're speaking if the translator is the one who answers. Or a Torah scholar, or certainly, a Torah scholar is certainly that he can answer.

Innovation: The Laws are for the Meturgeman, Not for the Rabbi

He means to tell you, that perhaps the translator doesn't need to go ask the sage. No, no, he must yes. He means to say, that he decides who is first, he decides whose question to pass on to the rabbi. Aha. The laws, in general, the laws are the laws for the meturgeman, because the rabbi himself can decide himself what he wants to do.

We're speaking here, one asks, one sends up notes for the rabbi, I don't know how it works. One asked the meturgeman questions, and the meturgeman must decide whose question he will now say at the lecture, he will ask the rabbi. He says that if both are the same, it's whatever he wants.

Halacha 4 – No Sleeping in the Study Hall / Sanctity of the Study Hall

So, the Rambam further, we learned earlier that one must be at night in the study hall learning. So, the Rambam has an interpretation that one may not sleep in the study hall, a little all learning. The study hall is the place where the rabbi teaches the students. Not exactly like the last both have seen the synagogue, one learns alone. Now we're speaking where the rabbi teaches the students. Right? The Rambam, **no sleeping in the study hall**, one may not sleep in the study hall.

Yes. "**Anyone who dozes in the study hall**", and dozing means already drowsing, even a weaker sleep.

Great Innovation: "Study Hall" Means During Study Time, Not the Building

The innovation is, study hall doesn't necessarily mean the building. I mean that study hall means, many times one sees "a study hall was made" means during study time. What we call a lecture is called in Chazal a study hall. It's not necessarily in the building. It's the time also, not with expounding, what one learns. The place is the time. During the learning. The study hall, when it says study hall, doesn't mean in the city, not sanctity in the sanctity of the place, rather it's a place

where Jews sit learning. In the time that he learns. Not only the place, in the time. At the lecture one doesn't sleep. That's the main point.

"Anyone who dozes in the study hall, even if he dozed in the study hall, his wisdom becomes torn to shreds." It's simple, he will tear, because he remembers half a piece here, half a piece there. It's very good. **"His wisdom becomes torn to shreds, the teaching says 'twelve princes'."** That the one who sleeps in the study hall, he will return to a torn garment.

The one who doesn't go to the study hall at all, he can turn around completely without a shirt. But even the one who thinks he's very tired, he goes to the study hall and he catches a nap, very good.

No Conversation in the Study Hall Except Words of Torah

"And no conversation in the study hall except words of Torah". One may not speak any other conversations in the study hall, only about words of Torah. So far he says, even **"one who sneezed"**, someone made a sneeze, and the usual order is, it's a matter of etiquette that one wishes him a healing, one tells him that your sneeze should be a healing, one doesn't say "healing" in the study hall. If such a thing one doesn't say, other things one certainly may not do. It's a strict law.

No, if the rabbi wants to throw in is one thing, but the other laws are when one doesn't want. When one doesn't want, one says "hello, hold him with treats, you can burst". We're speaking here a matter of honor for the rabbi, that this is a matter of... It's not honor, it's serious. That's how one should

learn. You remember we learned the Torah, there are barely a few seconds that one can learn, and in those seconds also answer the phone, also say healing? That's very difficult.

Sanctity of the Study Hall is More Stringent than Sanctity of the Synagogue

The Rambam, **"sanctity of the study hall"**, the sanctity of the place where one learns Torah, is even more stringent and even higher than the sanctity of the synagogue.

This means the time when one learns, during the session. There is no sanctity in any building. A synagogue perhaps has sanctity in the building, but a study hall, that is called "study hall", it doesn't say "study halls". There are no study halls. "Study hall" means during the lecture.

That's what I hold, but it's an innovation that I'm saying, perhaps people won't grasp this, but that's how the precision of the language usually seems to me. Because what does "no conversation in the study hall" mean? You may not say good morning after the lecture? It means to say during the study.

Answer to the Contradiction with the Shulchan Aruch

Yes, in the Shulchan Aruch in the Laws of Torah Study it says more here, one speaks about this, there's the Rema and that, it's a different thing. There it clearly says the opposite, that one does sleep yes, there the sages slept in the study hall in other places. But this means during the study, that's what I'm saying. It's no problem at all, in my opinion.

Conclusion

Okay, that's chapter... which chapter did we just learn? Chapter 4?