

Alyth



Alyth Chavruta Project

Tikkun Olam

Week 1



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

Proverbs 27:17



Introduction

Welcome to the latest series of the Alyth Chavruta Project. In this course , we will be tracing the history of the term *Tikkun Olam* ('repairing the world') as it appears in Jewish sources from the Mishnah to the present. This week we focus on a cluster of paragraphs from the Mishnah, particularly from Mishnah Gittin (which primarily deals with divorce). Having made mention of one practice that is overturned for the sake of *tikkun olam*, the Mishnah then includes a number of situations in which practices were changed on account of *tikkun olam*.

There are a number of ways in which translators render *tikkun olam* into English, and we have left the term untranslated in this text in order to allow us to allow the texts we are reading to help us in finding a definition.

Given events in Israel and Gaza, in this week's text pack we add a content warning that our text refers to the taking of captives and their redemption.

The text itself can be found here in both Hebrew only and Hebrew with translation. For those with some knowledge of Hebrew, we encourage you to attempt your own translation, but there is absolutely no expectation that you engage with the Hebrew. 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. It is up to you whether you want to focus exclusively on the text itself, or explore the commentaries and supplementary materials provided.

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

Blessing for Study

ברוך אתה יי אלהינו מלך העולם, אשר קדשנו במצותיו, וצונו לעסוק בדברי תורה.

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.

ב בראשונה היה עושה בית דין במקום אחר ומבטלו. התקין רבן גמליאל הנקן שלא יהו עושין כן, מפני תקון העולם. בראשונה היה משנה שמו ושמה, שם עירו ושם עירה. והתקין רבן גמליאל הנקן שיהא כותב, איש פלוני וכל שם שיש לו, אשה פלונית וכל שום שיש לה, מפני תקון העולם:

ג אין אלמנה נפרעת מנכסי יתומים אלא בשבועה. נמנעו מלהשביעה, התקין רבן גמליאל הנקן שתהא נודרת ליתומים כל מה שירצו, וגובה כתבתה. העדים חותמין על הגט, מפני תקון העולם. הלל התקין פרוזבול מפני תקון העולם:

ד עבד שנשבה ופדאוהו, אם לשום עבד, ישתעבד. אם לשום בן חורין, לא ישתעבד. רבן שמעון בן גמליאל אומר, בין כך ובין כך ישתעבד. עבד שעשאו רבו אפותיקי לאחרים ושחררו, שורת הדין, אין העבד חייב כלום. אלא מפני תקון העולם, כופין את רבו ועושה אותו בן חורין, וכותב שטר על דמיו. רבן שמעון בן גמליאל אומר, אינו כותב אלא משחרר:

ה מי שחציו עבד וחציו בן חורין, עובד את רבו יום אחד ואת עצמו יום אחד, דברי בית הלל. אמרו להם בית שמאי, תקנתם את רבו, ואת עצמו לא תקנתם. לשא שפחה אי אפשר, שכבר חציו בן חורין. בת חורין אי אפשר, שכבר חציו עבד. יבטל, והלא לא נברא העולם אלא לפריה ולרביה, שנאמר (ישעיה מה) לא תהו בראה,



לְשַׁבֵּת יִצְרָה. אֲלָא מִפְּנֵי תִקּוּן הָעוֹלָם, כּוֹפִין אֶת רַבּוֹ וְעוֹשֶׂה אוֹתוֹ
בֶּן חוֹרִין, וְכוֹתֵב שְׁטָר עַל חֲצֵי דָמָיו. וְחִזְרוּ בֵּית הַלֵּל לְהוֹרוֹת כְּדַבְּרֵי
בֵּית שְׁמַאי:

ו הַמוֹכֵר עֲבָדוֹ לְגוֹי אוֹ לְחוּצָה לְאֶרֶץ, יֵצֵא בֶּן חוֹרִין. אֵין פּוֹדִין אֶת
הַשְּׁבוּיִים יוֹתֵר עַל כְּדֵי דְמִיָּהּ, מִפְּנֵי תִקּוּן הָעוֹלָם. וְאֵין מְבַרִּיחִין אֶת
הַשְּׁבוּיִין, מִפְּנֵי תִקּוּן הָעוֹלָם. רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר, מִפְּנֵי
תִקְנַת הַשְּׁבוּיִין. וְאֵין לוֹקְחִים סְפָרִים, תְּפִלִּין וּמְזוֹזוֹת מִן הַגּוֹיִם יוֹתֵר
עַל כְּדֵי דְמִיָּהּ, מִפְּנֵי תִקּוּן הָעוֹלָם:

ב בראשונה היתה עושה בית דין במקום אחר ומבטלו. התקין רבן גמליאל הזקן שלא יהו עושין כן, מפני תקון העולם.

בראשונה היתה משנה שמו ושמה, שם עירו ושם עירה. והתקין רבן גמליאל הזקן שיהא כותב, איש פלוני וכל שם שיש לו, אשה פלונית וכל שום שיש לה, מפני תקון העולם:

2 Initially, [a husband] would set up a Beit Din¹ in another place and annul [the *get*].² Rabban Gamliel the Elder³ established [*hitkin*] that they should not do this on account of *tikkun olam*.

Initially, he would change his name and her name, the name of his city and the name of her city. But Rabban Gamliel the Elder established that he should write ‘the man so-and-so’ and any [other] name that he has [and] ‘the woman so-and-so’ and any [other] name she has – on account of *tikkun olam*.

¹ A Beit Din is a rabbinical court constituted by three rabbis.

² This scenario is one in which the husband has already sent his wife a *get* by way of an agent, but now wishes to annul the divorce remotely. That we are talking about a husband giving a *get* through an agent is established in the previous mishnah, which you can read [here](#).

³ Rabban Gamliel the Elder was the leader of the Jewish people in the Land of Israel in the first century CE.



Questions

1. Why would a husband set up a Beit Din in another place in order to annul the *get*?
2. Why did Rabban Gamliel outlaw this practice?
3. Why would a husband change the names on a *get*?
4. How would this practice affect the divorce?
5. Why did Rabban Gamliel outlaw this practice?
6. How would you define *tikkun olam* with reference to this mishnah?

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ג אין אלמנה נפרעת מנכסי יתומים אלא בשבועה. נמנעו מלהשביעה, התקין רבן גמליאל הזקן שתהא נודרת ליתומים כל מה שירצו, וגובה כתבתה.

העדים חותמין על הגט, מפני תקון העולם.

הלל התקין פרוזבול מפני תקון העולם:

3 A widow can collect [what is owed to her according to her marriage contract] from the property of the orphans only by swearing an oath [that she has not already received payment]. [When] they refrained from allowing her to swear, Rabban Gamliel the Elder established [*hitkin*] that she should vow to the orphans anything they wish,⁴ and collect her *ketubah*.⁵

Witnesses sign the *get* [divorce document], on account of *tikkun olam*.

Hillel⁶ established a prozbul on account of *tikkun olam*.⁷

Questions

1. Why do you think initially widows had to swear an oath to their husband's orphans in order to receive their *ketubah* payment?
2. Why was this policy changed? You may find it useful to read the Talmud's answer to this question (on page 10 of this text pack).
3. How would you define *tikkun olam* with reference to this mishnah?

⁴E.g. a vow such as: 'Let such-and-such become forbidden to me if I have already received my *ketubah*.'

⁵ In this instance, *ketubah* refers to an amount of money that was specified as owed to a bride by her husband.

⁶ Hillel (the Elder) was a prominent rabbi in the Land of Israel in late first-century BCE and early-first century CE.

⁷ A prozbul is a legal mechanism allowing for the collection of debts after the *shmittah* year, during which they would normally be cancelled. You can learn more about *prozbul* [here](#).



