

Rambam and Zevulun: Boz Yavuzu Lo

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Yissachar and Zevulun: An Ancient Vision and Tradition

Rashi, in his commentary on the *Chumash*, cites the midrashic texts that tell us that the tribes of Yissachar and Zevulun came up with a system to support the full-time learning of Torah: “‘Rejoice Zevulun in your journeys, and Yissachar in your tents,’ for Zevulun and Yissachar made a partnership. Zevulun would dwell by the seashore and venture out in commerce (פרקמטיא) in ships and provide food to the mouth of Yissachar, who would sit and delve into the Torah. Thus Zevulun is placed before Yissachar, for the Torah of Yissachar was made possible by Zevulun.” (*Rashi, Devarim 33:18*) The midrash makes this comment to explain why Moshe’s blessing of Zevulun, the younger, comes before that of Yissachar, the elder. Rashi makes a similar comment in *Parshat Vayechi*, where Yaakov had already established the precedent followed by Moshe of blessing Zevulun before Yissachar.¹ Yaakov Avinu had already foreseen that this “partnership” would be needed to build the nation of Israel.

Yissachar and Zevulun in Halachah

Midrash Rabbah (Vayikra Rabbah 25:2) explains that the model of Yissachar and Zevulun continued into Talmudic times.² “Shimon the

¹ “Zevulun would deal in commerce and provide food to the tribe of Yissachar, who delved into Torah in their tents” (*Rashi, Bereishis 49:13*).

² שמעון אחי עזריה אמר משמו, והלא שמעון היה גדול מעזריה!? אלא על ידי שהיה עזריה עוסק בפרקמטיא ונותן בפיו של שמעון, לפיכך נקרא הלכה על שמו. ודכוותה (דברים לג): ולזבולן אמר: שמח זבולן בצאתך ויששכר באהליך ולא יששכר גדול היה מזבולן!? אלא ע”י

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brother of Azariah said in his (Azariah's) name... Was not Shimon older than Azariah [and yet he is referred to as the brother of Azariah]? But since Azariah dealt in commerce and provided food for Shimon, therefore he said over the law in Azariah's name³ and this is the same as [Moshe] did in saying, 'Rejoice Zevulun, etc.'"

The fourteenth-century student of the Rosh, Rabbenu Yeruchem, understands that the partnership referred to in these midrashim was a legally binding agreement and a halachic precedent that could be followed on an individual basis. "One who studies Torah may stipulate a condition at the outset of his study that he will give a portion of his study in exchange for the business [gains] of another as did Yissachar and Zevulun... so have the commentaries written" (*Sefer Toldos Adam V'Chavah*, end of *Nasiv* 2). He is not the originator of this law, as he refers to earlier commentaries who have already written on this topic.

Rabbenu Yeruchem cites a Talmudic passage that clearly makes reference to the arrangement between Shimon and Azariah and uses this as the source for his ruling.⁴ "What does it mean, 'He will scorn him to the extreme?' (*Shir HaShirim* 8:7). Ula says, it is not referring to Shimon the brother of Azariah and Rav Yochanan of the house of the *Nasi*,⁵ but rather it refers to Hillel and Shavna. When Rav Dimi came he explained, 'Hillel and Shavna were brothers. Hillel delved into Torah and Shavna involved himself with business. At the end [Shavna] said, 'Let us mix our assets and divide them.'⁶ A *Bas Kol* shouted out [in response], Should a man give all the wealth of his house for love, he will scorn him to the extreme."⁷ From this he deduces that a deal made before the learning has been done is valid, and this is the arrangement of Yissachar and Zevulun; while a deal

שהיה זבולן מפרש מיישוב ועוסק בפרקמטיא ובא ונותן לתוך פיו של יששכר, נותן לו שכר בעמלו, לפיכך נקרא הפסוק על שמו שנאמר: שמח זבולן בצאתך ויששכר באהליך

³ And for this reason, too, he was called "the brother of Azariah."

⁴ מאי (שיר השירים ח) בוז יבוזו לו אמר עולא לא כשמעון אחי עזריה ולא כר' יוחנן דבי נשיאה אלא כהלל ושבנא דכי אתא רב דימי אמר הלל ושבנא אחי הווי הלל עסק בתורה שבנא עבד עיסקא לסוף א"ל תא נערוב וליפלוג יצתה בת קול ואמרה (שיר השירים ח) אם יתן איש את כל הון ביתו וגו' כל הון ביתו וגו'

⁵ According to Rashi, this means that he was supported by the *Nasi*.

⁶ Shavna would divide his material wealth with Hillel in exchange for a portion of the spiritual earnings of Hillel.

⁷ He will refuse to sell any of his Torah earnings for material prosperity.

made to barter Torah already learned is invalid. He adds further that if the *chacham* actually writes a contract to sell the already learned Torah, he loses the merit he had gained for this Torah⁸ learning although the purchaser does not acquire it.

The *Tur*⁹ (*Yoreh Deah* 246), in his understanding of the Yissachar/Zevulun arrangement, goes so far as to say that “One who cannot learn because he does not at all know how to do so, or because of a lack of time, should support others to learn and it will be considered as if he himself has learned.” While the *mechaber* (*ibid.*) leaves out this last line¹⁰ —“and it will be considered as if he himself had learned”—in codifying this law, the *Rema* does quote it together with the partnership arrangement of Rabbenu Yeruchem (*Yoreh Deah* 246:1). The *Shach* (*ibid.*, *siman* 2) clarifies that in the partnership “the wages of Torah and what the other person profits will be divided equally between the two of them.” Rav Moshe Feinstein (*Igros Moshe* YD 4:37) concludes that this is the halachah and indeed contracts are extant detailing the *Yissachar/Zevulun* partnerships of such major Rabbinical figures as the Chazon Ish and Rav Eleazar Shach.

A Legal Partnership

While Rav Yosef Karo only quotes Rabbenu Yeruchem in the *Bais Yosef*,¹¹ and in the *Shulchan Aruch* does not explicitly refer to the Yissachar/Zevulun relationship, in a *teshuvah*¹² he elaborates upon the principle. He explains that this arrangement is not one of giving charity—a point that Rav Moshe Feinstein also emphasizes in his own *teshuvah*.¹³ Since this is a business deal, the recipient of the monetary payments is not limited by the laws of charity, and thus he may receive a large fortune in exchange for his Torah. But, explains

⁸ שהעוסק אבד שכבר בטל חלקו.

⁹ Although the *Bais Yosef* says this is based on the *Sifrei* as does the *Be'er HaGolah*, the only sources found are the aforementioned midrashim of Yissachar and Zevulun.

¹⁰ See also *Bedek HaBayis* on the *Tur* who quotes Rabbenu Yeruchem, and *Bais Yosef* at the end of *Siman* 246.

¹¹ At the end of *Yoreh Deah* 246 and in the *Bedek HaBayis* early in the *Siman*.

¹² *Avkas Rochel* 2.

¹³ *Ibid.* Rav Moshe does not refer to this *teshuvah* of *Bais Yosef*.

Rav Yosef Karo, the Gemara with regard to Hillel and Shavna demonstrates that only in the most dire financial need, when one is destitute, is he allowed to sell his Torah learning. The deal between Shimon and his brother was valid, because when the deal was made, Shimon would not have been able to learn had he not been given support at that point. The Torah learning is enabled by the deal and thus Shimon is not denigrating his Torah learning by making the deal, since without the support, the learning would not be possible. But once one has managed to learn despite poverty, it is prohibited to barter earned Torah credits for money—this is a denigration of Torah. In a business sense, Torah credits are a negotiable commodity, but halachically they may only be sold in order to facilitate the learning itself. The language of the *Tashbetz*, a fifteenth-century Provençal scholar, in explaining why Azariah differs from Shavna is as follows (*Sb"Ut HaTashbetz* 1:144): “[Azariah] has reward in the learning of his brother because it is through his business that [Shimon] earned the Torah.” His language seems to imply that the reward cannot be simply bartered, but must be earned. In order to gain Torah reward, Zevulun must have been a partner in facilitating that Torah learning. A post-facto sale has no standing on legal grounds. While this difference between *Tashbetz* and *Bais Yosef* in the understanding of the legal status of the Yissachar/Zevulun partnership is significant, all agree that Torah reward can be gained without learning Torah.

Rambam’s Omission

Since Rambam makes no mention of the Yissachar/Zevulun partnership, Rav Moshe Feinstein (*ibid.*) suggests that he views the relationship as a form of charity rather than a business partnership. But Rav Moshe sees difficulties with this explanation and gives no definitive explanation for Rambam’s omission of this principle. In fact, the greatest difficulty in assuming that the relationship is a form of *tzedakah* is Rambam’s unequivocal objection to taking money to enable one’s studying of Torah (*Hilchos Talmud Torah* 3:10).¹⁴ “Anyone

¹⁴ Rav Moshe (*ibid.* 36) claims that under certain conditions Rambam would allow for taking money and thus does not consider this a major difficulty. Rav Moshe’s argument is impossible to accept. Rambam was

who thinks that he will immerse himself in Torah and not do work and support himself from *tzedakah*, profanes the Name [of G-d] and degrades the Torah and puts out the light of our religion and causes evil to himself and takes his life from the World to Come, for it is prohibited to benefit from the words of the Torah in this world.”¹⁵ (See also *Peirush HaMishnayos, Avos 4:7*.)

