



Volume 6. Issue 11

To Teach or Not To Teach

R' Yochanan ben Zakkai faced a dilemma. This week we learnt of a number of utensils that ordinarily would not be susceptible to *tumah* (17:16). However due to their unconventional and illegal use, were converted into a receptacle whose container was hidden, thereby defining it as a utensil. *R' Yochanan ben Zakkai* therefore exclaimed, "Woe to me if I state [these laws], Woe to me if I do not state [them]". What exactly was his concern and how was the matter resolved.

We find that *R' Yochanan ben Zakkai* made this exclamation in another context as well. The *Gemara* (*Bava Batra* 89b) records the laws of a *machak* – a utensil used to level off the excess of dry goods in a measure. It lists its material attributes and the manner in which it should be used to ensure that the purchaser is not cheated. The *Gemara* explains that *R' Yochanan ben Zakkai* was concerned that if he taught these laws then it may be providing swindlers with new tools. However if he did not teach these laws, he was concerned these cheaters would say that "the *Talmidei Chachamim* are not experts in these matters."¹

What was the nature of the second concern? Was he simply concerned for the honour of *Talmidei Chachamim* albeit an important one? Did he feel it was important to break any false stereotype that "the Rabbis just do not know the ways of the world"?

The *Rashbam* explain that there was an even deeper concern. If they had this false perception that the sages were easy bait, then it might encourage them to widen the operations. Interestingly, we find that keeping quiet could also increase corruption.

The *Maharsha* provides a different explanation. If these laws were not taught, the cheater would assume that the *Chachamim* do not know about these forms of theft. They might think then that the only reason why they do not engage in them is because they do not know about them. Had they known, they would be no different.

¹ Why was *R' Yochanan ben Zakkai's* main concern not that this is *Torah* and it should be taught? See *Mishnah Acharonai* that indeed this law could be derived from a previous *Mishnah* and the *halachic* aspect is therefore not a concern.

Indeed we find from the *Maharsha* the common form of self justification: "You are no better. If you could do it, you would too." Consequently it was important for the criminals to know that despite the knowledge and availability of committing such crime, the *Chachamim* remain answerable to the higher ethical standard set out by the *Torah*.

How was the matter resolved? The *Gemara* explains that *R' Yochanan ben Zakkai* decided to teach the laws, based on the *pasuk*: "The paths of *Hashem* are just, the righteous walk on them, the evil stumble open them." (*Hoshea* 14:10) The *Rashbam* explains that *R' Yochanan ben Zakkai* understood that the words of the *Torah* are straight. The righteous will be cautious with them ensuring that they do not swindle others. In the context of the *Gemara* they will choose an appropriate *machok* and use it in the correct manner. Making these laws known will keep the righteous honest. The criminals will just stumble in the path and learn to cheat in any event.^{2,3}

Another explanation might be given based on the commentaries on the above quoted *pasuk*. The *Radak* explain that the *Navi* is explaining that indeed all the ways of *Hashem* are just. This is difficult for Man to perceive when the good appear to suffer and the evil appear to prosper. Nevertheless one's standing is difficult to assess. Furthermore there are a plethora of potential reasons for one particular human experience even before taking into account that this world is merely an "antechamber" for the next. The righteous recognise the limits in their perception in these matters. The evil, in their short-sightedness prefer to turn to quick returns instant gratification even if the means run counter to the *Torah*, Heaven forbid. Unfortunately, they will stumble.

Perhaps then this is where *R' Yochanan ben Zakkai* found counsel. With all the considerations at hand what should he do? The answer: teach these laws, teach the *Torah*. And those of corrupt hearts? Well, no one will lose on their account, for the ways of *Hashem* are just – He'll take care of it.

Yisrael Yitzchak Bankier

² For our *Mishnah* as well it was important that these laws are known not only so the righteous will not unwillingly cheat others if they mistakenly purchase such modified items, but also so that the laws of *tumah* and *tahara* are maintained.

³ See *Misrash* on *Kohelet* (6:1)

Revision Questions

כלים י"ז: י"ב – י"ח: ח'

- List some of the laws for which a *midah gasa* is used. (י"ז: ז: י"ב)
- For what law is the fist of *ben Batiach* a measure? (י"ז: ז: י"ב)
- Regarding that law, when is the measure different and what is that measure? (י"ז: ז: י"ב)
- What is the law regarding utensil made from sea creatures? Which creature is the exception? (י"ז: ז: י"ג)
- When does the law described in the previous question change? (י"ז: ז: י"ג)
- Which of the days of creation have no *tumah* associated with those thing created on that day? (י"ז: ז: י"ד)
- Explain the following statement and to what it applies: (י"ז: ט: י"ו)
יָשׁ לָהֶם מַעֲשֵׂה וְאֵין לָהֶם מַחֲשָׁבָה.
- To what laws did *Rabban Yochanan ben Zakkai* explain: (י"ז: ז: י"ז)
אֹזֵי לֵי אֵם אִמָּר אֹזֵי לֵי אֵם לֹא אִמָּר.
- When are the following items susceptible to *tumah*: (י"ז: ז: י"ז)
 - Mashchezet*?
 - Pinkas*?
- Explain the debate regarding a straw mat. (י"ז: ז: י"ז)
- Explain the debate between *Beit Shammai* and *Beit Hillel* regarding how to measure the dimensions volume of a chest. (י"ח: א')
- On which point do they agree? (Include all opinions.) (י"ח: א')
- When is the *muchni* measured as part of the chest and what other laws are affected in this case? (י"ח: ב')
- How is the volume of a dome covering of a chest measure and when is this important? (י"ח: ב')
- Explain the debate regarding a case when one of the legs of a chest breaks off. (י"ח: ג')
- Which parts of a bed are susceptible to *tumah*? (י"ח: ג')
- Explain the debate regarding the: "מלבן שנתנו אל לשונות". (י"ח: ד')
- If a *tameh* bed is dismantled by removing one side, when is it still *tameh* and when is it the subject of debate? (י"ח: ה')
- How much of the legs of the bed must be cut such that it *tahor*? (י"ח: ה')
- What is the law regarding a *tameh* bed, what is the law if the beam at its length breaks and is repair? (י"ח: ו')
- What is the law if the other beam breaks and is repair? (י"ח: ו')
- If is the law regarding the leg of a bed that was *tameh midras* prior to being attached to a bed? (י"ח: ז')
- What is the law if it is then removed? (י"ח: ז')
- Regarding the previous two questions, what is the law if the leg had come into contact with a corpse? What if it was originally *tumat erev*? (י"ח: ז')
- When would a *tefillin shel rosh* that was *tameh met*, become *magah tameh met*? Become *tahor*? (י"ח: ח')

Local Shiurim

Sunday -Thursday

Between mincha & ma'ariv
Mizrachi Shul

Friday & Shabbat

10 minutes before mincha
Mizrachi Shul

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
3 rd May ט' אייר	4 th May י' אייר	5 th May י"א אייר	6 th May י"ב אייר	7 th May י"ג אייר	8 th May י"ד אייר	9 th May ט"ו אייר
Keilim 18:9-19:1	Keilim 19:2-3	Keilim 19:4-5	Keilim 19:6-7	Keilim 19:8-9	Keilim 19:10-20:1	Keilim 20:2-3

