



Insights into Pirke Avot

by

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Rosh Yeshivat Ahavat Shalom

Perek Alef, Mishnah Alef (Part 3)

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.

Deliberate

They said three things.

Clearly, the Men of the Great Assembly said considerably more than **three things**, just as the other great *Tannaim* taught much more than the few precepts cited in *Avot*. The sayings recorded in *Avot* represent a fundamental theme in the Torah of the Sage cited, be it a matter in need of rebuke and correction in his times, or the topic central to his own spiritual life. Every individual has a specific task and specific trial, for which he was sent to this world. The teachings in *Avot* represent the personal qualities and conduct related to the individual Sage, which he taught his students as a way of life. As we explained earlier, these guidelines are also Torah received by Moshe at Sinai.

Be deliberate in judgment.

The basic explanation of **be deliberate in judgment** refers to judges. The Men of the Great Assembly, members of the great rabbinical court known as the *Sanhedrin*, imparted the most fundamental of principles for a judge: every question and every case must be subjected to careful, patient scrutiny and consideration, in order to



reach an accurate verdict. Judgment, or halachic rulings, should never, ever be treated lightly.

A judge must weigh the litigants' claims carefully and make sure he fully understands them. Snap decisions can easily lead to mistakes, resulting in damage and outright theft (see *Shulhan Aruch Hoshen Mishpat* 25). For example, let us say that Reuven and Shimon are business partners entangled in a monetary dispute. As it happens, Reuven is in the right and Shimon owes him money. The details of the particular case may be a bit complex, and if the judge, who has heard so many of these cases, does not spend enough time considering their significance, he may rule in Shimon's favor, a perversion of justice.

Haste in monetary litigation is serious enough. The potential outcome in capital cases, and in those of personal status, which involve the most severe Torah-ordained prohibitions and the danger of *mamzerut*,¹ is even more frightening to contemplate.

A judge should never issue a ruling without prior research. Even if he feels that the answer is clear-cut, he should nonetheless review the sources before arriving at a verdict. The Hidda describes a very great Torah scholar who had every aspect of *halachah* literally at his fingertips. Yet even so, he would never rely on his memory alone in responding to a halachic query, but would make a point of consulting the sources on every question (*Yosef Ometz* 47:4). This was true as well of many other great halachic authorities who literally knew *Shulhan Aruch* by heart, yet would not rule from memory.

This principle extends beyond the courtroom to halachic questions in any area, and even to opinions concerning the meaning of a *Tosfot* or a *Midrash*. If a teacher has not learned in depth and does not really understand the material, he will transmit it superficially, with unfortunate results. We must be **deliberate in judgment**. When we learn, when we teach, when we dispense a ruling or a piece of advice, we must proceed slowly and carefully, thinking about what we are saying and verifying our position in accordance with the sources.

There is another element to being **deliberate in judgment**. Our Sages tell us that patience is one of the forty-eight means through which Torah is acquired (*Avot* 6:6). Patience as relates to Torah means not rushing through our learning, instead giving every topic the time and in-depth study required for full comprehension.

¹ A *mamzer* is the child of a married woman from a man other than her husband. A *mamzer* is forbidden to marry into the Jewish community.



The *Zohar* interprets the verse “No eye has ever seen, except for You, G-d, what He will do for he who trust in Him” (*Yeshayahu* 64:3) as a reference to those who learn patiently and thoroughly, not hurrying to “finish” and move on (*Zohar*, vol. I p.130b; *Shaar HaPesukim*, *Yeshayahu* 64). If this is true of theoretical learning, it is all the more true of halachic rulings, which have practical ramifications which may be irreversible. Due time and thought must always be invested, to avoid critical errors.

The Means for Many

And teach many students.

Our people cannot get by with just a handful of Torah scholars; we need **many students** who are engaged in learning Torah, and we should do our very best for this vital cause.