Nor would one expect to find Rambam sanctioning the Yissachar/Zevulun arrangement defined by Rashi and his followers, even if this arrangement does not technically constitute taking charity. How is it possible that Rambam would at great length rail against those who use the Torah as a *קרדום להפור בו* “a shovel with which to dig,” i.e., a means of gaining money, and then turn around and permit selling half of one’s Torah for support? How could the Rambam emphasize, time and again (*ibid.*, and also *Hil. Talmud Torah 1:9*), that the Rabbis of the Talmud engaged in manual labor and commanded us to “love work,” and then tell us that scholars may allow others to work for them? Rambam praises work itself: “It is a great virtue to support oneself from the labor of one’s own hands, and it is the quality of the *Chassidim Rishonim* (the pious men of old). And in this way one merits all the honor and good in this world and in the World to Come, as it says, ‘When you eat from the efforts of your hands, it is your praise and your good’—it is to your praise in this world and it will be good for you in the World to Come—[the world] which is entirely good”¹⁶ (*Hilchos Talmud Torah 3:11*). How are these statements—which are really the statements of *Chazal*—compatible with the ancient Yissachar/Zevulun vision of Yaakov and Moshe Rabbenu in which only some worked, while others learned?

as unequivocal as a person can be in his prohibition of taking charity to learn.

¹⁵ כל המשים על ליבו שיעסוק בתורה ולא יעשה מלאכה, ויתפרנס מן הצדקה--הרי זה חילל את השם, וביזה את התורה, וכיבה מאור הדת, וגרם רעה לעצמו, ונטל חייו מן העולם הבא: לפי שאסור ליהנות בדברי תורה, בעולם הזה.

¹⁶ מעלה גדולה היא למי שהוא מתפרנס ממעשה ידיו, ומידת חסידים הראשונים היא; ובזה זוכה לכל כבוד וטובה שבעולם הזה, ולעולם הבא: שנאמר, "יגיע כפיך, כי תאכל; אשריך, וטוב לך" (תהלים קכח:ב) – "אשריך" בעולם הזה, "וטוב לך" לעולם הבא שכולו טוב.

Yissachar and Zevulun of the Midrash

While it would seem likely that Rambam understood the Yissachar/Zevulun partnership as being a midrashic allegory that needs to be interpreted rather than literal historical fact, there is evidence that Rambam gave credence to the historicity of the arrangement. In *Hilchos Kiddush HaChodesh* (17:24) he alludes to the fact that the members of the tribe of Yissachar were experts in the mathematical and astronomical principles of *kiddush hachodesh*. The midrash derives this principle from the verse in *Divrei HaYamim* (1:12:32): “And from the children of Yissachar, there were those knowledgeable in the understanding of the times.” The simple translation of the verse, based on its context, is that יודעי בינה לעתים refers to those capable of giving insightful advice to David in military and political matters, as Rashi (*ibid.*) explains. However, Rambam follows the midrash¹⁷ that the knowledge of Yissachar was of these deep matters that qualify as *pardes*¹⁸ (*Hilchos Yesodei HaTorah* 4:12) and they ascended to this knowledge because of the extra time they were allotted to learn because of the work of Zevulun. It would seem that Rambam feels that these midrashim contain a core that is to be taken literally.

However, a careful reading of the midrashim dealing with Yissachar and Zevulun, produces a different understanding of their relationship than that which has been codified in halachah. The *Midrash Tanchuma (Vayechi)* referenced by Rashi actually reads as follows:¹⁹ “Why did he put Zevulun before Yissachar?²⁰ Because Zevulun dealt in commerce and Yissachar in Torah. They made a partnership between themselves that the [proceeds] of Zevulun’s

¹⁷ ומתוך שנתייחד יששכר בתורה ולא עסק בפרקמטיא, ולא היה לו עמל בדבר אחר לפיכך כתוב בו: מבני יששכר יודעי בינה לעתים (ד"ה א יב). (מדרש תנחומא פ' ויחי, ועוד)

¹⁸ See also *Igros HaRambam*, ed. Shilat, *teshuvah* #9, p. 216.

¹⁹ מדרש תנחומא פ' ויחי זבולן לחוף ימים קדם זבולן ליששכר. ולמה? שזבולן עוסק בפרקמטיא ויששכר עוסק בתורה, עשו שותפות ביניהם, שיהא פרקמטיא של זבולן ליששכר, שכן משה ברכו, שמח זבולן בצאתך ויששכר באהליך (דברים לג). שמח זבולן בצאתך לפרקמטיא, משום דיששכר באהליך עוסק בתורה. למה? עץ חיים היא למחזיקים בה (משלי י'), לפיכך הקדים זבולן ליששכר, שאלמלא זבולן, לא עסק יששכר בתורה, ומתוך שנתייחד יששכר לפיכך כתוב בו: מבני יששכר יודעי בתורה ולא עסק בפרקמטיא, ולא היה לו עמל בדבר אחר בינה לעתים (ד"ה א יב).

²⁰ In the blessing of Yaakov, even though Yissachar was born first.

commerce should go to Yissachar, and thus Moshe blessed them: 'Rejoice, Zevulun, in your journeys, and Yissachar in your tents.' Rejoice, Zevulun, in your journeying outward to do business, because Yissachar is in your tent studying Torah. Why [is this a cause for rejoicing]? 'For [the Torah] is the tree of life for those who support it.'²¹ Therefore Zevulun precedes Yissachar, for without Zevulun, Yissachar would not have engrossed himself in Torah. And because Yissachar engrossed himself totally in Torah and did not deal in commerce, nor did he toil in anything else, therefore it is written of him, 'And from the sons of Yissachar there were those who know the deep knowledge of creating a calendar.' Yissachar is not said to be free of work altogether, but only that he "did not deal in commerce (פרקמטיא) nor toil (עמל) in anything else." Elsewhere the midrash is even clearer that the difference between the two brothers is that Zevulun engaged in the dangerous and demanding sea journeys of commerce,²² while Yissachar's work was relatively easy.²³ "Zevulun would leave civilization and venture out into the sea. Yissachar would gather and Zevulun would transport [the goods] in ships and sell it and bring [Yissachar] all his needs... Yissachar would bring on donkeys and Zevulun on boats."²⁴ One version of the midrash²⁵ describes Zevulun's actions as "giving business" (ממציא) to Yissachar.²⁶

²¹ למחזיקים בה. This is apparently how the midrash interprets.

²² Based on the fact that the Torah tells us that his property was on the seashore.

²³ (ויקרא רבה כה:ב) מפרש מיישוב ועוסק בפרקמטיא ובא ונותן לתוך פיו של יששכר, נותן לו שכר בעמלו.

²⁴ בראשית רבה צט:ט - זבולן לחוף ימים ישכון, הרי זבולן קדם ליששכר, שכן מייחסן יששכר זבולן. ולמה כן? אלא, שהיה זבולן עוסק בפרקמטיא, ויששכר עוסק בתורה, וזבולן בא ומאכילו, לפיכך קדמו עליו. אמר הכתוב (משלי ג): עץ חיים היא למחזיקים בה יששכר כונס וזבולון מביא באניות ומוכר, ומביא לו כל צרכו. וכן משה אומר (דברים לג): שמח זבולון בצאתך. למה? שיששכר באהליך, שלך הו. שאת מסייעו לישב בהו.

²⁵ כת"י אור האפלה – למה הקדים זבולן ליששכר מפני שהיה עושה פרקמטיא ליששכר העלה עליו הכתוב כאלו הוא גדול ממנו וקיבל נחלה בתחלה, כיוצא בו שאמרו במשנה שמעון אחי עזריה וכי עזריה גדול משמעון אלא שהיה עזריה ממציא פרנסה לשמעון והוא יושב בבה"מ. מכאן אמרו חכמים כל הממציא מלאכה לחבירו המתפרנסת אותו מעלה עליו הכתוב כאילו ילדו.

²⁶ בראשית רבה – שיטה חדשה פרשה ב - מפני מה ברך זבולן תחלה, מפני שזבולן לחוף ימים ישכון, וכל הסחורות למחוזו באין, כדכתיב והוא לחוף אניות, ויששכר מסתפח בסחורותיו,

Without quoting the above midrashim, Rav Moshe Feinstein (ibid.) notes that since Yissachar had a portion in the land, just as Zevulun did, we cannot say that Yissachar was eligible for charity. It makes no sense to believe that Yissachar's land lay fallow for hundreds of years. Partially to address this, Rav Moshe suggests an arrangement whereby Zevulun saw to it that Yissachar's land was worked. Both rationality and the language of the midrash suggest that Yissachar tended its own land—but the 'toil' and 'commerce' of Zevulun eased the life of his older brother and made it possible to spend the bulk of his days in the study of Torah.

Rambam's Early Yissachar and Zevulun

At the end of Rambam's famous elaboration (*Peirush HaMishnayos, Avos 4:7*) on the Mishnah's prohibition of using the Torah as "a shovel to dig with," where he explains that it is absolutely forbidden to receive financial gain for the learning of or teaching of Torah, he does make a concession.²⁷ "But that which the Torah permitted to scholars was for them to give money to a man to do business with, should that person wish to do so, and one who does choose to do this is rewarded for it. This is what is called 'filling the purse of scholars' (מטיל מלאי לכיס של תלמידי חכמים)." Clearly the principle of *matil meloi* is exemplified by the conduct of Zevulun with Yissachar as explained in the midrash.²⁸ Zevulun took Yissachar's assets and marketed it for him. Zevulun would benefit financially from his efforts for Yissachar—the labor of delivering the goods and marketing them on foreign shores was certainly compensated. But

כדכתיב יששכר חמר גרם, שנוטל הסחורות מזבולון ומשתכר בהם, הוא שאמר משה רבינו שמה זבולון בצאתך, לפרש בים, ויששכר באהליך, שמשתכר באהליו מסחורות של זבולון. According to this version of the midrash, Zevulun brought produce to Yissachar to market.

²⁷ אבל הדבר שהתירו התורה לתלמידי חכמים הוא שיתנו מעות לאדם פיה"מ אבות ד:ז - להתעסק להם בהן ברצוננו אם ירצה, והעושה כן יש לו שכר על כך, וזהו מטיל מלאי לכיס תלמידי חכמים, וכן למכור סחורתם תחלה לכל הנמכרים, ומוסרים להם המכירה הראשונה בשוק בהכרח, כי אלו זכויות קבעם ה' להם כמו שקבע את המתנות לכהן והמעשרות ללוי כפי שבא בקבלה. כי שתי הפעולות הללו עושים אותם לפעמים הסוחרים זה עם זה דרך כבוד ואף על פי שאין שם חכמה, ולפחות שיהא תלמיד חכמים כעם הארץ שמכבדין אותו.

