



Insights into Pirke Avot

by

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Rosh Yeshivat Ahavat Shalom

Perek Alef, Mishnah Alef (Part 2)

1:1 Moshe received the Torah from Sinai and passed it on to Yehoshua, and Yehoshua to the Elders, and the Elders to the Prophets, and the Prophets passed it on to the Men of the Great Assembly. They said three things. Be deliberate in judgment, and teach many students, and make a fence around the Torah.

Our Share in Torah

Every Jew has a share in the Torah received by Moshe at Mt. Sinai. As our Sages tell us, all of our souls were in fact present at that momentous occasion. “Moshe said to Israel, ‘those who are here with us standing today and those who are not here with us today’ (*Devarim* 29:14)... These are the souls [whose bodies] will be created in the future. Even though they were not [physically] present at the time [of the Giving of the Torah,] each and every one received his share” (*Shmot Rabbah* 28:6).¹

To this day, Torah scholars continue to uncover and develop the new insights and original explanations which are their own personal share in Hashem’s Torah, in keeping with the root of their soul. The Hidda refers to this concept in a prayer recited by Sephardic communities on Simhat Torah, asking Hashem to grant us the merit of understanding His Torah in depth and bringing to light all the new Torah thoughts which belong to the different levels of our soul, known as *nefesh*, *ruah*, and

¹ Converts who would convert in the future, like the great *Tannaim* Shemaya and Avtalyon, also have their portion, as we learn from the words ‘and those who are not here with us.’ (*Shavuot* 39a). Every Jew, converts included, has his own share in Torah, which is related to his particular soul and his particular self.



neshamah. These insights are ours; they belong to our soul alone, and only we can discover and reveal them.

Our Sages teach that the Torah has six hundred thousand letters, corresponding to the six hundred thousand souls of Israel. We find allusion to this in the word “Yisrael” (Israel), which is an acronym for *yesh shishim ribo otot laTorah* (there are six hundred thousand letters in the Torah). Every Jewish soul draws its share in Torah from its particular letter in the Torah (*Megaleh Amukot, Ofan 184*).

This *mishnah* teaches us that every word of our Torah, both Written and Oral, was received at Sinai. The Written and Oral Torah share the same status. The most contemporary applications of halachic principles have their source in the Torah received by Moshe at Sinai. As our Sages teach, “even the new insights an experienced student will recite to his teacher were already said to Moshe at Sinai” (*Vayikra Rabbah 22:1*).

After **Moshe received the Torah from Sinai** in its entirety, **he passed it on to Yehoshua**. Yehoshua and his generation understood what pertained to the people of their times, and they **passed it on to the Prophets**, who understood what was relevant to their era, and so on throughout the ages. The Torah, although given at Sinai thousands of years ago, is always new and always relevant. It is all-encompassing and meets the needs of every new decade and every new development.

We find this concept in the *Gemara*. When a Sage presented a novel insight, his colleagues would ask him its source; after all, earlier, greater generations of scholars had not hit upon this interpretation. The answer was, “My fathers left me room to distinguish myself” (*Hullin 7a et al*). Our forefathers did not “finish” the Torah, saying all there is to be said and accomplishing all there is to be achieved. There is plenty of room left in all generations to innovate and originate in Torah. A new idea cannot be waved away merely because if it were true, someone else would have already thought of it. Every generation has “room to distinguish itself.” Two noteworthy contemporary examples are the brilliant works of the Hazon Ish and Rabbi Hayyim Soloveitchik.

Our fathers have left us room to distinguish ourselves, so that every generation brings to light the approach and understanding relevant to them and their times. In fact, we may say that the approach to learning prevalent in today’s *yeshivot* is geared to contemporary intellectual needs. We live in an era where science and academia, and in fact every branch of secular knowledge, are highly developed and extremely sophisticated. If current Torah learning methodology were very simple and plain – little more than reading and memorizing for retention of information – gifted



students would not remain very long in *yeshivah*. We need the challenge and appeal of in-depth study, with its give and take, profound analytical reasoning and discussion, to attract us to Torah study and help us learn to love learning.