This teaching was especially relevant to the generation of the Men of the Great Assembly, in the aftermath of the Destruction of the First Temple and the Babylonian Exile. The nation was in the grips of severe spiritual decline. Many of the Sages and their disciples had been killed, and the hardships of exile took their inevitable toll, making it difficult to continue the transmission of the Torah on the same level as in the past. By the time the seventy-year period of exile drew to a close, many Jews were so assimilated that they had married non-Jewish wives. The first step in returning Torah to its former glory was to **teach many students**, who would be qualified to return the nation to the proper path and teach them to walk in the ways of the Torah.

Why does the *mishnah* tell us to **teach many students**? Because our people's future depends on the presence of large numbers of Torah scholars. “A thousand go in to learn Scripture, and of them, a hundred go on to *Mishnah*. Of them, ten go on to Talmud. Of them, one goes on to render halachic rulings” (*Kohelet Rabbah* 7:49). A scholar whom the Sages would consider capable of issuing halachic rulings is one in a thousand, while a truly great Torah scholar, the leader of his generation, is at least one in a million. If we do not give the thousand – or perhaps even the million – the opportunity to grow and develop in Torah, we will lose the one special individual capable of achieving greatness.

The injunction to **teach many students** is not limited to the actual process of teaching per se. It also includes providing the means for Torah scholars to continue their studies in conditions conducive to maximum growth. In every generation, it is



our responsibility to provide for *yeshivot* whose students are engaged in full time Torah study.

This subject has been the topic of considerable discussion by the early and later halachic authorities. The Rambam writes that ideally, one should work as required to maintain a modest lifestyle, and spend the rest of his time learning (*Hilchot Talmud Torah* 3:7-11). He cites our Sages' words, "Do not make it [the Torah] a spade to dig with" (*Avot* 4:7). However, other halachic authorities disagree with the Rambam's approach (see *Yoreh Deah* 246:21, Rema, and *Igrot Moshe*, *Yoreh Deah* 116). If everyone is out working for a living, who will be left to learn Torah? Without great scholars, *roshe yeshivot*, and halachic authorities to guide us, we will truly be lost as a people, G-d forbid. And so our Sages tell us to **teach many students**: we need thousands, even many thousands, learning Torah. They will bring blessing to our world and ensure that we have great Torah leaders for the generations to come.

We can explain this *mishnah* as a directive to **teach many students** by supplying them with the means to continue learning. The burden of earning a livelihood will hinder our precious Torah scholars' growth and drag them down, G-d forbid. However, with their minds clear of draining worries about providing the next day's needs, they can develop in wisdom and learn in greater depth.

And yet, while we may accept that rabbis and scholars are important, we may still feel the need to draw the line somewhere. How many full-time, full-grown, fully-funded intellectuals does our nation really need, we wonder? Two or three rabbis to sit in the rabbinical courts for financial litigation should be more than enough. We no longer judge capital cases, which require a larger court of twenty-three, this line of reasoning goes, and we no longer have a *Sanhedrin*, so we definitely don't need as many as seventy rabbis who do nothing but study!

This attitude is incorrect and misinformed. The *mishnah* tells us, **teach many students**; not just two or three in reserve for the occasional *din Torah*, but **many**. We need *all* of our scholars, because we cannot know which special individuals will become our next Torah leaders and teachers. Rather than worrying about saving our pennies or our dollars, we should spend them willingly to support Torah study on a large scale. All too often, Torah students of great talent and potential have been lost to our people for lack of funds. They had no choice but to leave their studies in order to support their families, and this should not have to happen.

There is another factor to keep in mind as well. A city with many Torah scholars has special merit. It is through its scholars that it becomes a place of note and of worth. We should not imagine that their upkeep depletes the city's resources, because it is really they who make the city; where there is Torah, there is blessing.



Standing Up for Torah

And teach many students.