²⁸ Rav Shilat in his edition of *Igros HaRambam, teshuvah 11*, suggests this but does not cite the language of the midrashim as substantiation.

because he seeks out the goods of the *talmidei chachamim* to market and makes them his partners, and thus enables them to continue their studies, “he is deserving of reward.”²⁹ Rambam’s source is the statement in the Talmud³⁰ about Todos the man of Rome who was described as “*matil meloi* to the purse of scholars, of which Rav Yochanan says, all who are *matil meloi* to the purse of scholars merit to sit in the Yeshivah on high, as it says (*Kobeles* 7:12): ‘In the shade of wisdom, in the shade of wealth.’”

Rashi (ibid.) interprets *matil meloi* as providing scholars with goods for them to market, while according to Rambam it refers to the marketing of the scholars’ goods.³¹ While this Rashi might be interpreted as donating goods to the scholar, we know otherwise from another Talmudic passage.³² “It is greater to lend rather than to give charity, and *matil* to the purse is greater than all.” Here, Rashi explains, “*Matil* money and *meloi* (goods) to do business with at half commission.” Thus, according to both Rashi and Rambam, we are speaking of helping scholars to do business on their own. This is the highest form of aid that should be provided to them. According to Rambam, it is the Yissachar/Zevulun model that is being practiced and praised.³³ The “reward” (שכר) that Rambam refers to is meriting “to sit in the Yeshivah on high.”

²⁹ Zevulun would probably be entitled to an extra fee as a money manager for securing this investment for Yissachar. It is this fee that Rambam says is donated by Zevulun and merits him this special reward.

³⁰ כמה רבי יוסי בר אבין אמר מטיל מלאי לכיס של תלמידי חכמים היה דאמר ר' יוחנן כל המטיל מלאי לכיס תלמידי חכמים זוכה ויושב בשיבה של מעלה שנא' (קהלת ז) כי בצל החכמה בצל הכסף: (פסחים נג).

³¹ We have noted earlier that one midrash says the Yissachar/Zevulun arrangement was that Zevulun brought goods to Yissachar to market and thus Rashi’s interpretation is compatible with that presentation.

³² [ואמר רבי] אבא א"ר שמעון בן לקיש גדול המלוה יותר מן העושה צדקה ומטיל בכיס יותר מכולן (רש"י – מעות ומלאי להשתכר בהן למחצית שכר) (שבת סג).

³³ See *Hilchos Matnos Aniyim* (10:7), where Rambam lists the ascending modes of charity and considers עושה עמו שותפות, וממציא לו מלאכה equal to lending. The commentaries, including the Gra, ask why Rambam does not consider these two forms of helping in business as a higher level since the Talmud calls it a higher level. The answer would seem to be that these two forms of aid are just providing him with business opportunity and ממציא לו מלאכה means to give him your business—and here we are talking about forms of charity. But מטיל מלאי is to forgive a

Rambam says that there is also another form of aid that is not optional, but actually mandated—to give the scholar precedence in selling his wares and buying in the marketplace. He justifies both *matil meloi* and precedence with two explanations. First, that scholars are awarded “gifts” (מתנות), just as the *kobanim* and *levi'im* are given *terumah* and *ma'aser*. Secondly, these are really preferences that are, in general, granted to senior members of the commercial community, and it is only fitting that “a scholar be treated as well as an honored *am ha'aretz*.” According to this view, clearly scholars were expected to work, but there was an expectation that the community give them some assistance, some preferential treatment in the marketplace. These preferences are part of the Torah principle of³⁴ Yissachar and Zevulun. However, in *Mishneh Torah*, we do not find these exceptions in *Hilchos Talmud Torah* when Rambam elaborates as he did in the *Peirush HaMishnayos*, about the evils of accepting money for Torah learning. The precedence in the marketplace is found later amongst the laws of honoring *talmidei chachamim* (*Hilchos Talmud Torah* 6:10). He lists it together with the law of giving a scholar precedence in court to adjudicate his case first. He does not present this precedence as a “gift” but only as an act of honor.

Moreover, the key halachah that we have identified with the principle of Yissachar/Zevulun, that of *matil meloi*, is not found at all. Rambam apparently has changed his mind about it.³⁵ Does this mean

fee that would normally be taken for finding a market for the scholar's goods. This is what Resh Lakish considers greater than all other forms of aid and it is only spoken of with regard to helping *talmidei chachamim*. The *Gemara Shabbos* lists a series of statements about *talmidei chachamim* and this statement of Resh Lakish is surrounded by statements dealing only with scholars. Thus this higher form is not brought in *Hilchos Matnos Aniyim* at all. We will soon see where it is brought.

³⁴ "קבעם ה' להם"—clearly he holds that there is a Torah principle involved. This principle is Yissachar/Zevulun. Perhaps at this point, Rambam considered these preferences as part of the mitzvah of honoring *talmidei chachamim*.

³⁵ In addition, he adds afterwards in the *Peirush HaMishnayos* that scholars are free from taxes, comparing it to *matanos* in that *kobanim* are free from the *מחצית השקל*, but in *Mishneh Torah* he changed his mind and obligated *kobanim* in *מחצית השקל* so the support from that law would no longer be valid. It thus seems that Rambam changed his mind in regard

that Rambam has dropped the principle of Yissachar/Zevulun altogether? No.

Rambam's Later Yissachar and Zevulun—*U'bo Sidbak*

The principle of *matil meloi*, though not found in *Hilchos Talmud Torah*,³⁶ is found in *Hilchos Deos*. The *Tashbetz* (*Sh"Ut HaTashbetz* 1:144), in his lengthy disagreement with Rambam's prohibition of taking support for learning Torah, cites a Talmudic principle that he claims urges people to support scholars.³⁷ Based on the verse, "You who are bound (הדבקים) to G-d, your G-d, are all alive today" (*Devarim* 4:4), Rebbe expounds that even those who do not learn Torah can earn a portion in the World to Come through the *mitzvah* of cleaving to G-d, ובו תדבק—which *Chazal* interpret to mean cleaving to scholars. This includes "marrying one's daughter to a

to this as well. He frees (*Hilchos Shchenim* 6:6) scholars (based on *Bava Basra* 8a) in the following capacity [ן כל הדברים שצריכין לשמירת העיר--לוקחין מכל אנשי העיר, ואפילו מן היתומים: חוץ מתלמידי חכמים, לפי שאין תלמידי החכמים צריכין שמירה--התורה שומרתן. אבל לתיקון הדרכים והרחובות, אפילו מן החכמים. ואם כל העם יוצאין ומתקנין בעצמן--לא ייצאו תלמידי חכמים עימהן, שאין דרך תלמידי חכמים להזדלזל בפני עמי הארץ]. Thus with regard to these taxes the exemption has particular reasons and is not considered a "gift." The exemption from other taxes is listed in *Hilchos Talmud Torah* (6:10) with the laws of honoring scholars, quoting only a verse from *Navi* as a proof, while the Talmud had brought evidence from Torah and *Kesuvim* as well. In later years, it seems that Rambam rejected the concept of a Torah principle of "gifts" for scholars as are given to the *kobanim* and *levi'im*. In a *teshuvah*, he refers to the fact that on many issues he had changed his mind (see *Igros HaRambam*, Shilat ed., p. 305)—for in his youth he was misled by several *geonim* and others he wishes not to mention.

³⁶ Nor in *Hilchos Shchenim*. See previous note.

³⁷ כל המשתמש באור תורה אור תורה מחייהו וכל שאין משתמש באור תורה אין אור תורה מחייהו כיון דחזייה דקמצטער א"ל רבי מצאתי להן תקנה מן התורה (דברים ד) ואתם הדבקים בה' אלהיכם חיים כולכם היום וכי אפשר לדבוק בשכינה והכתיב (דברים ד) כי ה' אלקיך אש אוכלה אלא כל המשיא בתו לתלמיד חכם והעושה פרקמטיא לתלמידי חכמים והמהנה תלמידי חכמים מנכסיו מעלה עליו הכתוב כאילו מדבק בשכינה כיוצא בדבר אתה אומר (דברים ל) לאהבה את ה' אלקיך ולדבקה בו וכי אפשר לאדם לידבק בשכינה אלא כל המשיא בתו לתלמיד חכם והעושה פרקמטיא לתלמידי חכמים והמהנה תלמידי חכמים מנכסיו מעלה עליו הכתוב כאילו מדבק בשכינה (כתובות קיא).

scholar, doing commerce for scholars (עושה פרקמטיא לתלמידי חכמים), and benefiting scholars from one's property." The *Tashbetz* then explains that *oseb prakmatia* is the same as *matil meloi* cited above where the *Gemara*³⁸ also explains that the reward is a portion in the World to Come. With regard to both, the Talmud cites the verse in *Koheles*, "In the shade of wisdom, in the shade of wealth," to teach that a canopy exists in heaven for one who supports Torah. It would seem that the Tashbetz interprets *matil meloi* and *oseb prakmatia* as actually giving the scholar money or goods for free, as his argument is that one is urged to support them, and he goes on to equate this process with the arrangement of Yissachar and Zevulun.³⁹

Rambam agrees with *Tashbetz's* presentation, but with one exception. The principle of *matil meloi* is merely giving preference and some aid to a scholar businessman, not support. The phrase *oseb prakmatia* certainly implies marketing the goods of scholars. In fact, Rambam in his codification uses the term *oseb prakmatia* rather than *matil meloi* because the former implies a wider range of aiding in commerce. It includes both marketing Yissachar's goods and bringing imports for him to use and sell. This second practice is also one of the services attributed in the midrash to Zevulun. (See above, "Yissachar and Zevulun of the Midrash.") Indeed, this is the principle of Yissachar/Zevulun, but it is not one of supporting Yissachar, nor even of aiding him, but of attaching oneself to him.

