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'Iron sharpens iron, so a person sharpens the wit of their friend.'

Proverbs 27:17



Introduction

Welcome to a new course as part of the Alyth Chavruta Project. Following a successful series on Pirkei Avot over the Omer, we are delighted that this term we will return to it, as it is also a tradition to study Pirkei Avot over the summer in preparation for Rosh Hashanah. Each week, we will be returning to a chapter and focussing on different mishnayot that we did not look at in the spring. You can find an edited version of Pirkei Avot in our prayer book, *Forms of Prayer*, beginning on page 702. This time round, we will focus on Pirkei Avot 1:2 (which many of us already know as we sing it regularly in our services) and 1:8-9 (which raise questions about legal process and the operation of judgment).

As usual, there is also no requirement to get to the end of the pack – we have provided more than you can get through in an hour of study, and we encourage you to focus on understanding a small amount rather than becoming confused by a greater amount.

Further resources and advice on how to get the most out of chavruta can be found in our [FAQs](#). We look forward to seeing you on Thursday to share our learning with each other.

As we will be studying during the Omer, we will include the blessing for counting the Omer at the beginning of each text pack, as well as the blessing for study as usual.

Blessing for Study

בְּרוּךְ אַתָּה יְיָ אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו, וְצִוָּנוּ לְעֲסוֹק בְּדַבְּרֵי
תּוֹרָה.

Blessed are You, our Living God, Sovereign of the universe, whose commandments make us holy, and who commands us to devote ourselves to the study of Torah.

Baruch Atah Adonai, Eloheynu Melech ha-olam, asher kidshanu b'mitzvotav, v'tzivanu la-asok b'divrey Torah.

Pirkei Avot, chapter 1, the Hebrew text (translation begins page 3)

ב שְׁמַעוֹן הַצַּדִּיק הָיָה מְשַׁגְּרֵי כְּנֶסֶת הַגְּדוּלָּה. הוּא הָיָה אוֹמֵר, עַל שְׁלֹשָׁה דְּבָרִים הָעוֹלָם עוֹמֵד, עַל הַתּוֹרָה וְעַל הָעֲבוּדָה וְעַל גְּמִילוּת חַסְדִּים:

ח יְהוּדָה בֶּן טַבַּאי וְשַׁמְעוֹן בֶּן טַבַּאי קָבְלוּ מֵהֵם. יְהוּדָה בֶּן טַבַּאי אוֹמֵר, אֵל תַּעַשׂ עֲצָמָךְ כְּעוֹרְכֵי הַדִּינִין. וְכַשִּׁי הָיוּ בְּעָלֵי דִינִין עוֹמְדִים לְפָנֶיךָ, יִהְיוּ בְּעֵינֶיךָ כְּרָשָׁעִים. וְכַשֶּׁנְּפֹטְרִים מִלְּפָנֶיךָ, יִהְיוּ בְּעֵינֶיךָ כְּזוֹכָאִין, כְּשֶׁקָּבְלוּ עֲלֵיהֶם אֶת הַדִּין:

ט שְׁמַעוֹן בֶּן שֹׁטָח אוֹמֵר, הָרִי מְרַבָּה לְחַקֹּר אֶת הָעֲדִים, וְהָרִי זָהִיר בְּדַבְרֶיךָ, שְׁמָא מִתּוֹכָם יִלְמְדוּ לְשִׁקֵּר:

Note: the numbering of the paragraphs of Pirkei Avot differs immensely across the various editions of the text. Here, to avoid too much confusion, we follow the numbering applied in our siddur.



1:2

שְׁמֵעוֹן הַצַּדִּיק הָיָה מְשִׁירֵי כְּנֶסֶת הַגְּדוּלָּה. הוּא הָיָה אוֹמֵר, עַל שְׁלֹשָׁה דְּבָרִים הָעוֹלָם עוֹמֵד, עַל הַתּוֹרָה וְעַל הָעֲבוּדָה וְעַל גְּמִילוּת חֲסָדִים:

Shimon the Righteous was a survivor of the Great Assembly. He would say, 'Upon three things does the world stand: on Torah, on Avodah, and on Gemilut Chasadim.'

Questions

- How should we translate Torah, Avodah and Gemilut Chasadim?
- What does it mean that the world 'stands' upon these three things? (Two different interpretations from the Bartenura and Rambam are included on page 6.)
- What other things might the world be said to stand on?
- Compare this list with the statement of Rabban Shimon ben Gamliel in 1:18 on page 6 (also from Pirkei Avot). What are the differences?
- You can see that there are different manuscript readings of Pirkei Avot 1:18 – some say 'does the world stand', while others say 'is the world sustained'. How are these two readings different?

יהודה בן טבאי ושמעון בן שטח קבלו מהם.

