



שבת קודש פרשת בלק | מסכת נדרים דף לז

INSIGHTS FROM OUR CHABUROS

Payment rendered for teaching and learning Torah

כאשר צוני'ה' אלוך...מה אני בחנם אף אתם בחנם

The Torah must be taught free of charge. This is derived from the words of Moshe in this verse (Devarim 4:5), where he mentions that he was teaching the statutes and ordinances "as Hashem, my God, has commanded me." The lesson is just as Hashem instructed Moshe free of charge, so did Moshe teach them further without remuneration. What is interesting is that this particular statement of Moshe was said in the middle of an address which he was presenting to the Jewish people. It begins earlier, at the beginning of Perek 4 in Devarim. Why did Moshe wait until verse 5 before noting that Hashem had taught him without his having to pay? He could have introduced this phrase when he opened his remarks in verse 1, when he said, "Now, O Israel, listen to the decrees and to the ordinances that I teach you to perform..." It would have been quite appropriate for Moshe to insert this lesson at the outset of this particular speech, rather than to wait until verse 5. What can we learn from this?

Toldos Yitzchak (Parashas Vaeschanan) explains that the topics addressed at the beginning of this speech are the prohibitions not to add or subtract from the mitzvos (בכל תוסיף וכל תגרע), and the prohibition not to follow the idolatry of בעל פעור. These mitzvos applied to Moshe as much as to anyone else, and it is therefore no wonder that Moshe taught them for free. He had to study them for his own sake, and teaching these laws to others as he studied and reviewed them himself was understandably done without his expecting pay. However, beginning with verse 5 and beyond, Moshe focused on the need for the people to continue to maintain their observance upon entering into Eretz Yisroel, "in the midst of the land to which you come, to take possession of it." It was there that they would be confronted with the corruption and depravity of the Canaanite nations. Moshe knew that he would not personally enter into the land, and his words were aimed to benefit others, rather than himself. Moshe had no personal need to study these laws, and we might have thought that he could expect to be paid for providing a service for others. Yet, it is here that the Torah teaches that he taught them without being paid. This is why this portion of his address is the source from which we learn that a Torah teacher must teach for free. The words of the Rosh and ר"ן suggest that the prohibition to pay for teaching Torah is aimed at the teacher. In other words, it is not prohibited to pay to learn, but it is rather prohibited to get paid to teach. Rambam (Hilchos Talmud Torah, 1:7), on the other hand, clearly rules that it is prohibited to pay to learn Torah.

POINT TO PONDER

The Gemara says that הלכה למשה מסיני are עיטורי סופרים. Why is it הלכה? Isn't every detail included in the תורה which משה רבינו received at סיני?

Response to last week's Point to Ponder:

The Gemara discusses the Mishna in פסחים regarding a father who said that he will sacrifice the פסח on whoever gets first to ירושלים. The Gemara concludes that he only did it to motivate them to get there quickly. If that is the only intention, what is the Mishna being מחדש? Obviously he can do it.

ה"א writes that the חידוש is that when he said whoever gets there first, he is not going back and changing the original "מינוי" for the פסח קרבן.

STORIES OF THE DAF

Learning on Shabbos

היינו טעמא דאין קורין בתחילה

A certain wealthy man adopted the practice of learning with intensity all night long on the fifteenth of Adar every year. After several years of this, the fifteenth of Adar fell out on Shabbos. Could he follow this custom even on Shabbos? He asked his Rav, but his local Rav didn't know the answer. So the man decided to consult with the Tzapichis Midevash, zt"l. The great Rav responded, "It is definitely forbidden to learn on Shabbos with such intensity that one's head hurts. This explains the seeming contradiction between the Siddur of Rav Yaakov Emden, zt"l, which states that it is forbidden to learn iyun on Shabbos, and the Shelah Hakadosh which states that one should learn iyun on Shabbos. The Chidah, zt"l, also argues on Rav Yaakov Emden, stating that in the time of the Pri Chadash talmidei chachamim would indeed learn iyun on Shabbos.

The Rav continued, "However, there is really no argument between them. Rav Yaakov Emden meant intense iyun which can cause one's head to ache. This is not permitted because it is a violation of oneg Shabbos. Lighter iyun, however, is permitted. It is to such study that the Chidah and Shelah are referring. We find a similar concept in Nedarim 37, which states that children are not taught new material on Shabbos because this would take great effort and is so difficult for them that they would not fulfill the mitzvah of oneg Shabbos." The Minchas Elazar, zt"l, argued, however, and permitted any iyun on Shabbos. He said, "Even if the reasoning of the Tzapichis Midevash is correct, that the halachah prohibiting children to learn new material is brought in Hilchos Melamdin rather than in Hilchos Shabbos shows that there is no problem of intense study disturbing one's oneg Shabbos. Perhaps we hold like the other reason in the Gemara, which states that we only review material that the children have already mastered because they eat heavily and will not be able to focus sufficiently on learning new material!"

HALACHA HIGHLIGHT

Bequeathing the right to publish a sefer

מה אני בחנם אף אתם נמי בחנם

Just like I taught the Torah for free so too you should teach Torah for free

Rav Yitzchok Shechibar¹, the Chief Rabbi of Argentina, inquired whether the right to publish a sefer is something that one can bequeath to his children and they will have the authority to prohibit others from publishing that sefer or perhaps the principle of our Gemara, "Just like I [taught] for free so too you should [teach] for free," indicates that heirs do not have the right to restrict others from publishing a sefer. Rav Ovadiah Yosef² began analyzing this question by citing a discussion in Teshuvos Shaarei Deah³ about whether a bechor receives a double portion of the proceeds that the children will earn when they publish their father's sefer.