ד עבד שנשבה ופדאוהו, אם לשום עבד, ישתעבד. אם לשום בן חורין, לא ישתעבד. רבן שמעון בן גמליאל אומר, בין כך ובין כך ישתעבד.

עבד שעשאו רבו אפותיקי לאחרים ושחררו, שורת הדין, אין העבד חייב כלום. אלא מפני תקון העולם, כופין את רבו ועושה אותו בן חורין, וכותב שטר על דמיו. רבן שמעון בן גמליאל אומר, אינו כותב אלא משחרר:

4 A slave⁸ who was captured and then redeemed⁹ – if they were [redeemed] to be a slave, they are enslaved; if they were [redeemed] to be a free person they are not enslaved. Rabban Shimon ben Gamliel says,¹⁰ ‘Both in this case and in that case, he is enslaved.’

A slave whose master set them aside as repayment to another and [then] freed them [the slave], according to the letter of the law, the slave is not liable for anything. However, on account of *tikkun olam*, we force their master and make them a free person, and they [the slave] write a document of their value. Rabban Shimon ben Gamliel says, ‘They do not write; the one who frees them does.’

Questions

1. Why is the slave (or their former owner) required to write a document of value in this case?
2. How would you define *tikkun olam* with reference to this mishnah?

⁸ It is not made clear in the text whether ‘slave’ refers to a Hebrew slave or a Canaanite slave – both of which have specific laws associated with them.

⁹ This refers to a slave who is redeemed from the state of captivity, and not a slave who is redeemed from the status of slavery.

¹⁰ Rabban Shimon ben Gamliel was the son of the Rabban Gamliel the Elder (above) and was the leader of the Jewish people in the Land of Israel in the mid-first century CE.

ה מי שחציו עבד וחציו בן חורין, עובד את רבו יום אחד ואת עצמו יום אחד, דברי בית הלל. אמרו להם בית שמאי, תקנתם את רבו, ואת עצמו לא תקנתם. לשא שפחה אי אפשר, שכבר חציו בן חורין. בת חורין אי אפשר, שכבר חציו עבד. יבטל, והלא לא נברא העולם אלא לפריה ולרביה, שנאמר (ישעיה מה) לא תהו בראה, לשבת יצרה. אלא מפני תקון העולם, כופין את רבו ועושה אותו בן חורין, וכותב שטר על חצי דמיו. וחזרו בית הלל להורות כדברי בית שמאי:

5 One who is half a slave and half a free person,¹¹ works for his master one day and for himself one day. These are the words of the House of Hillel. The House of Shammai said to them, ‘You have remedied his master, but you have not remedied him himself. It is impossible for him to marry a female slave, because he is already half a free person. It is impossible for him to marry a free woman, because he is still half a slave. He could be idle, but is it not so that the world was created only for procreation, as it is said, “God did not create [the world] for it to be wasted; God formed it to be inhabited” (Isaiah 45:18)? Rather, on account of *tikkun olam*, we force their master and make them a free person, and they [the slave] write a document of half their value.’ And the House of Hillel retracted and ruled in accordance with the words of the House of Shammai.

Questions

1. Why did the House of Shammai argue that the idea of a half-slave had to be revised on account of *tikkun olam*?
2. How would you define *tikkun olam* with reference to this mishnah?

¹¹ This seems to be the case of a slave who previously had two owners who shared them, and what would happen if only one of their owners were to free them.



ו המוכר עבדו לגוי או לחוצה לארץ, יצא בן חורין.

אין פוֹדִין אֶת הַשְּׁבוּיִים יוֹתֵר עַל כְּדֵי דְמִיָּהּ, מִפְּנֵי תְקוּן הָעוֹלָם.
וְאֵין מְבַרִיחִין אֶת הַשְּׁבוּיִין, מִפְּנֵי תְקוּן הָעוֹלָם. רַבֵּן שְׁמַעוֹן בֶּן
גַּמְלִיאֵל אוֹמֵר, מִפְּנֵי תִקְנַת הַשְּׁבוּיִין.