The Men of the Great Assembly tell us, “*v’haamidu talmidim harbe*,” usually explained as “teach many students.” These words may also be literally translated as “and cause many student to stand upright.” The unusual choice of wording carries an important message. A Torah scholar must have the backbone to stand up for Torah, so to speak. True, humility is one of the forty-eight means through which Torah is acquired (*Avot* 6:6). And yet, our Sages tell us that in order to preserve the honor of Torah, a Torah scholar must have “an eighth of an eighth of pride” (*Sotah* 5a). This mere trace, no more than one part in sixty-four, is not the negative and harmful pride decried by our Sages and great teachers of ethics. It is the self-respect which enables a Torah scholar to stand up for truth and withstand pressure. It imparts the dignity which makes others listen when he speaks, and take his words into account. After the devastation of the Destruction, the Men of the Great Assembly were acutely aware of the need to provide Torah scholars with a spiritual backbone, in keeping with the verse, “And his heart was proud in the ways of Hashem” (II *Divre HaYamim* 17:6). The merit of Torah students, who stand spiritually erect as they learn and fulfill Hashem’s Word, sets the entire world on a firm foundation.

The ability to stand up for truth in the face of mockery is part of our national heritage, instilled in us by our Forefather Avraham. He was known as “Avraham *Halvri*” (*Bereshit* 14:13). He stood “*me’ever lanahar*,” literally “on the opposite bank of the river” (Rashi, *ibid.*) Our Sages explain: “The entire world was on one side (*ever*) and he was on the other side” (*Bereshit Rabbah* 42:8). Avraham had the backbone to challenge the idolatrous beliefs of the whole world, without compromise or hesitation. Our Sages instruct us to learn from his example, teaching **many students** to stand up for the honor of Hashem and His Torah, regardless of a hostile or derisive environment.

Building Fences

And make a fence around the Torah.

The Torah tells us (*Devarim* 17:11), “According to the Torah which they teach you and the laws which they tell you, you will do. Do not stray from what they tell you to the right or to the left.” The Torah itself empowered the Sages to institute Rabbinic decrees and enactments, which protect us from sinning by distancing us from the basic Torah-ordained prohibitions (see *Vayikra* 18:30, *Yevamot* 21a).



We can explain this concept with a simple analogy. A gaping pit is a danger zone. We may decide to take a chance and stand at its edge, hoping to keep our balance. But the closer we come, the greater the risk, so the safest avenue is to erect a fence around the pit. If we cannot even come near it, we certainly will not fall in. A Torah-ordained prohibition is no less dangerous than the proverbial “pit in the public domain.” If we get too close, we are in danger of leaning over just a bit too far. To keep us from falling, the Torah instructed the Sages to erect halachic fences which keep us away from the primary transgressions. A well-known example of such a halachic “fence” is *muktzeh*, objects which may not be carried on Shabbat by Rabbinic decree, because they are used for actions forbidden on Shabbat.

Increasing Need

However, this explanation raises an obvious question. Why do we need fences to begin with? Shouldn't the six hundred and thirteen commandments given to Moshe at Sinai have been enough to preserve and protect our people, without additional safeguards?

If the Temple had never been destroyed and the Jewish nation never been exiled from their land, if prophecy had never ceased and our people's great Torah scholars had not been killed, it is quite possible that there would have been no need for the enactments, decrees and ordinances instituted by the Sages. In former times, the boundaries of permitted and forbidden were clearly defined, and there was no danger of stumbling into prohibited territory. The ravages of the Destruction and exile blurred formerly distinct lines. Recognizing that the precise details of the Torah's laws were gradually being forgotten, the Sages built fences around the primary prohibitions, to prevent us from tripping and falling into Torah-ordained transgression. Enactments and decrees such as the laws of *muktzeh*, which have their source in the words of the Sages, have the status of *halachah* derived from the *Gemara*; there is no question as to their binding authority.

In the generations following the Talmud, many pious customs, practices and strictures have been adopted by different communities. One example is the ban instituted by Rabbenu Gershom, forbidding a man to marry more than one wife. While the Sages permitted polygamy, Rabbenu Gershom's ban has been accepted as law by Ashkenazic communities everywhere. Another example is the prohibition against eating legumes on Passover, accepted by all Ashkenazic and some Sephardic communities. In addition, literally thousands of stringent practices, now an integral part of our observance of *halachah*, have been adopted by our people over the years under the guidance of the great rabbinic authorities of the times, who instituted them as required by changing circumstances.



