



## “Therefore Levi received no share or homestead with his brothers: Hashem is his homestead”

(Devarim 10:9; cf. Bamidar 18:20,24, Devarim 18:1-2, Yehoshua 13:14)

**Rabbi Aryeh Klapper, Dean**

Among the enduring fantasies of Jewish life is that a community can get Torah for nothing. There is actually no such thing as free Torah. But we can pay for it in various ways, and the choice of how to pay for it matters.

The fantasy is often rooted in Rambam’s apparent objection to taking money for Torah. I’ll therefore try to argue for a more realistic approach even within Rambam. In this regard, I follow Kesef Mishneh to Hilkhos Talmud Torah Chapter 3. He argues first that Rambam only objects to those who enter into Torah study with the intent of profiting financially. Then he says that even if Rambam in fact objected to monetizing Torah at any career stage, the halakhah should follow popular practice. Finally,

even if we concede that the halakhah follows Our Master’s words in his Commentary to the Mishnah – possibly all the sages of the generations agreed to this (practice) because

*It is a time to act for G-d (so) they have nullified Your Torah,*

because if livings were not easily found for learners and teachers –

they would not be able to make their efforts in Torah at the appropriate level,

and Torah would be forgotten G-d forbid, but with livings available,

they are able to engage, and the Torah will grow and strengthen.

As Kesef Mishneh indicates, the sharpest formulation of Rambam’s position is in his Commentary to the Mishnah (Avot 4:5).

Mishnah:

Rabbi Tzadok says:

Do not make (words of Torah) a crown to be exalted by, nor a *kardom* to dig with them.

So Hillel would say:

One who uses the crown – passes away.

So you have learned:

Anyone who benefits from words of Torah removes his life from the world.

Rambam:

Know:

that which he said

“Don’t make the Torah into a *kardom* with which to dig”–

means:

do not consider it something to use for making a living,

and he further clarified by saying that

“Anyone who benefits **in this world** from the honor of Torah–

cuts his life off from the **World to Come**”.

Rambam makes the point at length, but wraps up by stating that elaboration is unnecessary because the point is clearly spelled out in a Talmudic narrative. In his version of that narrative, (which is more detailed than the one found on Nedarim 62a in the Vilna Talmud), Rabbi Tarfon is mistaken for a vineyard thief. On the verge of being killed, he identifies himself to the enraged owner, who promptly runs off in shame at having molested such a great scholar.

For the rest of his days, from that day forward Rabbi Tarfon would groan and wail about what had happened to him,

in that he had saved his life via the honor of the Torah, when he was wealthy, and could have said to (the vineyard owner):

“Leave me be, and I will pay you such-such in cash!”, and paid up without identifying himself as Tarfon, and saved himself via money rather than via Torah.

Rabbi Tarfon was willing to spend a (presumably) great sum just to avoid saving his life via Torah; *kai vachomer*, derives Rambam, one should never use Torah to obtain money.

I am not convinced by this *kai vachomer*. Maybe the sum Rabbi Tarfon could have pledged would not have affected his lifestyle at all. Maybe he feared that the owner still thought he was the thief, and spared him anyway because of his scholarship, so there was desecration of G-d’s Name involved.

Rambam himself mentions desecration of G-d’s Name earlier in the polemic.

we have found no sage among the sages in straitened circumstances

who denigrated his contemporaries

for not easing those (circumstances), G-d forbid, rather they were chasidim,

believers in truth for its own sake,

believers in G-d and in the Torah of Mosheh, via which one can obtain the World to Come,

and so they would not permit themselves (to accept support),

holding that it would be a desecration of G-d’s Name among the masses.

who would consider Torah a profession among the professions from which people make a living, and this would degrade it for them.

and one who does this would violate Numbers 15:21:

*He degraded the word of G-d.*

Rambam doesn't say that accepting money for Torah is intrinsically wrong. Rather, it is socially wrong, because it makes other people think less of Torah, as if it were just another "profession from which people make a living". *He degraded the word of G-d* means that he lowered the social standing of Torah.