וְאֵין לוֹקְחִים סְפָרִים, תְּפִלִּין וּמְזוֹזוֹת מִן הַגּוֹיִם יוֹתֵר עַל כְּדֵי דְמִיָּהּ,
מִפְּנֵי תְקוּן הָעוֹלָם:

One who sells their slave to a non-Jew, or to outside the Land, they [the slave] go out as a free person.

We do not redeem the captives for more than their value, on account of *tikkun olam*. And we do not aid the captives in fleeing, on account of *tikkun olam*. Rabban Shimon ben Gamliel says, 'On account of the good of the captives.'

And we do not purchase scrolls, *tefillin*, or *mezuzot* from the non-Jews for more than their value, on account of *tikkun olam*.

Questions:

1. Why do you think the Mishnah says that we do not redeem captives for more than their value?
2. Why does the Mishnah say that we should not help captives to escape?
3. What is the difference here between 'on account of *tikkun olam*' and 'on account of the good of the captives'?
4. Why do you think the Mishnah says that we should not purchase sacred Jewish objects for more than their value?
5. How would you define *tikkun olam* with reference to this mishnah?

Babylonian Talmud, Gittin 35a

נִמְנָעוּ מִלְהַשְׁבִּיעָה: מַאי טַעְמָא? אֵילִימָא מִשּׁוּם דְּרַב כְּהֵנָא – דְּאָמַר
 רַב כְּהֵנָא; וְאָמַר לֵיהּ אָמַר רַב יְהוּדָה, אָמַר רַב: מַעֲשֶׂה בְּאָדָם אֶחָד
 בְּשָׁנֵי בְצוּרָתָא, שֶׁהִפְקִיד דִּינָר וְהָב אֶצֶל אֶלְמָנָה; וְהִנִּיחָתוּ בְּכַד שֶׁל
 קָמַח, וְאָפְאָתוּ בִפֶּת, וּנְתַנְתּוּ לְעַנִּי; לְיָמִים בָּא בַעַל הַדִּינָר, וְאָמַר לֵיהּ:
 הֲבִי לִי דִינָרִי. אָמְרָה לֵיהּ: יְהֵנָה סָם הַמּוֹת בְּאֶחָד מִבְּנֵיהּ שֶׁל אוֹתָהּ
 אָשָׁה, אִם נִהְיִיתִי מִדִּינָרְךָ כָּלוּם! אָמְרוּ: לֹא הָיוּ יָמִים מוֹעֲטִין עַד
 שְׁמַת אֶחָד מִבְּנֵיהּ; וּכְשֶׁשָּׁמְעוּ חֲכָמִים בְּדִבְרֵהּ, אָמְרוּ: מָה מִי שֶׁנִּשְׁבַּע
 בְּאַמָּת – כֵּךְ, הִנֵּשְׁבַע עַל שֶׁקֶר – עַל אַחַת כַּמָּה וְכַמָּה.

‘They refrained from allowing her to swear’ – what is the reason? If we say it is because of Rav Kahana – as Rav Kahana said, and some say that Rav Yehudah said in the name of Rav, ‘There was an incident involving a person in years of famine, who deposited a gold dinar with a widow, and she placed it in a jug of flour, and she baked it into bread, and gave it to a poor person. In time, the owner of the dinar came and said to her, ‘Give me my dinar.’ She said to him, ‘May the spice of death benefit one of the children of that woman [i.e. one of my children] if I gained any benefit from your dinar.’ They said it was not a few days before one of her children died. And when the Sages heard of the matter, they said, ‘If this happens to one who swears truly, the one who swears falsely – all the more so!’



A GUIDE TO THE SOURCES

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. Tractate Gittin is included in the order of *Nashim* (Women), and deals with issues of divorce and divorce documents.

The Babylonian Talmud (also known simply as The Talmud or *Bavli*) is a commentary on the Mishnah 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.

HAPPY STUDYING!

If you have any further questions, please be in
touch with Rabbi Elliott

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