However, it is important to remember that innovative or original interpretations in the field of *halachah* are bound by a very distinct restriction: they must have a firm foundation in the teachings of our Sages. The Sages of the Talmud used their exhaustive knowledge of the Oral Tradition passed down from teacher to student over the centuries, going back to the *halachah* received by Moshe Rabbenu from the Mouth of the Al-mighty at Sinai, to derive practical halachic rulings. Their conclusions are binding and definitive, and any new explanations or applications must be in keeping with their words. It is forbidden for us to interpret *halachah* in a manner which deviates from the tradition we have received from the Sages.

In other fields of Torah, however, we have a somewhat freer hand; there is more room for original interpretation. We may originate and develop our own explanations on topics in ethics, *middot*, and the like based on new interpretations of the Torah's verses, providing that our new insights are based on the accepted principles and concepts taught by our Sages. For example, our Sages teach that humility is a valuable positive trait. We may explain verses in the Torah as related to the topic of humility, even if our Sages did not expound those verses in this manner. However, we may not take concepts or behaviors foreign to the teachings of our Sages and attempt to find reference to them in the sacred words of the Torah (see Introduction to the Ohr Hayyim's Commentary on the Torah).

Moshe's Torah

Moshe Rabbenu received the combined share in Torah of all Jews everywhere, forever, so that he could transmit it to later generations; in other words, Moshe knew the entire Torah. However, our Sages relate a puzzling incident concerning Moshe's knowledge of Torah.

"When Moshe went up to Heaven [to receive the Torah], He found the Holy One, blessed be He, tying crowns on the letters." These were the *taggin*, small "crowns" added to the top of certain letters as written in Torah scrolls.²

² The letters *shin*, *ayin*, *tet*, *nun*, *zayin*, *gimel* and *tzadi* (known by the acronym *shatnez gatz*) have three crowns on each letter. The letters *bet*, *daled*, *kuf*, *het*, *yud*, and *heh* (*bedek hayah*) have one crown on each letter. The remaining letters, *alef*, *vav*, *chaf*, *lamed*, *mem*, *samech*, *peh*, *resh*, and *taf* (*ochel mesaperet*), have no crowns.



“[Moshe] said before Him, ‘Master of the Universe, what obligated You?’” In other words, Moshe asked, what need was there for these tiny crowns? The *taggin* do not serve as letters, vowels, or punctuation, and they have no affect on the way the letters are read.

“[Hashem] said to him, ‘There is one person who will live several generations from now, and his name is Akiva ben Yosef. He will expound mounds upon mounds of *halachot* on every single tip on the letters.” Rabbi Akiva, who would be born many generations after Moshe, would derive three hundred and sixty-five original novellae in *halachah* and *aggadah* from every last stroke of the quill (*Otiot D’Rabbi Akiva, Ot Tzadi*).

“[Moshe] said before Him, ‘Show him to me.’

[Hashem] said, ‘Step back.’” He took Moshe forward in time to show him Rabbi Akiva teaching Torah to his many students. Much to Moshe’s anguish and pain, he did not understand the lecture! Devastated, he listened to teacher and students asking, answering, and discussing. When Rabbi Akiva’s students inquired about the source of a *halachah* he taught them, he replied that it was “a *halachah* given to Moshe at Sinai.” Moshe heard those words, “and his mind was put at ease” (*Menahot* 29b). Although he did not understand the lecture, he realized that he would still be an integral part of Torah study in generations to come, and that Torah learning would always find its way back to him.

How are we to understand this? Moshe knew the entire Torah! As we explained, he was the only man on earth who could ever have received and transmitted the entire Torah. How can we say that Moshe was at a loss during a Torah lecture, no matter who delivered it? How could Rabbi Akiva have expounded *halachot* which were unfamiliar to Moshe? Were those “mounds upon mounds of *halachot*” not a part of Moshe’s Torah?