Rambam presents the *mitzvah* of *U'bo Sidbak* as follows:⁴⁰

³⁸ *Pesachim* 53b. See note 30.

³⁹ Perhaps he is also influenced by the phrase "benefits scholars from his property" which he takes to mean, gives them gifts. Rambam, we will see, interprets this differently.

⁴⁰ מצות עשה להידבק בחכמים, כדי ללמוד ממעשיהם: שנאמר "ובו תדבק" (דברים י, כ), וכי אפשר לאדם להידבק בשכינה; אלא כך אמרו חכמים בפירוש מצוה זו, הידבק בחכמים ותלמידיהם. לפיכך צריך אדם להשתדל שישא את תלמיד חכמים, וישיא בתו לתלמיד חכמים, ולאכול ולשתות עם תלמידי חכמים, ולעשות פרקמטיא לתלמידי חכמים, ולהתחבר להן בכל מיני חיבור--שנאמר "ולדובקה בו" (דברים יא:כב, דברים ל:כ, יהושע כב:ה) וכן ציוו חכמים ואמרו, והוי מתאבק בעפר רגליהם, ושותה בצמא את דבריהם המצווה (דעות ו:ב) שנצטוונו להתערב בין החכמים ולהתחבר אתם ולהתמיד ולשבת עמם ולהשתתף עמם בכל דרך מדרכי השתתפות: במאכל ומשתה ומקה וממכר, כדי שנגיע בכך להדמות למעשיהם ולהאמין בדעות האמתיות מדבריהם. והוא אמרו יתעלה: "ולדבקה-בו" (שם יא:כב) (סה"מ מ"ע ו).

“It is a positive command to cling to *chachamim* in order to learn their ways, for it says ‘Cling to Him’; is it possible for one cling to the *Shechinah*? Thus the *chachamim* explain as follows with regard to the fulfillment of this *mitzvah*: cling to the *chachamim* and their students. Therefore, a man should try to marry the daughter of a *talmid chachamim*,⁴¹ and marry his daughter to a *talmid chachamim* and to eat and drink with *talmidei chachamim*, and to do commerce (*la’asos prakmatia*) for *talmidei chachamim*, and to attach oneself to them in all forms of attachment... So too the *chachamim* commanded and would say, lay at the dust of their feet and drink with thirst their words.” (*Hilchos Deos* 6:2)

In the *Sefer HaMitzvos* (*Aseh* 5), Rambam explains that the purpose is “So that one will come from this to emulate their actions and from their words to accept the true concepts.”⁴² To appreciate this halachah properly, we must review some Maimonidean basics.

Rambam explains in various places⁴³ that the purpose of the *mitzvos*, in fact the purpose of our religion, is to attain physical and intellectual perfection. Physical perfection, called *Shlemus HaGuf* (שלמות הגוף), means perfection of character. Intellectual perfection is called *Shlemus HaNefesh* (שלמות הנפש). The higher perfection is that of intellectual perfection; it is the more difficult to attain, and in its ultimate state is what we call the Knowledge of G-d. *Shlemus HaGuf* is a valued attainment in itself and has a secondary function as a stepping-stone to *Shlemus HaNefesh*. One who has not developed a refined and truthful character will be incapable of grasping the

⁴¹ The correct term is *talmid chachamim*, as one can verify in the Shabse Frankel edition of *Mishneh Torah*. Talmudic manuscripts also verify that this is the correct language—“a student of the *chachamim*,” i.e., one who has studied in the great academies where the great scholars had gathered. This change in *girsah* would seem to have ramifications worth pondering.

⁴² Note the description of the mitzvah in the introduction to *Hilchos Deos* להדבק ביודעיו.

⁴³ See *Moreh Nevuchim* part 3, chapter 27, and the Introduction to the *Peirush HaMishnayos*, Kappach Edition, pp. 22-23. See also the Introduction to *Avos*, chapters 2 and 7.

ultimate truths.⁴⁴ The first book in *Mishneh Torah* is *Sefer Mada*, the *Book of Knowledge*. Rambam logically opens with this book as here he explains in a straightforward manner the goals of the Torah and how they are attained. *Hilchos Yesodei HaTorah* explains what constitutes the ultimate goal of *Shlemus HaNefesh*. *Hilchos Deos* follows, for here he defines the secondary goal of *Shlemus HaGuf*. *Hilchos Talmud Torah* then explains how wisdom is to be pursued and gained. *Hilchos Avodah Zarah* explains the folly of man that must be averted. He states in the beginning and the end of these laws, that these practices and superstitions are the stupidities that have led man astray and caused him to lose sight of the truth.⁴⁵ The book ends with *Hilchos Teshuvah* that tells man how to return from sin back to the Garden of Eden and the Tree of Knowledge.

In performing the *mitzvah* of *U'bo Sidbak*, which is included in *Hilchos Deos*, one perfects his character and adds to his *Shlemus HaGuf*. As Rambam explains, he “will learn from his (the scholar’s) actions.” In addition, since *Shlemus HaGuf* aids in attaining *Shlemus HaNefesh*—the performance of this *mitzvah* also helps in attaining *Shlemus HaNefesh*. As Rambam says, one will learn “from their words to accept the true concepts,” for part of the *mitzvah* is to “drink with thirst their words.” Although the person performing this *mitzvah* helps the *talmid chachamim*, he in fact is helping himself as well, and the motivation is self-serving. Rambam translates the words of the gemara *והמהנה תלמידי חכמים מנכסיו* not to mean one who gives gifts to scholars—for they may not accept them—but rather “eat and drink with *talmidei chachamim*”; in other words, to invite them to your

⁴⁴ We will elaborate upon these concepts later on in our essay.

⁴⁵ בימי אנוש טעו בני האדם טעות גדולה, ונבערה עצת חכמי אותו הדור (א:א) ודברים האלו-- כולן, דברי שקר וכזב הן; והן שהטעו בהן עובדי עבודה זרה הקדמונים לגויי הארצות, כדי שיינהו אחריהן. ואין ראוי לישראל, שהן חכמים מחוכמים, להימשך בהבלים אלו, ולא להעלות על הלב שיש בהן תעלה: שנאמר "כי לא נחש ביעקב, ולא קסם בישראל" (במדבר כג:כג), ונאמר "כי הגויים האלה, אשר אתה יורש אותם--אל מעננים ואל קסמים, ישמעו; ואתה--לא כן, נתן לך ה' אלקיך" (דברים יח:יד). יח כל המאמין בדברים אלו, וכיוצא בהן, ומחשב בלבו שהן אמת ודברי חכמה, אבל התורה אסרה אותן--אינו אלא מן הסכלים ומחסרי הדעת, ובכלל הנשים והקטנים שאין דעתן שלמה. אבל בעלי החכמה ותמימי הדעת, יידעו בראיות ברורות--שכל אלו הדברים שאסרה תורה, אינן דברי חכמה, אלא תוהו והבל שנמשכו בהן חסרי הדעת, ונטשו כל דרכי האמת בגללן. (יא:טז)

simchos shel mitzvah,⁴⁶ as the Talmud (*Berachos* 64a) comments: “Whoever benefits from a meal at which a *talmid chachamim* is partaking, it is as if he benefits from the radiance of the *Shechinah*.”

The association with *talmidei chachamim* in *oseb prakmatia* is no different than the association of marrying into their family, in that it is self-serving in multiple ways. This bond will not only aid one’s spiritual growth, but the practical advice from this wise in-law or partner can be invaluable in material ways as well. This association is the Torah’s principle of Yissachar and Zevulun. This is the vision that Yaakov Avinu and Moshe Rabbenu had. We can gain greater clarity into this vision by knowing something of Rambam’s own life.

Rav Moshe and His Brother Rav Dovid

It is widely reported that Rambam in his early years was supported by his brother Dovid. What of Rambam’s condemnation of being supported to learn? Some justify it by assuming that there is no objection for family members to support each other to study Torah.⁴⁷ This assumption is without foundation. Giving *tzedakah* to a brother is *tzedakah*, and in fact the law mandates that family members be given priority (*Hilchos Matonos Aniyim* 7:13.) Moreover, Yissachar and Zevulun were brothers and those who *Chazal* tell us followed in their footsteps, Azariah and Shimon, were also brothers. As we have explained, Rambam defines their relationship in terms of *matil meloi* alone, not of support. Only this practice of aid was sanctioned in the Torah between brothers.

In fact, Rambam’s arrangement with his brother was exactly that which the Torah had sanctioned between Yissachar and Zevulun. Rambam describes this relationship to a friend who had not heard of his brother’s tragic death at sea.⁴⁸ “The greatest tragedy that

⁴⁶ A scholar is not allowed to eat [outside his home], except at a *seudas mitzvah* of a *talmid chachamim*. This would also suggest that this mitzvah is to be performed by *talmidei chachamim* themselves.

⁴⁷ Rav Shilat, *Igros HaRambam* #11, suggests this as one possibility.