יהודה בן טבאי אומר, אל תעש עצמך כעורכי הדין. וכשיהיו בעלי דינין עומדים לפניך, יהיו בעיניך כרשעים. וכשנפטרים מלפניך, יהיו בעיניך כזכאין, כשקבלו עליהם את הדין:

שמעון בן שטח אומר, הוי מרבה לחקור את העדים, והוי זהיר בדבריך, שמה מתוכם ילמדו לשקר:

8 Yehudah ben Tabbai¹ and Shimon ben Shetach² received [Torah] from them.

Yehudah ben Tabach would say, 'Do not make yourself like the advisers to the judges. And when the litigants³ stand before you, they shall be as wicked in your eyes, and when they have departed from before you, they shall be as innocent in your eyes, when they have accepted upon themselves the judgment.'

9 Shimon ben Shetach would say, 'Examine the witnesses thoroughly, and be careful with your words, lest they from them they learn to lie.'

Questions

- Who is being addressed in these two mishnayot?
- Why would you see someone as wicked before they have been judged, when you don't yet know the outcome of the case?
- Why would you see someone as innocent after they have judged, even if they have been found guilty?

¹ Little is known of Yehudah ben Tabbai was a sage in the first century BCE in the Land of Israel, around the same time as the great Hillel. He does not receive the title of 'rabbi', as that was given only to later generations of sages.

² Shimon ben Shetach was a sage in the first century BCE in the Land of Israel – the same time as Yehudah ben Tabbai (above).

³ The words *ba'alei din* (literally 'the masters of judgment') refer to those who subjects in a legal dispute.



- What does it mean to accept a judgment upon oneself?
- Who are the 'advisors to the judges'? Rambam's commentary may be useful here (see page 9). What does it tell us about justice and judgment?
- Why would witnesses learn to lie?
- How do the supplementary texts on pages 10 and 11 develop our understanding of these teachings?

Upon three things does the world stand: Pirkei Avot, 1:18

רַבֵּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל אָמַר, עַל שְׁלֹשָׁה דְבָרִים הָעוֹלָם עוֹמֵד/קַיָּם, עַל הַדִּין וְעַל
הָאֱמֶת וְעַל הַשְּׁלוֹם, שֶׁנֶּאֱמַר (זְכַרְיָה ח) אֱמֶת וּמִשְׁפָּט שְׁלוֹם שְׁפֹטוּ בְּשַׁעְרֵיכֶם:

Rabban Shimon ben Gamliel⁴ says, 'Upon three things is the world sustained / does the world stand: On judgment, on truth, and on peace, as it is said, "Judgment of Truth and peace shall you judge in your gates" (Zechariah 8:16).'

Upon three things does the world stand: Bartenura on Pirkei Avot 1:2

הָעוֹלָם עוֹמֵד. לֹא נִבְרָא הָעוֹלָם אֶלָּא בְּשִׁבִיל שְׁלֹשָׁה דְבָרִים הֵלְלוּ:

'Does the world stand' – The world would not have been created but for these three things.

Upon three things does the world stand: Rambam on Pirkei Avot 1:2

יֹאמַר, שְׁבַחכֶּמָה, וְהִיא הַתּוֹרָה, וּבְמַעֲלוֹת הַמִּידוֹת, וְהֵן גְּמִילוֹת חֲסָדִים, וּבְקִיּוּם
צִוּוּי הַתּוֹרָה, וְהֵן הַקְּרַבְנוֹת - הַתְּמִדַת תִּיקוֹן הָעוֹלָם, וְסִידוֹר מִצִּיאוֹתוֹ עַל הָאוֹפֵן
הַשְּׁלֵם בִּיּוֹתֵר.

He is saying that with wisdom (and this the Torah) and with enhancement of [good] traits (and these are acts of lovingkindness), and with the fulfillment of the commandments of the Torah (and these are the sacrifices) – there will be a continual repairing of the world, and an ordering of its existence in the most complete way.

⁴ Rabban Shimon ben Gamliel was the leader of the rabbinic community in the Land of Israel in the second century CE, following his father, Rabban Gamliel II and preceding Rabbi Yehudah HaNasi (Rabbi).



On Gemilut Chasadim: Avot deRabbi Natan A 4:5

על גמ"ח כיצד

הרי הוא אומר כי חסד חפצתי ולא זבח.

העולם מתחלה לא נברא אלא בחסד שנאמר כי אמרתי עולם חסד יבנה שמים תכין
אמונתך בהם.

'On acts of lovingkindness' – how so?

Behold, it says, 'For I desire lovingkindness, and not sacrifice' (Hosea 6:6).

The world was originally built only for lovingkindness, as it is written, 'For I have said, Your faithfulness shall you establish, there in the heavens' (Psalm 89:3).