The Arizal (see *Shaar Maamare Razal*, p. 11a) and the Ohr HaHayyim (Commentary on *Vayikra* 13:37) discuss this question. There is no doubt that Moshe received the entire Torah at Sinai, and passed it on to all coming generations. No Torah scholar, no matter how great, can ever know more than the Torah received by Moshe. However, they explain, while the Al-mighty did reveal to him all the myriad details of *halachah* and Torah knowledge which would come to light in the centuries to come, Moshe received them orally. It was not revealed to him how these *halachot* are derived from the Written Torah through the crowns on the letters, so to speak. Uncovering and expounding this information is the share of Torah scholars ever since.



However, in my humble opinion, this cannot be the only answer to the above question. Can we suggest that the sole focus of thousands of years of intensive toil in Torah by our nation's most brilliant and dedicated scholars has been to trace the source of the *halachot* to the *taggin*? While these allusions and hidden references are all contained in our Torah, discovering them is certainly not the main objective of our learning. In fact, we see that the Sages themselves used the principles handed down to them for deriving halachic rulings to develop new halachic interpretations.

We can gain new insight into this question by understanding something about the difference between the Written Torah and the Oral Torah as they were given to Moshe. Our Sages teach that the Written Torah is a concise body of general principles, while the Oral Torah is an enormous mass of detailed explanation of those principles. Hashem taught Moshe the Torah in general principles (*Tanhuma Noah 3, Ki Tisa 16*), and Moshe revealed and taught the Oral Torah in a very general way. The great Sages who taught Torah in subsequent generations uncovered those details of Moshe's Torah which pertained to their times.

Rabbi Tzadok HaCohen of Lublin writes that the spiritual root of the earliest Torah sages mentioned in the *Tanach* such as Moshe, Aharon, and the Prophet Shmuel, is the Written Torah. The spiritual root of the later Sages mentioned in the *Mishnah* and Talmud, among them Rabbi Akiva, is the Oral Torah. Study of the Written Torah is in keeping with the tradition received from Moshe, consisting of explanation of the Torah's verses and knowledge of halachic rulings. Study of the Oral Torah is in-depth learning and original exposition in the style of Rabbi Akiva (*Pri Tzaddik*, vol. III, *Maamar Lag B'Omer*, p. 88b).

The Maharal explains that Rabbi Akiva's share in Torah was the exposition of the most minute details of every *halachah*, represented by the *taggin*, fine strokes of the pen which hold profound meaning. Only the sharpest of intellects is capable of comprehending these details, which our great Torah scholars continue to expound and apply to new situations as they arise. In contrast, Moshe's Torah was in the form of general principles which encompassed the entire body of Torah knowledge – what we may call the letters of the Torah, rather than its pinpoint crowns. This was because Moshe was more than merely an individual; he was a spiritual giant whose soul encompassed the souls of all Israel: "Moshe is equivalent to six hundred thousand Israelites." Moshe's soul was a "general," inclusive soul, so his Torah was general, rather than detailed. Our Torah sages, on the other hand, have individual or specific souls, which relate to the specific details of Torah and *halachah* (see *Tiferet Yisrael*, Chapter 63).



Practical Applications

The Sages, and Torah scholars ever since, have expounded and clarified the innumerable details contained in the principles given to Moshe. Rabbi Akiva developed original interpretations of these principles which related to the needs and realities of his times.

In his lecture, Rabbi Akiva discussed *halachot* totally unknown to Moshe. What if we could ask this paragon of Torah some contemporary halachic questions of our own? We would bombard him with terms like meat and dairy microwaves, electricity on Shabbat, genetic engineering, the dateline on space flights, and more. Would he be any more familiar with these topics than Moshe was with the realities of Rabbi Akiva's times?

A generation ago, our people were faced with even more chilling questions. Tens of thousands of Jewish men disappeared without a trace during the Holocaust, leaving a vast number of unfortunate *agunot*.³ In the aftermath, each case had to be weighed and considered in light of the realities of the camps and mass killings. If a man had last been seen ordered "to the left," could he be assumed dead? Was his wife free to remarry? Those nightmarish years produced problems never before dreamed of.