The inquirer asserted that the right to publish is considered part of the father's assets and as such it is divided amongst the heirs the same way any asset is distributed. Teshuvos Shaarei Deah refuted the different proofs and cited our Gemara as a clear indication of Chazal that Torah is not an asset that one bequeaths to another; therefore, the children should share the proceeds evenly. Rav Yosef notes that one could refute the proof from our Gemara. Our Gemara only indicates that when teaching Torah there is a mandate that it should be for free but publishing a sefer is entirely different. There is no source that indicates that one is obligated to put forward the effort to write and publish a sefer and in fact there were many great rabbis who, although they taught Torah to others, never committed their teachings to writing that they should be published.

Therefore, one who takes upon himself the task of publishing a sefer should certainly have the right to bequeath that privilege to his heirs so that they should benefit financially. Although Teshuvos Beis Yitzchok⁴ rejects the conclusion that a father can bequeath the right to publish his sefer to his children because the Torah expects a person to be generous with his Torah, nevertheless, the matter is academic since the law of the land prohibits a person from publishing another person's work without permission from the author or his heirs. Consequently, all opinions agree that others cannot publish a sefer written by someone else without first receiving permission. Rav Ovadiah Yosef concurs that on a practical level this is how people should conduct themselves.

1. מובא דעתו בשו"ת יביע אומר ח"ז חו"מ סי' ט'
2. שו"ת יבי"א הל"ל
3. שו"ת שערי ח"א סי' קמ"ח
4. שו"ת בית יצחק חו"ד סי' ב ע"ה

MUSSAR FROM THE DAF

The priceless Torah

דכתיב: "ואתי צוה ה' בעת ההיא ללמד אתכם", וכתיב: "ראה למדתי אתכם חקים ומשפטים כאשר צוני ה'", מה אני בחנם – אף אתם נמי בחנם.

The Gemara teaches us "Just as I (Hashem) teach Torah for free, so should you teach Torah for free." From this, we derive a halachic principle: it is forbidden to charge others to learn Torah from us.

This teaching naturally raises a question: how can we compare ourselves to Hashem? Hashem, after all, exists beyond the physical world. He has no material needs or expenses. But we, as physical beings with financial obligations, might argue that we must charge in order to cover our costs of housing, food, and basic necessities.

To address this tension, the Rambam in Moreh Nevuchim (chelek 3, Perek 12) and Chovos Helvavos Shaar Habechina (Perek 5) offer a profound insight into the natural world. The more essential something is to life, the more available and inexpensive it becomes. Air, the most basic requirement for life, is everywhere and free. Water, though slightly less essential than air, is still widely available. The pattern continues: the more crucial a resource is, the more accessible it tends to be. This idea opens a new window into understanding the Gemara. The Perek Hakerem explains that the Gemara is not merely offering a directive about parnassah or teaching for free; it is revealing a deeper truth about the nature of Torah itself. Torah is the spiritual air of the soul. Just as we cannot live physically without breathing, we cannot live spiritually without Torah. Thus, the Gemara is teaching us not only halachah, but hashkafah—a worldview. Torah must be freely accessible because it is indispensable to our spiritual survival. To attach a monetary cost to it would obscure its essence. Making Torah financially conditional would signal that it is a luxury or a commodity, when in fact it is our lifeblood. In this light, the requirement to teach Torah without charge is not just about emulating Hashem—it is a declaration of the infinite value and necessity of Torah for our souls. We see from this Gemara how critical it is for us to have a consistent connection to Torah.

PARSHA CONNECTION

In this week's daf the גמרא discusses several examples of קרי where we read a word that is not in the text. One example is the word "אלי" in מגלת רות. The nation of מואב whose king was בלק was saved because of רות. In fact the שתי פרידות טובות says that because of עמון ומואב הקב"ה spared (baby birds) רות המואביה.

When בלעם is asked by הקב"ה who are these people who came to see you he also uses the word אלי. Like it says: ויאמר בלעם אל ויאמר

The Parsha starts with מואב fearing האלקים בלק בן צפר מלך מואב שלח אלי ויאמר מדין as follows: מדין מואב

מדין ועתה ילחנו הקהל את-כל סביבתינו כלחך השור את ירק השדה ובלק בן-צפור מלך למואב בעת ההוא. Why did they involve מדין and why did they choose to express their fear by citing a שור, which is a relatively peaceful animal? מדרש רש"י quotes a מדרש which says that מואב consulted with מדין where משה רבינו spent many years because they wanted advice concerning what Moshe's strength was. מדין told מואב that his strength is his speech. Based on this מדרש the הקדוש אלשיך explains that מואב cuts down the grass with his tongue before putting it in his mouth. This was meant to reference משה רבינו whose power is in his tongue. The כלי יקר offers a different explanation: מדין should be scared because the descendants of יוסף will want to take revenge for the מדיינים having purchased יוסף as a slave. The בכור שור accordingly represents יוסף who is the שור.

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Yitzchok Gutterman, please visit our website, dafaweek.org, or download the app

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