⁴⁸ והרעה הגדולה שבאה עלי באחרונה, שהיא רעה מכל רעה שעברה עלי מיום היותי עד היום הזה, והיא פטירת הצדיק זצ"ל, שטבע בים הודו, ובידו ממון רב לי ולו ולאחרים... והוא היה הבן על ברכי גדל, והוא היה האח, והוא התלמיד, והוא שהיה נושא ונותן בשוק ומרויה ואני יושב לבטח, והבין בתלמוד במהרה, והבין בדקדוק הלשון יתר, ולא היתה לי שמחה אלא בראותו. ערבה כל שמחה, והלך לחיי עולם, והניחני נבהל בארץ נכריה. כל עת שאראה כתב

has befallen me... the death of the *tzaddik*, *צדק*, who drowned in the Indian Ocean, and with him much money, that which belonged to me, him, and others... and he was the son who was raised on my knee, and he was my brother, and my student, and he was the one who transacted the business in the marketplace while I sat securely, and in his studies he was quick in grasping the essence of an issue, and was acute in his deduction of language, and I had no happiness except when I saw him. Now all happiness has passed... I will follow my son to *sheol*. If not for the Torah which is my plaything, and matters of wisdom that make me forget my sadness, I would have been lost in my sorrow.” Rambam owned assets—the money that was lost partially belonged to him. Perhaps this money was from his inheritance or perhaps earned from his medical practice. Most probably Rambam was an active partner in this business, watching the home front, while his brother made the arduous and dangerous sea journeys necessary to market their goods or to import others. As described in the midrash, Dovid did for his brother Moshe what Zevulun did for Yissachar. That which Yissachar had gathered was marketed by sea by Zevulun. This is the *matil meloi* and *oseh praktikat* that *Chazal* and Rambam speak of.

But there is much more to learn from this letter. Rambam calls his brother his son and his student. The bond between these brothers was much stronger than the normal fraternal bond. Dovid is the one who takes the risks so that Rambam can be secure. In his fulfillment of *U'bo Sidbak* he has created the bond of love between Rebbe and teacher described here so touchingly. Rambam speaks of his student's intellect and of his talent in learning Torah. Rav Moshe Feinstein (*ibid.*), among others, raises the question as to what the obligation of Zevulun is in learning Torah. Here it is clear that Dovid/Zevulun is also a *talmid chachamim*. Dovid/Zevulun, the younger, recognizes that it is to his advantage to bear the 'toil' of the sea journeys, so that his older brother, who is more advanced and more able in Torah, can dedicate his 'toil' to Torah.⁴⁹ He does not

ידו, או ספר מספריו, יהפך עלי לבי ויעורו יגוני. כללו של דבר כי ארד אל בני אבל שאולה. ולולי התורה היא שעשועי, ודברי החכמות שאשכח בהם יגוני, אז אבדתי בעניי... (איגרות רמב"ם בהוצאת רב שילת, כרך א' עמ' רכט)

⁴⁹ The halachah tells us that a father who can either educate his son or learn himself must choose to educate the one who is best equipped for study. From that case, we cannot make a halachic application to

abandon his own studies, but does curtail them as the reality of survival dictates. But there is compensation. As *Chazal* say, “he merits to sit in the Yeshivah on High.” Those hours he spends with his grateful teacher—the character traits he gains from learning his qualities, and the wisdom he learns from devouring his words—will be ample compensation. Rambam calls him “the *tzaddik*.” Indeed, Zevulun will acquire *Olam HaBa* with this partnership.

In the Shade of Wisdom, In the Shade of Money

The assumption made about the standard understanding of the Yissachar/Zevulun arrangement is that the reward purchased by Zevulun is half the *Olam HaBa* earned by Yissachar for his *talmud torah*. The midrash says⁵⁰ “both took the reward of Torah together and both made a livelihood together... just as Zevulun had a portion in the reward of Torah of [Yissachar] so, too, Yissachar had a portion in the money of Zevulun.” The *Shach*’s comment,⁵¹ “The wages of Torah and the wages of what he profits will be divided between both of them,” is apparently based on the language of this midrash. The *Tur*’s and *Rema*’s *psak*, that we consider it as “if he himself had learned,” can only be interpreted as meaning that the supporter gains the actual reward of one who has learned Torah. The fact that legal contracts are written on these agreements certainly demonstrates that the parties believe that they are trading assets, and what the supporter gains the learner loses. (See above: “Yissachar and Zevulun in Halachah” and “A Legal Partnership.”) Rav Moshe Feinstein (*ibid.*)

anywhere else, because the mitzvah of Talmud Torah is, in fact, to teach one’s son and (almost secondarily, according to the presentation of the *mikra* and Rambam) also to teach oneself. The obligation to teach others is not on a par with the obligation to teach a son, and is only incumbent upon one who has become a scholar and thus no halachic application can be made to compel one to become a Zevulun to some Yissachar. But the principle of preference to the more able remains as a guide, and when your brother is the Rambam, common sense tells you that the ‘toil’ of the sea is your part.

⁵⁰ שניהם היו נוטלין שכר תורה ביחד ושניהם היו מתפרנסין ביחד ... עמים הר יקראו ושם יבחרו זבחי צדק .. שזבולין ויששכר שניהם היו מקריבים ביחד, וזבחי צדק היו הקרבנות, שכשם שהיה לזבולין חלק בשכר תורתו כך היה ליששכר חלק בממונו של זבולין. (במדבר רבה יג:ז)

⁵¹ בשכר. כלומר שכר תורה ושכר מה שריויה זה יהיה בין שניהם ביחד

says that Zevulun gets half the reward “that G-d gives for learning Torah in the World to Come and apparently also [half of] the reward granted [for Torah learning] in this world as the Mishnah (beginning of *Peab*) says ‘one eats its fruits in this world,’ and also the protection and salvation spoken of in the *Gemara Sotab*⁵²(21a).”

The Maharam Alashkar (*teshuvah* 101) was asked about a practice in his time, of selling *zechuyos*—one person purchasing from another the rewards of his good deeds. He replied that the only thing he heard about the validity of such a sale was a *teshuvah* from Rav Hai Gaon who was asked about selling the rewards one had gathered for fasting and paying one for “reading in the Torah (מקרא בתורה) so that he may merit the reward,” and he quotes the *teshuvah* verbatim.

“These things are vanity that one should not rely upon. How could one imagine that the reward of an individual for his good deeds could accrue to another? The verse says that ‘the righteousness of the *tzaddik* shall be upon himself,’ and so, too, it says, ‘the evil of the wicked shall be upon himself.’ Just as a person is not subject to the sin of another, he does not receive reward for the merit of another. Do you think that the reward for *mitzvos* is something that one can carry in his bosom, that it might be transferable to another? If one knew what the reward was, he would not give it to another nor would the other accept it from him. This is what it is: it is a reward of honor and respect that is given to the sainted for his good actions. There are groups and groups that are given audience with the *Shechinah* and heap praise before Him. The *tzaddik* is told to rise up to his individual level and to stand in his own section. ‘You have suppressed your desires and borne the burden of the *mitzvos* and did not turn to the pleasures that are everywhere, but left your desires and bore the yoke of your Creator and pained yourself in your fear [of Heaven]. Now come and accept the reward and enjoy the rays of the *Shechinah*. As the *chachamim* said, ‘It was a pearl in the mouth of Rav that the World to Come has no eating nor drinking, no being fruitful and multiplying, no business and no jealousy and no competition, but merely the

⁵² אצוליי מצלי, Torah saves the sinner from punishment.

righteous sitting with their crowns upon their heads and enjoying the rays of the *Shechinah*. Each one's level is according to his actions ... each one according to his level of *avodah* will be his reward..."

Reward in the World to Come is a function of the level of *Shlemus HaGuf* that one has acquired. The performance of the *mitzvos* is what elevates one and makes him worthy to "enjoy the rays of the *Shechinah*." The World to Come cannot be bought.

Rav Hai adds: "This fool who sold his fasting, the dog has eaten his portion. What reward can he get [for this fasting] before G-d, as he has already received money for the fasting and his self-denial was rewarded with money. He is more likely to receive punishment than reward, for he has made the name of Heaven like a shovel to bring himself food to eat." This is similar, and perhaps the source, for the *psak* of Rabbenu Yeruchem, that when one tries to sell the reward for Torah already learned that he in fact has invalidated the reward itself. On the other hand, he who tries to buy the reward of Torah cannot possibly be successful. To prove this, he quotes the *Gemara* of Hillel and Shavna, interpreting the phrase "בוז" "בוזו לו" to mean ("לבוז הוא ולעג")—that it is laughable to think that such a deal can be made. All the money in the world cannot buy the reward of Torah.

But what of Yissachar and Zevulun? He addresses this issue as follows:⁵³

"But certainly one who gives wages to a teacher to teach what is needed... has great reward for this, and the teacher himself sometimes has reward and sometimes not.⁵⁴ So, too, one who feeds the poor or a scholar so that he be blessed by him has reward for this and gets benefit in the form of the blessing (thanks) of the poor person or scholar.

⁵³ Rav Hai never explicitly mentions Yissachar and Zevulun, and in fact he is addressing the second part of the question as to whether there is reward for giving one money to learn for him. But clearly that case is a Yissachar/Zevulun arrangement.

⁵⁴ Quite a comment. One's intentions determine what his reward will be. See the final chapter of *Hilchos Teshuvah*. The reason to learn *לשמה* is that one may come *לשמה*, and the implication is that should this change not happen, there is little value (perhaps none) in his learning.

So, too, one who supports those who do *mitzvos*, to enable them to maintain themselves, has reward for this. Especially one who helps those who are involved in studying Torah and performing *mitzvos*, so that their hearts may be free to delve into their studies, has reward for this. And the reward that they have is for that action.⁵⁵

There is, indeed, reward for helping others maintain a life of Torah study, but it is the reward for supporting Torah study, not the reward that one gets for studying Torah.

While the *Tur* contends that the supporter of Torah study is rewarded as if he himself had studied, Rav Hai explains that this reward is akin to the reward that every person who helps another has. However, it does seem that he does not consider giving to a *chacham* a simple act of *tzedakah*⁵⁶ but rather an act of communal responsibility—sanctioned by the Torah principle of Yissachar and Zevulun⁵⁷—carrying a reward greater than that of ordinary charity. The midrash explains the principle in *Vayikra Rabah* (25:2)⁵⁸ in the context of explaining Yissachar and Zevulun: “G-d will make shade and canopies for those who do *mitzvos* near those who study Torah in *Gan Eden*... as it says ‘In the shade of wisdom in the shade of money.’ [also] ‘It is a tree of life to those who support it.’⁵⁹ The

⁵⁵ והשכר שיש לו, על פעולתו הוא.