These questions are new, and yet their answers lie in the same Torah received by Moshe from Sinai. The issue of heating meat and milk in a closed oven is ancient, and halachic authorities today apply the relevant laws to today's sophisticated technology. Rabbi Shlomo Zalman Auerbach, of blessed memory, wrote an entire work on electricity in the context of Shabbat, discussing such questions as whether creating an electric circuit falls under the category of construction (*boneh*), or if it is considered igniting a fire (*esh*). These laws were brought to bear on totally new inventions, because Torah is eternal and forever applicable. So too in the case of the World War II *agunot*. Their status was clarified by halachic authorities who related the tragic circumstances of the times to the principles handed down to Moshe at Sinai. Every generation and every individual has a specific share in Torah, and the flow of events and new developments brings that share to light.

³ An *agunah* is a woman whose husband has disappeared, but there is no proof of his death. She is forbidden to remarry unless competent rabbis can provide halachically valid proof that he has died. If she remarries without such proof, the children of her second marriage have the status of *mamzerim*, who are forbidden to marry into the Jewish community.



Generation to Generation

Moshe received the Torah from Sinai and passed it on to Yehoshua, and Yehoshua to the Elders, and the Elders to the Prophets, and the Prophets passed it on to the Men of the Great Assembly.

At least on a superficial level, the Written Torah is readily available to all who wish to study it, with no need for any special process of transmission. Our *mishnah* deals specifically with the transmission of the Oral Torah, which is the key to any true understanding of the Written Torah. The very essence of the Oral Tradition is its transmission from teacher to student, generation to generation, from Sinai to this day (see *Seder Olam*, *Seder Tannaim v'Amoraim*, and the Introduction to *Yad HaHazakah*). This effectively barred the non-Jewish nations from studying the Oral Torah and claiming it as their own, as they did with the Written Torah (see *Tanhuma*, *Vayera* 5 and *Ki Tissa* 34).

Moshe received the Torah on Mount Sinai and passed it on to his premier disciple, Yehoshua. The transmission continued from prophet to prophet in succeeding generations, down to the last of them in the **Great Assembly**. This **Assembly**, the *Anshe Knesset HaGedolah*, was a body of one hundred and twenty great Torah scholars, including the last of the prophets who lived at the time of the Second Temple. They mark the conclusion of the era of prophecy, which ended with the Destruction.

The order of the transmission and development of the Oral Torah is of such critical importance that the Rambam discusses it in great detail in his Introduction to the *Yad HaHazakah*. This information appears throughout the Talmud and other teachings of the Sages, and it is the basis of our sacred tradition. From the time of Moshe until the Men of the Great Assembly, Torah was taught orally. There were some brief compilations of what we might call main headings, noted down by individual Sages for their own use as aids to memory, but that was all. The Oral Torah was learned by mouth, and by heart.

Careful study of the Rambam's recording of the chain of transmission of the Oral Tradition shows that the number of generations, from teacher to student, spanning the two thousand years from the Giving of the Torah until the Destruction, was surprisingly small. Our tradition is not all that distant, and it was surely not forgotten and resurrected at a later date. It is alive and vibrant, and has been passed on in an amazingly short chain. For example, we know that Pinhas, the son of Aharon, is the Prophet Eliyahu (*Yalkut Shimoni Pinhas* et al). Pinhas, who learned from Moshe, was still alive during the era of the Kings of Israel, so that one man served as a link



spanning tens of generations. This knowledge helps reinforce our belief in the accurate transmission of the Oral Tradition dating from Sinai.

Rabbi Yehudah HaNasi recognized that the changing conditions of highly unsettled times called for drastic measures to preserve the Torah. The age-old method of exclusively oral transmission could not survive the upheavals and persecution endured by our people. Faced with the question of writing Torah or forgetting Torah, he ruled that "It is a time to do for Hashem, they have desecrated Your Torah" (*Tehillim* 119:126). It was time for a departure from the instructions of the Torah in order to save the Torah for future generations.