Note also that Rambam describes those among the earlier sages/*chakhamim* who remained poor rather than accept money as "*chasidim*". In Hilkhos Deot Chapter 1, Rambam distinguishes *chasidim* from *chakhamim* as follows: *chakhamim* follow the median path, while *chasidim* move toward one or the other extreme. I understand him to mean that the practice of *chakhamim* is universalizable, meaning that it is both individually and socially plausible for everyone to follow it, whereas the practices of *chasidim* are only viable and healthy for some people, and society would not function if everyone were to act like a *chasid*.

What about those earlier *chakhamim* who were also *chasidim*? I suspect that Rambam hints here that for scholars to choose poverty over accepting support would not have been a broadly implementable policy in his own time, if it ever was.

What was their alternative? Here is what Rambam says after completing the polemic:

However, what the Torah permitted to Torah scholars  
is for them to entrust money to a person  
who will use it for commerce at his discretion,  
if he wishes – the one who does this is rewarded . . .  
also the merchandise belonging to Torah scholars is sold  
first,  
and they have the stall at the front of the market.  
These are the fixed rights that G-d established for them,  
just as it established the priestly gifts  
and the tithes to the Levites,  
because there is a tradition that these are sometimes done  
by merchants for each other out of respect,  
even if the honoree is not wise,  
so let a Torah scholar be at least equal to an honored  
ignoramus . . .

Why aren't all these "fixed rights" benefits derived in this world from the honor of Torah? The key for Rambam seems to be that they "are sometimes done by merchants for each other out of respect", which I take to mean that they are broadly understood as gestures of respect rather than as payments. Accepting them therefore does not make the public view Torah as a moneymaking profession.

I'm confident that Rambam's distinction simply would not hold in the US today. For Torah scholars to claim such benefits within our community as a matter of halakhic right would be seen as blatant self-dealing. The question is whether we can find a way to structure compensation so that it achieves Rambam's goals while avoiding his pitfalls.

Note that Rambam models the Torah scholar on the kohanim and leviim. Since his inspirational words about the capacity for every human being to identify as a Levite are often

quoted, I think it's important to recognize that Rambam takes the analogy all the way; just as the Torah provides biological Levites with cities and tax revenue, even while depriving them of hereditary land, so too the Torah must guarantee adequate if not luxurious support to those who become Levites. (Netziv also makes this connection explicitly.)

Roughly the same distinction that I've shown in Rambam emerges from two apparently contradictory quotes in a recent article by Rachel Schwartzberg in the current issue of Jewish Action:

*"Mesirut nefesh for chinukh is not there anymore.*

*Honestly, I don't know that people in chinukh are struggling more now than they did twenty years ago. But young people are more focused on achieving financial independence—  
and that is guiding their decisions."*

Rabbi Mordechai Shifman,  
Head of School at Emek Hebrew Academy in Los Angeles.

*"Compensation is the primary way of showing what we value,  
and teachers have the most important jobs in the world.  
As a community, we must find creative solutions."*

Dr. Rona Novick,  
Dean of Yeshiva University's Azrieli Graduate School of Jewish Education and Administration.

The contradiction is only apparent. Let's assume instead that Rabbi Shifman and Dr. Novick are both correct. In other words, let's assume that our children's mechankhim and mechankhot are paid as well or better as those who taught us, and also that their salaries demonstrate that we undervalue them. Where would that leave us? Perhaps teachers are objectively better off than 20 years ago, but in a much lower economic position relative to the children they teach, because mean and median community income have increased faster than teacher's salaries. I'm confident there are many other plausible explanations.

Oscar Wilde defined a cynic as someone "who knows the price of everything, and the value of nothing", and a sentimentalist as someone "who sees an absurd value in everything and doesn't know the market price of any single thing". Along those lines, I suggest that a cynic knows the salary of every Torah educator, and plans to reduce the cost of Torah education. A sentimentalist believes that teachers should pay for the privilege of teaching Torah, or at the least accept subsistence-level salaries.

Dr. Novick's call for "creative solutions" is parallel to Rambam's goal of having Torah scholars well-supported without his pitfall of reducing Torah to a profession among others. This may become more challenging in an educational environment that increasingly emphasizes professionalism as a key virtue.

My participation in this conversation comes with a certain amount of ambivalence and guilt, as I come from a line of *chakhamim* who were also *chasidim* in Rambam's sense with regard to not taking money for teaching Torah. I don't have anything like a clear solution. But I hope this essay helps our community better understand and formulate the issue.

Shabbat Shalom!

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