Our great halachic authorities upheld strict and unaltered observance of these customs, even strictures which are not mentioned in the Talmud. They ruled that every community should maintain its customs, *humrot* (stringent halachic opinions) included. Rabbi Moshe Isserles, known as the Rema, the author of definitive glosses on the *Shulhan Aruch* in keeping with Ashkenazic custom, is known to have been especially strict in preserving traditional customs. He cites the age-old practice of noise-making when Haman's name is mentioned during the reading of the *Megillah*, and writes, "And no custom should be annulled, or mocked, for they were not established without reason" (*Orah Hayyim* 690:17).

It is said that the Rema's strict adherence to custom was the outcome of an incident which took place early in his tenure as the rabbi of Krakow. A rather unusual custom existed in the Krakow community. After a woman immersed in the *mikveh*, the caretaker would approach her husband and wish him *mazal tov*. When the Rema became aware of this practice, he insisted that it be stopped at once – it was immodest and utterly inappropriate. The caretaker immediately agreed to obey the new *rav*'s instructions – there would be no more *mazal tov*'s. The very next day, a disgruntled husband asked why he had not received the customary *mazal tov*... The caretaker excused himself for two reasons: first, the *rav* had forbidden him to wish the husbands *mazal tov*, and second, figuring that now her husband would never know, this man's wife had not bothered to immerse in the *mikveh*!

Word got back to the Rema. He had considered this custom to be frivolous and improper. Now he saw that in its own way, it had served to safeguard the observance of the laws of family purity in the community. From that time on, the Rema was exceptionally careful with every last custom and *humrah*, no matter how minor or unwarranted they seemed (see *Lev Halvri*, p. 9, note 1).

Facing the Onslaught

Over the last few hundred years, a plethora of customs based on halachic stringencies, as well as on Kabbalistic teachings and the writings of the Arizal, have become accepted practice.

The Hidda often cites *humrot* and the stricter opinions of the *Mekubalim* in his works of *halachah*. He rules in keeping with these stringent opinions even though they are not generally cited in the *Shulhan Aruch*, whose rulings have been universally accepted. Many later halachic authorities, such as the Ben Ish Hai, Sede Hemed, and Kaf HaHayyim, concurred with the Hidda, and cited the customs and rulings of the Arizal, even in halachic works intended for the ordinary layman, and not only for the exceptionally pious and stringent. Rabbi Yosef Irgas writes that *humrot* derived from Kabbalistic sources are primarily intended for those who



engage in the study of *Kabbalah*, and not for the general public (*Shomer Emunim, hatza'ah shelishit lifne vikuach hasheni*). Why did these authorities find it necessary to encourage the adoption of even more than is required by the accepted rulings of the *Shulhan Aruch*? Would it not have been more appropriate to leave the strict rulings for advanced Torah scholars?²

The Hidda also discusses the question of why all the *humrot* and severe punishments mentioned in the *Zohar* were not included in the Talmud to begin with. Even more, why was the *Zohar* itself not revealed in the time of the *Amoraim*, *Savoraim*, or *Geonim*, but only in later times, to generations of obviously lesser spiritual stature?

He writes that the *Zohar's humrot* and punishments were not revealed during the first thousand years of the Jewish people's exile, because at that time, our nation endured suffering so intense that the additional strictures would have been too much for them to bear. It was to their benefit that they not be aware of these stringent rulings, so that they would not be held liable for their failure to observe them.