⁵⁶ Rav Moshe Feinstein and the *Bais Yosef* in *Avkas Rochel* note the difficulty in considering it *tzedakah* when the recipient does not qualify as an *ani*.

⁵⁷ Under which *mitzvah* this would fall according to Rav Hai is open to speculation since we don’t know how he counted the *mitzvos*. Likewise according to Rabbenu Yeruchem, we do not know under what *mitzvah* the funding of Yissachar would come. Using the Rambam’s count it could come under *V’Halachta B’Drachav*, *V’Ahanta L’Re’echa*, or *U’Bo Sidbak*. Perhaps it would qualify as *tzedakah* despite the reservations cited in the previous note.

⁵⁸ ויקרא רבה – כה – ב – ר' הונא ור' ירמיה אמרו, בשם ר' חייא בר אבא: עתיד הקדוש ב"ה לעשות צל וחופות לבעלי המצות אצל בני תורה בגן עדן. ואית ליה ג' קריין: חדא כי בצל החכמה בצל הכסף. (קהלת ז:יב), ב' (ישעיה נ): אשרי אנוש יעשה זאת. והדין: עץ חיים היא למחזיקים בה. See also *Kesuvos* 111b referenced above.

⁵⁹ literally means ‘those who hold on to it.’ Our translation follows the *derash*.

canopy for those who support Torah is “near” that of the *bnai Torah*, but the two groups do not share the same canopy. The level that Zevulun attains is not that of Yissachar, for they were engaged in different activities and merit different rewards.⁶⁰ One might assume as well, according to Rav Hai, that Yissachar trades nothing away for the help he gets from Zevulun and his reward remains fully intact.⁶¹

And Their Crowns upon Their Heads

Amongst the sources quoted by Rav Hai to prove the idea that reward cannot be purchased, is the statement of Rav: “The World to Come has no eating nor drinking, no being fruitful and multiplying, no business and no jealousy and no competition, but merely the righteous sitting with their crowns upon their heads and enjoying the rays of the *Shechinah*.” Rav Hai explains, based on other sources, that each person sits in the unique position assigned to him that is based on all the actions of his life. It is absurd to think that one can pay money to earn a higher seat. According to Rambam, this text alone is sufficient to prove that Zevulun cannot possibly attain the same elevated reward that Yissachar does. Rambam explains what Rav meant by *עטרותיהם בראשיהם*—“their crowns upon their heads”:⁶² “The knowledge that they knew and for whose sake they merited the World to Come will be with them, and this is their *atarah*... and what does it mean to enjoy the rays of the *Shechinah*? They will know and grasp about the truth of the Holy One Blessed is He, that which they could not grasp while in a body.” As we explained before, the ultimate perfection of man is intellectual perfection—*Sblemus*

⁶⁰ Again, it’s worth noting Rav Hai’s (perhaps cynical) statement that he who pays the teacher of Torah gains a reward while the teacher of Torah himself sometimes does not. At times Zevulun’s reward may be greater than that of Yissachar.

⁶¹ In fact, even following his analysis this is not necessarily true as we will see in analyzing Rambam’s *shittab*.

⁶² וכן זה שאמרו עטרותיהם בראשיהם--כלומר דעה שידעו שבגללה זכו לחיי העולם הבא, מצויה עימהן, והיא העטרה שלהן, כעניין שאמר שלמה "בעטרה, שעטרה לו אימו" (שיר השירים ג:יא) והרי הוא אומר "ושמחת עולם, על ראשם" (ישעיהו לה:י, ישעיהו נא:יא), ואין השמחה גוף כדי שתנוח על הראש; כך עטרה שאמרו חכמים כאן, היא הדעה. ומה הוא זה שאמרו, ונהנין מזיו השכינה--שיודעין ומשיגין מאמיתת הקדוש ברוך הוא, מה שאינן יודעין והן בגוף האפל השפל. (הל' תשובה ח:ב)

HaNefesh. One's level in *Olam HaBa* is dependent on how much he came to understand while in this world. Of course, Zevulun cannot experience in the World to Come what Yissachar does. Only he who has reached great heights of understanding in this world will understand that which his body prohibited him from understanding in this world.

We did, however, note that a canopy is prepared for Zevulun as well. What is his reward? He has fulfilled *U'bo Sidbak* and thus grown in *Shlemus HaGuf*. This, in turn, was meant to aid his growth in *Shlemus HaNefesh*, so he will ostensibly merit *Olam HaBa* for this growth. However, the sources⁶³ imply that we are dealing with a Zevulun who never earns reward for his Torah knowledge and for him, too, a separate canopy is set up near that of the *bnei Torah*. Clearly, one who attains only *Shlemus HaGuf* is considered worthy of significant reward in *Olam HaBa*. The explanation here is simple. Rambam had explained that the *atarah* one brings with himself is the *דעה*—“knowledge” that he has acquired. But this word, *deah*—actually, the plural, *Deos*—is the title of the second book in *Sefer Mada* (מדע)—“The Book of Knowledge,” and it deals with the perfection of character—*Shlemus HaGuf*. What we think of as character traits and name *מדות*, is called *דעות*, by Rambam. Since the traits that man must acquire are those with which G-d created the world and are in fact “His Ways” (*דרכיו*),⁶⁴ therefore the internalization of these traits is a mastery of very important knowledge.⁶⁵ Those with only *Shlemus HaGuf* still merit a choice place in *Olam HaBa*.⁶⁶ Zevuluns who fulfilled *U'Bo Sidbak* and clung to scholars in this world will be in a canopy near them in the World to Come as well.

The Merit of Women

The *Gemara* (*Berachos* 17a), immediately after relating Rav's statement about *Olam HaBa* being dependent on knowledge, makes two

⁶³ *Vayikra Rabah* 25 and *Gemara Kesuvos* 111a.

⁶⁴ The primary *mitzvah* around which *Hilchos Deos* is built, is *והלכת בדרכיו*.

⁶⁵ This, of course, requires greater elaboration. But the fact is proven by Rambam's choice of the word *דעות*. Also it is implicit in the *Hakdamah L'Peirush HaMishnayos*, pp. 22-23, cited above.

⁶⁶ Indeed, “All of Israel have a portion in the World to Come.”

observations about the *Olam HaBa* of women.⁶⁷ First⁶⁸ it asserts that the promise made to women concerning eventual reward is stronger than that made to men. Secondly, Rav himself asks: “With what do women merit?” and answers: “By making their children go to the synagogue to learn Scripture and their husbands to the *Bais HaMidrash* to learn Mishnah, and waiting for their husbands till they return from the *Bais HaMidrash*.” The *Gemara*, and particularly Rav, is responding to the issue raised by having made the choicest canopy of *Olam HaBa* available only to those who study Torah. What of women who do not learn Torah? He responds that they have the merit of Torah for supporting their sons and husbands in learning Torah. He, in fact, assigns them the role of Zevulun. This is implied in the *Gemara Sotah* (21a) as well, where the Mishnah says that a *sotah*⁶⁹ will not die immediately if she has merits. The *Gemara* says that only the merits of Torah have the ability to save one who has sinned so seriously (מצלי), while *mitzvos* only protect from sin (מגני). Ravina thus concludes that it is the merit of Torah that saves her—quoting Rav’s principle that they merit for causing their children and husbands to learn.⁷⁰ Then he adds: “As a reward for this... do they not share?”

Clearly Ravina sees wives in the role of Zevulun, sharing in the Torah rewards of their husbands and sons.

According to the other *mefarshim*, even Rav Hai Gaon, in their capacity of working for Torah it is possible for Zevuluns, women included, to attain a place in *Olam HaBa* as worthy as that of their husbands.⁷¹ And certainly it is no surprise that the reward for supporting Torah has the same salvation effects as learning. But

⁶⁷ גדולה הבטחה שהבטיחון הקב"ה לנשים יותר מן האנשים שנא' (ישעיהו לב) נשים שאננות קומנה שמענה קולי בנות בוטחות האזנה אמרתי א"ל רב לר' חייא נשים במאי זכיין באקריווי בנייהו לבי כנישתא ובאתנווי גברייהו בי רבנן ונטרין לגברייהו עד דאתו מבי רבנן.

⁶⁸ Some claim that Rav makes this observation himself.

⁶⁹ An unfaithful wife who has been brought to the *Bais Hamikedosh* to prove her innocence, and, if guilty, dies during her test.

⁷⁰ רבינא אמר לעולם זכות תורה ודקאמרת אינה מצווה ועושה נהי דפקודי לא מפקדא באגרא דמקרין ומתניין בנייהו ונטרין להו לגברייהו עד דאתו מבי מדרשא מי לא פלגאן.

⁷¹ We do not wish to go too far afield in pursuing this fundamental difference. But one should not lose sight of the fact that according to the standard understanding, reward for *mitzvos* is dependent on subservience and effort. According to Rambam, while these are factors, reward is also dependent on accomplishment and knowledge.

according to Rambam, we must assume that Rav has merely explained that women will be in a canopy near the envied *tzadikim* who have soared—through their help—to *Sblemus HaNefesh*. In fact, Rambam does not decide the law in accordance with Ravina, either, but rather follows the *Gemara's* earlier suggestion and writes (*Hilchos Sotah* 3:20)⁷² that only if a *sotah* has the merit that comes from learning Torah will she be saved from death.⁷³ Rambam is apparently unfair to women. He is unfair to Zevulun as well, but they at least chose their role and are in fact encouraged to become Yissachars, while women are not commanded in *Talmud Torah* at all (*Hilchos Talmud Torah* 1:1.) Women can learn if they wish and will receive reward for so doing; nevertheless, he sentences all women to second-place status in *Olam HaBa* when he says:⁷⁴ “The Rabbis commanded that one not teach his daughter Torah... the *chachamim* said that one who teaches his daughter Torah it is as if he taught her nonsense (תפלות).” (*Hilchos Talmud Torah* 1:12)

Women and the Love of G-d

Strangely, however, studying *Sefer Mada* without reading *Hilchos Talmud Torah* gives an entirely different impression about women's obligation to study Torah. There, in two places, Rambam speaks positively about women learning Torah. In *Hilchos Yesodei HaTorah*, after explaining the *mitzvos* of *Yedias HaShem* (Knowledge of G-d) and *Yichud HaShem* (recognizing the uniqueness or oneness of G-d), Rambam turns to the *mitzvah* of *Ahavas HaShem* (Love of G-d). How

⁷² סוטה שהיה לה זכות תלמוד תורה--אף על פי שאינה מצווה על תלמוד תורה--הרי זו תולה לה, ואינה מתה לשעתה.