פעם אחת היה רבן יוחנן בן זכאי יוצא מירושלים והיה רבי יהושע הולך אחריו
וראה בית המקדש חרב

אר"י אוי לנו על זה שהוא חרב מקום שמכפרים בו עונותיהם של ישראל.

א"ל בני אל ירע לך יש לנו כפרה אחת שהיא כמותה ואיזה זה גמ"ח שנאמר כי
חסד חפצתי ולא זבח

One time, Rabban Yochanan ben Zakkai⁵ was going out from Jerusalem and Rabbi Yehoshua⁶ went out after him, and he saw the Temple destroyed.

Rabbi Yehoshua said, 'Woe to us that this is destroyed! The place where atonement was made for the sins of Israel!'

⁵ Rabban Yochanan ben Zakkai was the leader of the rabbinic community at the time of the destruction of the Second Temple in 70 CE. According to rabbinic legend, he famously persuaded the Romans to allow the sages to leave Jerusalem and set up a rabbinic community in Yavneh.

⁶ Rabbi Yehoshua (ben Chananyah) was a rabbi in the generation following that of Rabban Yochanan ben Zakkai (above).

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He said to him, 'My son, do not fear. We have an atonement that is similar to this. And what is it? It is acts of lovingkindness. As it is written, "For I desire lovingkindness, and not sacrifice" (Hosea 6:6).'

שכן מצינו בדניאל איש חמודות שהיה מתעסק בגמ"ח ומה הן גמ"ח שהיה דניאל מתעסק בהם

אם תאמר עולות וזבחים מקריב בכבל והלא כבר נאמר השמר לך פן תעלה עולותיך בכל מקום אשר תראה כי אם במקום אשר יבחר ה' באחד שבטיך שם תעלה עולותיך.

And thus we find about Daniel, 'precious man' (Daniel 10:11), that he would engage in loving-kindness. And what loving-kindness was he involved in?

If you say he was offering burnt offerings and sacrifices in Babylon, [that cannot be], does not the verse state, 'Guard yourself lest you offer your burnt offerings in any place that you see, save the place that the Eternal will choose from one of your tribes, there you shall offer your burnt offerings' (Deuteronomy 12:13-14).

אלא מה הן גמ"ח שהיה מתעסק בהן

היה מתקן את הכלה ומשמחה ומלווה את המת ונותן פרוטה לעני ומתפלל ג' פעמים בכל יום ותפלתו מתקבלת ברצון שנאמר (דניאל ו) ודניאל כדי ידע די רשים כתבא על לביתה וכוין פתיחן ליה בעיליתה נגד ירושלם וזימנין תלתא ביומא הוא ברוך על ברכוהי ומצלא ומודא קדם אלהה כל קבל די הוא עבר מן קדמת דנה.

But rather what loving-kindness did he perform?

He would prepare the bride and cause her to rejoice, and accompany the dead, and give a *perutah* to the poor, and pray three times a day. And his prayer was received with acceptance, as it states 'When Daniel learned that it had been put in writing, he went to his house, in whose upper chamber he had had windows made facing Jerusalem, and three times a day he knelt down, prayed, and made confession to his God, as he had always done' (Daniel 6:11).



On 'advisors to the judges': Rambam on Pirkei Avot 1:8

עורכי הדיינין - הם אנשים הלומדים את ההתדיינות כדי שיהיו מורשים לבני אדם בדיניהם, והם משערים שאלות: אם יאמר השופט כך - תהיה תשובתו בכך, ואם יטען בעל הדין בכך - תהיה התשובה כך, וכאילו הם עורכים השופטים ובעלי הדין לפניהם, ולפיכך קראום עורכי הדיינין, כאילו הם ערכו הדיינין לפניהם. והזהיר מהדמות להם, רצונו לומר שילמד אחד מבעלי הדין טענה שתועילהו, ויאמר לו: אמור כך, או: הכחש באופן כזה, ואפילו ידע שהוא עשוק, ושבעל דינו טוען עליו בשקר לפי הכרע הסברה, אין מותר לו ללמדו טענה שתצילהו בשום פנים.

'Advisors to the judges' - These are people who study the law in order to become experts in their cases, and they compose questions: 'If the judge says this, you should answer thus ...' and 'when the litigant says this, you should answer thus ...' - as if they are organizing the cases, and the litigant is coming in front of them. Therefore they are called 'advisors to the judges', as though they organize the cases in front of them. And they warned them from becoming similar to them, meaning to say to teach one of the litigants to answer in a way that will benefit them, and to say to them, 'say this', or 'refute in such and such a way'. And even if they knew that they were the victim, and that the [other] litigant's claim against them is false according to what they truly think, it is not permissible for them to teach them to answer in a way that will save them at all.