The holy teachings of the *Zohar* were only revealed about seven hundred years ago. This is because the end of the thousand year period of exile brought our nation closer to the era of *Mashiah*. The Arizal teaches that as this special time approaches, the Forces of Impurity work harder than ever before to persuade us to sin. The *Zohar* was revealed when our people needed it, providing the later generations with the merit of its pious *humrot* as extra protection against the escalated attack of the Forces of Impurity. These halachic strictures are related to the generations prior to the coming of *Mashiah*; the great merit of learning and fulfilling the teachings of the *Zohar* will help end our exile and bring the Redemption closer (*Shem HaGedolim, Maarechet HaAlef, Ot Resh-yud-tet; Petah Enayim, Sanhedrin 98*).³

The *Shelah HaKadosh* discusses the proliferation of *humrot* as we come closer to the era of Redemption (*Bet HaHochmah 25b*). Moshe Rabbenu gave our people the six hundred and thirteen basic commandments as he received them at Sinai, among them three hundred and sixty-five negative commandments. He added a few precautionary decrees as necessary. In succeeding generations, the Prophets, and later the *Tannaim*, instituted additional enactments and decrees in keeping with the

² This topic is discussed at length in my work *Vayashov HaYam*, vol. I, no. 21.

³ In addition, the Hidda tells us that keeping *humrot* is a valuable source of rectification; what we do not achieve through halachic stringencies, we will have to make up for with suffering, G-d forbid. This is certainly reason enough for the later halachic authorities to have incorporated stringent Kabbalistic practices in their rulings.



needs of their times, a process which has continued throughout the centuries. An increasing number of *humrot* have become part of our accepted practice.

Why is this so? Surely we are not more pious than our saintly ancestors.

The imposition of additional strictures was essential precisely because of the ongoing deterioration in our nation's spiritual level. A variety of decrees and restrictions were introduced not because we of the later generations are more meticulous in our religious observance, but because we face challenges more difficult than our ancestors ever knew. As we said, the closer we come to the era of *Mashiah*, the more virulent the attack of the Forces of Impurity. In former times, the evil inclination was to be found outside, in the streets and the marketplaces. Today, not only have we installed it in a place of honor in our homes in the form of modern technology, we even go so far as to carry it around in our pockets for immediate access. Our only defense against the onslaught is *humrot*: the numerous stringent, pious practices, customs, and observances with which we safeguard our fulfillment of Hashem's commandments. When the Torah was given, six hundred and thirteen commandments were enough to keep the evil inclination at bay. Today we would need at least five thousand, and they all take on the status of Torah-ordained commandments (see also Rabbi Hayyim Vital's Introduction to *Etz Hayyim*, citing Rabbi Yaakov Semah's *Ranu L'Yaakov*).

Other great Torah scholars discuss this concept as well. Rabbi Hayyim Palagi writes, "[Concerning] *humrot*: we must increase them in every generation, for in order to counteract the increased strength of the Forces of Impurity, we must strengthen ourselves correspondingly" (*Nefesh Kol Hai, Humrot*). It is the careful observance of *mitzvot*, safeguarded by *humrot*, which enables us to repel the Forces of Impurity.

Rabbi Pinhas Raphael Di Sigora writes that the ongoing spiritual decline of succeeding generations grants greater power to the Forces of Impurity. The way to subdue them is by refraining from leniencies in halachic observance and custom, and by observing *humrot*. He writes that *humrot* derive from the Forces of Sanctity, and fulfilling them brings these forces greater power. All leniencies (*kulot*), in contrast, are derived from the Forces of Impurity, and availing ourselves of them strengthens impurity.

In every succeeding generation, new *humrot* have been adopted to reinforce halachic observance. He cites an example from his own experience. Formerly, dairy foods were eaten at the beginning of a meal. After the necessary measures were taken to change over from dairy to meat as required by *halachah*, meat dishes were served at the same meal. Today, dairy and meat are never consumed at the same



meal. In our times, he writes, *humrot* have the status of basic *halachah* (*Ot Hi L'olam*, vol. I, 115).

The Men of the Great Assembly taught us to **make a fence around the Torah**. By so doing, we guard the observance of the Al-mighty's sacred commandments. Every new stricture that is adopted is a necessity for the times, to ensure that we do not stumble. In our era, we are under attack by the Forces of Impurity in a manner unknown to our ancestors in earlier generations, so that we need the protection of *humrot* more than ever before. In the merit of this extreme caution in fulfilling the Torah's commandments, we will see the end of our nation's bitter exile and the coming of the Redemption.

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