⁷³ Even though she is מצווה ועושה. We would have expected him to *paskeen* like Ravina who is the בתראי. Perhaps he had another *girsā*. His language in defining what women do is not exactly like that of Rav's and the first words דמקריין ומתניין would seem to imply that they themselves learned.

⁷⁴ אישה שלמדה תורה, יש לה שכר; אבל אינו כשכר האיש, מפני שלא נצטווית, וכל העושה דבר שאינו מצווה עליו, אין שכרו כשכר המצווה שעשה אלא פחות ממנו. ואף על פי שיש לה שכר, ציוו חכמים שלא ילמד אדם את בתו תורה: מפני שרוב הנשים, אין דעתן מכוונת להתלמד, והן מוציאין דברי תורה לדברי הבאי, לפי עניינות דעתן. אמרו חכמים, כל המלמד את בתו תורה, כאילו לימדה תפלות. במה דברים אמורים, בתורה שבעל פה. אבל תורה שבכתב, לא ילמד אותה לכתחילה; ואם לימדה, אינו כמלמדה תפלות.

is it possible to come to love the unknowable Creator?⁷⁵ By contemplating His “great and wondrous actions and creations.” After outlining what is involved in this study which is what *Chazal* referred to as *Maaseh Merkavah* and *Maaseh Bereishis*, Rambam concludes as follows:⁷⁶

“The matters of these four chapters⁷⁷ ... are what the *chachamim* called *Pardes* (orchard), as they said ‘Four entered the *Pardes*.’ And even though they were... great wise men,⁷⁸ nevertheless, not all of them had the ability to know and understand everything clearly. And I say that that one should not stroll in the *Pardes* until he has filled himself with bread and meat. Bread and meat means the explanation of what is permitted and prohibited and the like from all other *mitzvos*. Even though these matters are called ‘a small thing’ by the *chachamim*, as they said ‘a great thing is *Maaseh Merkavah* and a small thing are the discussions of Abbaye and Rava,’ nevertheless it is proper to learn them first for they settle a person’s mind first, and also they are the great good that the Holy One Blessed be He gave us for settling this world, that we may inherit the World to Come. And it is possible for all

⁷⁵ האל הנכבד והנורא הזה--מצוה לאוהבו וליראה ממנו, שנאמר "ואהבת את ה' אלקיך" (דברים ו:ה, דברים יא:א) ונאמר "את ה' אלקיך תירא" (דברים ו:יג, דברים י:כ). [ב] והיאך היא הדרך לאהבתו, ויראתו: בשעה שיתבונן האדם במעשיו וברואיו הנפלאים הגדולים, ויראה מהם חכמתו שאין לה ערך ולא קץ--מיד הוא אוהב ומשבח ומפאר ומתאוה תאוה גדולה לידע השם הגדול, כמו שאמר דויד "צמאה נפשי, לאלקים--לקל חי" (תהלים מב:ג).

⁷⁶ וענייני ארבעה פרקים אלו שבחמש מצוות האלו--הם שחכמים הראשונים קוראין אותן פרדס, כמו שאמרו ארבעה נכנסו לפרדס: ואף על פי שגדולי ישראל היו וחכמים גדולים היו, לא כולם היה בהן כוח לידע ולהשיג כל הדברים על בוריין. **כא** ואני אומר שאין ראוי להיטייל בפרדס, אלא מי שנתמלא כרסו לחם ובשר; ולחם ובשר זה, הוא לידע ביאור האסור והמותר וכיוצא בהן משאר המצוות. ואף על פי שדברים אלו, דבר קטן קראו אותם חכמים, שהרי אמרו חכמים דבר גדול מעשה מרכבה, ודבר קטן הווייה דאביי ורבא; אף על פי כן, ראויין הן להקדימן: שהן מיישבין דעתו של אדם תחילה, ועוד שהן הטובה הגדולה שהשפיע הקדוש ברוך הוא ליישוב העולם הזה, כדי לנחול חיי העולם הבא. ואפשר שיידעם הכל--גדול וקטן, איש ואשה, בעל לב רחב ובעל לב קצר.

⁷⁷ Including the first chapter that deals with the existence and uniqueness of G-d.

⁷⁸ Rabbi Akiva, Ben Azai, Ben Zoma and Elisha ben Avuyah.

to know it, man and woman, both one with great intellectual abilities and one with limited intellectual abilities.”⁷⁹

It is first important to understand why Rambam decides to tell us there is importance to learning the **הויות דאביי ורבא**—Talmudic debates of the law and their conclusions—at this very point. *Hilchos Talmud Torah* is well ahead of us, and if he is saying that it must be learned before studying the *Pardes*, this point is made by the phrase “for they settle a man’s mind first.” Why elaborate with “they are the great good, etc.?” From Rambam’s description of the *mitzvah* of *Ahavas HaShem* in the *Sefer HaMitzvos (Aseh 3)*⁸⁰ his intent becomes clear. There he writes that one can come to love G-d by “analyzing and studying G-d’s commandments and his actions.” Thus in *Mishneh Torah*, Rambam has not completed his definition of how to attain love of G-d until he tells us here that studying the discussions of the Talmud is also part of that *mitzvah*. Rambam’s choice of the words הטובה הגדולה (“the great good”) is pregnant with meaning. He explained in the *Moreh* (1:54) that G-d showed to Moshe all his ways and all the rules of nature and this is the meaning of **אני אעביר כל טובי על פניך**, “I shall pass all my goodness before you.” The world was described as **טוב מאד**, and thus **טוב** stands for these rules of Creation. Some of these rules are the philosophical/metaphysical and physical rules guiding nature—*Maaseh Merkavah*. And some are the rules of how man, an important part of nature, must function to reach perfection—*Shlemus HaGuf* and also the beginnings of *Shlemus HaNefesh*—these are the Talmudic discussions of Abbaye and Rava. Rambam explains in the *Moreh*,⁸¹ many of the reasons for the *mitzvos*. Many have psychological impact on man and help perfect him and strengthen his character. Others govern the smooth and just functioning of society so that man may prosper and then eventually free himself from the servitude to the land so that he have ample time to study and discover his Creator. This is what Rambam alludes to here as “the great good that the Holy One Blessed be He gave us for settling this world, that we may inherit the World to Come.”

⁷⁹ Every phrase in this paragraph requires elaboration, but we will focus only on what is relevant to our issue.

⁸⁰ היא הציווי שנצטוונו על אהבתו יתעלה, והוא: שנתבונן ונסתכל במצוותיו וציווייו ופעולתיו.

⁸¹ Much of the third book of the *Moreh* is devoted to this.

Thus, studying the *mitzvos* of the Torah is a fulfillment of the *mitzvah* of *ahavas Hashem*.⁸² This *mitzvah* is incumbent on all, women included, and that is why Rambam makes the point that women are quite capable of mastering **הויות דאביי ורביא**. Rambam begins *Hilchos Talmud Torah* (1:1) with the words: “Women and slaves are freed from *Talmud Torah*.” He needs to say so up front because everything that had preceded these halachos applies equally to men and women. Indeed, all that follows in *Sefer Mada* is also equally incumbent on women. In all of *Sefer Mada* (with a few exceptions in *Hilchos Avodah Zarah*) only the obligation of *Talmud Torah* does not apply to them. And as Rambam closes the *sefer*⁸³ with the call to worship G-d out of love and with the explanation that the love is dependent on knowledge, there is yet another mention of the importance of women learning.⁸⁴ “When one teaches children and women and the general unschooled masses, one only teaches them to worship out of fear and that they be rewarded, until their knowledge increases and they get superior wisdom. We then teach them this secret little by little, and we accustom them to this gently, until they know and understand it and serve out of love.” The ideals of *Sefer Mada* are as relevant to women as they are to men. Not only should they learn, but they are called on to reach the philosophical understanding necessary to

⁸² Actually, the performance of some *mitzvos* also brings one to *ahavas Hashem*. Rambam calls the second book of *Mishneh Torah*, *Sefer Abavah*. He explains that the book includes the *mitzvos* which man performs constantly that will bring him to love of G-d. It would seem that when Rambam says in the *Sefer HaMitzvos* ונסתכל שנתבונן ונסתכל, the intent in ונסתכל (looking) is to keep in mind while performing the *mitzvos* the reasons for them and in this way the love is grown. Interestingly, here too many of the *mitzvos* in *Sefer Abavah* are not incumbent on women, just as they are not obligated in *Talmud Torah*. The same reason that frees them from *Talmud Torah* frees them from these *mitzvos*. See further on.

⁸³ דבר ידוע וברור שאין אהבת הקדוש ברוך הוא נקשרת בליבו של אדם, עד שישגה בה תמיד כראוי ויעזוב כל שבעולם חוץ ממנה כמו שציווה ואמר "בכל לבבך ובכל נפשך" (דברים ו:ה, דברים י:יב, דברים ל:ו): אלא בדעה שיידעהו. ועל פי הדעה--על פי האהבה--אם מעט מעט, ואם הרבה הרבה (הל' תשובה ח:י).