Rabbi Yehudah HaNasi's redaction of the *Mishnah* was essentially a concise listing of *halachot*, organized under a number of main groupings. The more detailed explanations, discussions, and disputes concerning different opinions of the Sages were still studied orally. For the time being, that sufficed to preserve the Torah intact.

As the nation's situation deteriorated still further, Rav Yohanan saw that even the written *Mishnah* would no longer be adequate to guarantee of the preservation of the Torah. He compiled the Jerusalem Talmud, a fuller, although still very brief and concise explanation of the *Mishnayot*. Finally Ravina and Rav Ashi wrote the Babylonian Talmud, our *Shas*. More detailed than the Jerusalem Talmud, it is the basis of *halachah* to this day. Its decisions are binding for all Jews everywhere, and we may not dispute them.

The Orchard

The Torah study of all generations following the compilation of the Talmud is the attempt to understand the words of the Talmud. Later scholars base themselves on the opinions and understanding of the earlier scholars. In addition to the *Mishnah*, Jerusalem Talmud and Babylonian Talmud, we have also the *Tosefta*, *Mechilta*, *Sifra*, and *Sifri*, writings of the Sages which were not included in the *Mishnah*.

Eventually Rabbi Shimon bar Yohai permitted his disciple, Rabbi Abba, to commit the secrets of the Torah contained in the *Zohar* to writing. This was a distinct departure from accepted practice, as it was only permitted to teach this material to exceptionally great Torah scholars of profound understanding (*Hagigah* 2:1). And yet, Rabbi Shimon bar Yohai nonetheless allowed Rabbi Abba to write down the Torah's secrets, because he instructed him to disguise these teachings with what we may call a code. One who is ignorant of this code will read the *Zohar* and relate to it at face value, assuming that the words do indeed refer to the physical



concepts described. Nothing could be further from the truth; the *Zohar* discusses completely spiritual entities.

The esoteric secrets of the Torah were meant to remain hidden, carefully transmitted from teacher to selected student rather than made available to all interested readers. *Kabbalah* is not a field for well-meaning beginners. "It is not proper to stroll in the 'orchard' [of Kabbalistic knowledge], except for one whose stomach is filled with meat and wine. And 'meat and wine' is knowledge of what is forbidden and permitted, and the like concerning the other commandments." This is a reference to the study of the Talmud and its commentaries, down to practical halachic applications (Rabbi Hayyim Vital's Introduction to *Shaar HaHakdamot*).

This *mishnah* teaches us the most important fundamental of Jewish belief: **Moshe received the Torah from Sinai**. Every last word of our holy Torah, both Written and Oral, was given to Moshe at Sinai by the Al-mighty Himself. It was **passed on to Yehoshua**, and from him to subsequent generations. The chain of transmission has continued unbroken to this day. Our primary occupation in this world is the study of G-d's Word from Sinai, with the Oral Tradition the main focus of our lifelong study. It is virtually impossible to understand and properly fulfill the laws outlined in the Written Torah without knowledge of the binding traditions passed on in the Oral Torah. The bearers of the Oral Tradition are the Torah sages throughout the ages, beginning with Moshe Rabbenu.

Emunat Hachamim, belief in and acceptance of the Torah wisdom and authority of the Sages who transmit the Oral Tradition, is one of the forty-eight means through which Torah is acquired (*Avot* 6:6). It is basic to Torah, and it begins with Moshe: "I believe with complete faith that the prophecy of our teacher Moshe Rabbenu, peace upon him, is true, and that he is the greatest of all prophets, and that the Torah was given from Heaven, and that it will never change at any time, G-d forbid" (the Rambam's Thirteen Principles of Faith in *Perush Hamishnayot, Sanhedrin, Perek Helek*).

This essay contains divre Torah. Please treat it with proper respect.