On 'advisors to the judges': Babylonian Talmud, Ketubot 52b

קריביה דרבי יוחנן הוה להו איתת אבא דהות צריכה רפואה כל יומא, אתו לקמיה דר' יוחנן, אמר להו: איזילו קוצו ליה מידי לרופא.

אמר רבי יוחנן: עשינו עצמינו כעורכי הדיינין.

מעיקרא מאי סבר, ולבסוף מאי סבר?

מעיקרא סבר: (ישעיהו נ"ח) ומבשרך לא תתעלם, ולבסוף סבר: אדם חשוב שאני.

Relatives of Rabbi Yochanan⁷ had a widow of their father who needed healing every day. They came before Rabbi Yochanan. He said to them, 'Go, fix a price with a doctor.'

Rabbi Yochanan said, 'We made ourselves like advisors of the judges.'

Initially, what did he hold, and at the end, what did he hold?

Initially, he held, 'And from your flesh you shall not hide yourself' (Isaiah 58:7), and at the end, he held [that] an important person is different.

⁷ Rabbi Yochanan (ben Nappacha) was one of the preeminent rabbis in the Land of Israel in the third century CE. Not to be confused with Rabban Yochanan ben Zakkai (see above).



On 'advisors to the judges': Babylonian Talmud, Shabbat 139b

אמר רבי אליעזר בן מלאי משום ריש לקיש: מאי דכתיב (ישעיהו נט) כי כפיכם נגאלו בדם ואצבעותיכם בעון שפתותיכם דברו שקר לשונכם עולה תהגה.

כי כפיכם נגאלו בדם - אלו הדיינין, ואצבעותיכם בעון - אלו סופרי הדיינין, שפתותיכם דברו שקר - אלו עורכי הדיינין, לשונכם עולה תהגה - אלו בעלי דינין.

Rabbi Eliezer ben Malai⁸ said in the name of Reish Lakish,⁹ 'What [is meant by what] is written, "For your hands are defiled with blood, and your fingers with iniquity; your lips have spoken lies and your tongue utters injustice" (Isaiah 59:3)?'

'For your hands are defiled with blood' – these are the [corrupt] judges; 'and your fingers with iniquity' – these are the court scribes; 'Your lips have spoken lies' – these are the advisors of the judges; 'and your tongue utters wickedness' – these are the litigants.

⁸ Little seems to be known about Rabbi Eliezer ben Malai, except that he was a rabbi in the Land of Israel in the generation following Rabbi Yochanan and Reish Lakish, so probably operated towards the end of the third century CE. The fact that he quotes a teaching of Reish Lakish suggests that he was a student of the latter.

⁹ Along with Rabbi Yochanan (see above), Reish Lakish (a nickname for Rabbi Shimon ben Lakish) was one of the preeminent rabbis in the land of Israel in the third century CE.

The Mishnah is a Jewish legal code from approximately 200 CE, containing legal rulings and disputes of the sages which are written down there for the first time. It is the first part of what is called the 'Oral Law', which for traditional Jews is just as authoritative as the Written Law (the Tanach). The Mishnah is divided into six 'orders', and each order is divided into tractates. Mishnah Sanhedrin is included *Seder Nezikin*, which deals with the laws of damages (tort law).

One of the foremost commentaries on the Mishnah was written by the **Bartenura** (Ovadia ben Abraham of Bertinoro) in the fifteenth century in Italy. Since the Mishnah was first printed in the mid-sixteenth century, rarely has it appeared without his commentary.

Moshe ben Maimon (also known as **Moses Maimonides** or **the Rambam**) was a Jewish scholar and philosopher, was born in Cordoba, Spain in 1138 and died in Cairo, Egypt in 1204. As a young man he wrote an influential commentary on the Mishnah. In maturity he composed one of the first codes of Jewish law, called the **Mishneh Torah**, as well as a philosophical treatise called ***A Guide of the Perplexed***.

Avot deRabbi Natan is considered to be one of the 'minor tractates' of the Talmud, the first commentary and expansion of the Mishnah. It was likely completed at around the same time as the Babylonian Talmud, though it is difficult to date precisely. It is based on Pirkei Avot, and in some places offers a line-by-line commentary, though it is clear that the version of Pirkei Avot found in Avot deRabbi Natan is different in some places from the one we find in the Mishnah. The text can be found in two different recensions, which are labelled A and B (only A is cited in this pack).

The **Babylonian Talmud** (also known simply as The Talmud or *Bavli*) is another commentary on the Mishnah but from Babylonia, containing the discussions of rabbis from the period just after the Mishnah was finished (around 200 CE), until it was finally redacted in approximately 700 CE.



Notes