⁸⁴ כשמלמדין את הקטנים ואת הנשים וכלל עמי הארץ, אין מלמדין אותן אלא לעבוד מיראה וכדי לקבל שכר, עד שתרבה דעתן ויתחכמו חכמה יתרה, מגלין להן רז זה מעט מעט; ומרגילין אותן לעניין זה בנחת, עד שישגוהו ויידעוהו ויעבדו מאהבה (הל' תשובה י:ה).

worship out of love—not for reward, but “the truth because it is true” (*Hilchos Teshuvah* 10:3, see the entire chapter.)

In the *Moreh* (3:51) as well, Rambam alludes to *Chazal*'s belief in the potential of women. He explains that the concept of “dying with a kiss” (מיתה בנשיקה) represents the culmination of human attainment by G-d's greatest servants. Moshe dies “by the mouth of G-d” (על פי ה') as does Aharon. This means that they died “in the midst of the pleasure derived from the knowledge of G-d and their great love for Him.” But though of Miriam the Torah does not say that she died “by the mouth of G-d,” *Chazal* tell us that this was her end as well, but “it was not considered appropriate to use these words in the description of her death as she was a female.” Consistent with women's omission from the commandment of Torah study, is the Torah's omission of the Torah attainment of Miriam. Nevertheless, *Chazal* tell us that as women are commanded in the love of G-d, they therefore are capable of and intended to pursue the knowledge that is necessary to create it. Their potential for *Olam HaBa* is equal to that of men—the canopy designated for *bnei torah* is open to them as well.

The Torah is contradictory in demanding that women fulfill the *mitzvah* of *Abavas Hashem* while not obligating them in the *mitzvah* of Talmud Torah. The Rabbis continue this contradiction by telling us that Miriam reached the highest attainment that a human can reach in love and knowledge and yet saying that one should not teach his daughter Torah because most women are not capable of understanding it properly. The resolution of this contradiction requires a full paper unto itself, and our discussion of it here is only as far as it is relevant to understanding the Yissachar/Zevulun relationship. But we will note here that the answer to this contradiction lies in the Torah's and Rabbis' assessment of the inclinations or abilities of the majority of women. Certainly there will be many women whose abilities and inclinations exceed the norm.⁸⁵

⁸⁵ Moreover, if the Torah only freed women from this mitzvah because of their inclinations at the time of *Matan Torah*, it is possible that in another age their inclinations might have changed. See *Hakirah* 4, *Rationality and Halachah*. Rav Moshe Feinstein and Chazon Ish say that Torah laws are based on the physical realities at the time of *Matan Torah* which could change in time

In any event, while the Rabbis told fathers not to teach their daughters Torah, the Torah and the Rabbis whisper to the daughters to pursue Torah knowledge and to ask their husbands to help them.⁸⁶

Im Yiten Ish Kol Hon Baiso B'Ahava, Boz Yavuzu Lo

The latter days of Rambam's life, after the death of his brother Dovid, find him without a substitute Zevulun. In a famous letter to Ibn Tibbon⁸⁷ he describes his arduous days engaged in the practice of medicine. Was there no substitute Zevulun available to help Rambam in his business endeavors now that his brother was gone? Is it probable that the man known and revered far and wide—for whom the Jews in far-away Teman added in *Kaddish*, “*Bechayechon u'vchaye d'Rav Moshe ben Maimon*”—could find no merchant anxious to be *matil meloi l'kis* of Moshe ben Maimon? I think not. More likely the change in Rambam's lifestyle is related to his understanding of the sole *Gemara* related to Yissachar and Zevulun.

Let us look at the *Gemara* in *Sotah* again: “What does it mean ‘He will scorn it to the extreme?’ (*Shir HaShirim* 8:7) Ula says, it is not referring to Shimon the brother of Azariah and Rav Yochanan of the house of the *Nasi*,⁸⁸ but rather it refers to Hillel and Shavna. When Rav Dimi came he explained, Hillel and Shavna were brothers. Hillel delved into Torah and Shavna involved himself with business. At the end [Shavna] said, let us mix our assets and divide them.⁸⁹ A *Bas Kol* shouted out [in response], Should a man give all the wealth of his house for love,⁹⁰ he will be scorned to the extreme.” The other *mefarshim* claim that the difference between the case of Hillel and that

⁸⁶ One must note that in Talmudic times, girls were generally married around the age of 12. The Talmudic dictate to the fathers only limits their education until that age.

⁸⁷ See *Igros HaRambam*, Shilat ed., pp. 650-651.

⁸⁸ According to Rashi, this means that he was supported by the *Nasi*.

⁸⁹ Shavna would divide his material wealth with Hillel in exchange for a portion of the spiritual earnings of Hillel.

⁹⁰ I.e., should one wish to purchase the love of G-d that has been acquired by Torah learning.

of the other scholars who were engaged in a Yissachar/Zevulun relationship is that the other partners were involved in supporting the learning of the Torah while Shavna came to his brother after he had learned and wished to buy a portion of the merit for what he had already learned. The *Gemara* gives no hint of this distinction. Moreover, while Rav Yosef Karo (*Kesef Mishneh, Hilchos Talmud Torah* 3:10) assumes that Hillel, after he was established as the *gadol hador*, was financially secure, thus the offer was for great wealth for past Torah learning, Rambam makes clear (in the aforementioned commentary on *Avos*) that Hillel always remained poor. When the Rabbis say “Hillel obligates the poor” (*Yuma* 35b), they define him as the epitome of Torah and poverty—the fulfillment of the *Beraisa* (printed at the end of *Avos*): “Such is the way of Torah, bread with salt you will eat and water by measure you will drink and in the Torah you will toil.” Thus, logically, the offer from Shavna was for future support, and most simply he offered him a Yissachar/Zevulun partnership. It is this relationship that Hillel refused.

The *Gemara* contrasts the scholars Shimon and Yochanan, who apparently are rarely quoted in the Talmud,⁹¹ with the greatest of scholars, Hillel. The first two allowed themselves to be aided in their support, while Hillel refused even aid. Rambam in *Avos* explains that Hillel’s choice was the way of life that the prophet Shmuel had chosen. He quotes the Talmudic statement (*Berachos* 10b): “He who wants to benefit may do so as Elisha did, and he who wishes not to benefit should not do so as did Shmuel HaRamasi.” He explains that the Tanach tells us of how Elisha accepted the hospitality of the Shunamis and others while he was on the road. Those who hosted him were themselves honored by the fact that this G-dly man would accept their hospitality. This was their fulfillment of *U’bo Sidbak*. But Shmuel would not accept even this “and would not enter into the house of any man and not eat of his bread.” Indeed, the midrashim tell us how Yissachar and Zevulun are partners and share in the rewards of the Torah, for Zevulun makes Yissachar’s Torah possible.

⁹¹ There is no reason to believe that this Rav Yochanan is the famous first generation *amora* Rav Yochanan, as he is never associated with the house of the *Nasi*. The Netziv in *Meromei Sadeh* assumes it is another person. Likewise the *Tanna* Shimon here referenced is apparently only quoted once, in the first Mishnah in *Menachos*.

Bamidbar Rabah (13:17) comments that when the *Nesi'im* sacrificed, Yissachar and Zevulun sacrificed together. But neither Hillel the *Nasi*, nor Shmuel the last of the *shoftim* who led Israel, nor Rambam in his latter years,⁹² were willing to share. They wished to embody both Yissachar and Zevulun. Rambam codifies Shmuel's way in halachah⁹³ (*Hilchos Zeciyah u'Matanah* 12:17): "The righteous and men of action will not take a gift from anyone but trust in Hashem, Blessed is His Name, not in princes, as it says, 'the hater of gifts will live.'"

When Hillel was faced with his fateful choice, the *Bas Kol* cried out what his answer must be. This answer comes from the climactic verse in *Shir HaShirim* which is a metaphor (*Hilchos Teshuvah* 10:5) for the love that one is intended to have for the Holy One Blessed be He. "The multitude of water cannot put out the love nor can the rivers wipe it away. If one be offered another's household fortune in exchange for this love, he will scorn the offer." Rambam (in the *Moreh*) tells us of how the *Avos* committed themselves to building a nation that knows G-d. Avraham is called אהבי, "he that loves Me," and Rambam tells us (*Sefer HaMitzvos* 3, also see *Hilchos Teshuvah* 10:4) that he epitomizes the love of G-d. The fulfillment of love is to call others to worship G-d as Avraham did. He did not do this because he was commanded to do so by G-d, but out of love.⁹⁴ In his love, he refused any help and refused to take from others even "a thread" even "a shoelace" lest one say, "I have made Avraham wealthy" (*Bereishis* 14:23). Moshe Rabbenu, our teacher and king, followed in this path and said: "I did not take a donkey from any of them" (*Bamidbar* 16:15).⁹⁵ Shmuel, the last and greatest of the *Shoftim*, would take nothing from another. Hillel wished not to be helped in his service of G-d but to be a leader in the footsteps of Avraham.

⁹² Heshel, in his biography of Rambam, cites Rambam's plea in the *Moreh* (3:12) for being satisfied with one's basic needs and not endangering oneself with sea journeys to acquire wealth. He sees in this a reaction to his brother's death at sea. Perhaps there is some truth in this.

⁹³ הצדיקים הגמורים ואנשי מעשה, לא יקבלו מתנה מאדם; אלא בוטחים בה' ברוך שמו, לא בנדיבים; והרי נאמר "ושונא מתנות, יהיה" (משלי טו:כז).

⁹⁴ Rambam in the *Moreh* makes clear that no one, including any of the *Avos*, was sent on any mission before Moshe Rabbenu.

⁹⁵ See Onkelos, Rashi, and Ramban, *ibid*.

These great men who built our nation took nothing in return.⁹⁶
Rambam walked in their footsteps. None have followed. ❧

⁹⁶ Kings are forbidden to take personal wealth from their servants. ולא ירבה לו כסף וזהב להניח בגזו ו להתגאות בו או להתנאות בו, אלא כדי שייתן להיילות שלו ולעבדיו ולשמשי (הלכות מלכים ג:ד).