

Kiddushin, Chapter Four, Mishnah Thirteen

Introduction

In yesterday's mishnah we learned some of the laws which prohibit a man from being alone with a woman. As we saw, the assumption was that men cannot control themselves around women and women will not be able to ward off the men. Our mishnah and the next contain discussions of which professions are appropriate for men in light of these assumptions.

Mishnah Thirteen

- 1) An unmarried man must not learn to be a scribe, nor may a woman learn to be a scribe.
- 2) Rabbi Elazar says: even one who has no wife should not learn to be a scribe.

Explanation

Section one: Part of a scribes work was to teach children how to read and perhaps how to write. In those days, it was often the child's mother who would bring the child to school. Hence the teacher would have a lot of contact with the children's mothers. Therefore, a man who has never been married should not learn to be a scribe/teacher, lest he come into too much contact with the mothers. Furthermore, sometimes men would bring their children to school. Hence, women and even married women should not be teachers. Note the difference in the halakhah between men and women. Only a man who has never been married may not work as a teacher. Once he is married he will be better able to control himself, for one of two reasons: 1) he has a place to channel his sexual energy; 2) his wife will watch over him. However, even a married woman should not be a teacher, because the men will make advances on her (even if they are married) and she will not be able to ward them off.

Section two: Rabbi Elazar adds that not only a man who has never been married but even one who currently does not have a wife should not work as a teacher. Although he was once married, he will still have the same lack of sexual control and therefore should be controlled by the halakhah.



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Introduction

This mishnah is the final mishnah of tractate Kiddushin, and the final mishnah of Seder Nashim. Large portions of the mishnah are not actually part of the Mishnah but were appended to it in later times, a not uncommon phenomenon in ends of tractates. However, we will explain the entire mishnah.

Most of the mishnah discusses appropriate professions for scholars, the topic of yesterday's mishnah as well. Whereas the mishnah begins by discussing those professions which are inappropriate because they might lead to sexual impropriety, it continues with professions that are inappropriate for other reasons. Finally, according to some rabbis, it is not proper for a sage to work at all. Rather he should spend his entire time learning Torah.

While reading the mishnah we should keep in mind that our attitudes towards certain occupations have radically changed over the past two thousand years. Also our opinions about the value of work in general have largely changed. I read this mishnah as an exhortation for a person to place a priority upon their spiritual life over their material wealth.

Mishnah Fourteen

- 1) Rabbi Judah said: an unmarried man must not tend cattle, nor may two unmarried men sleep together under the same cover. But the sages permit it.
- 2) One whose business is with women must not be alone with women. And one should not teach his son a woman's trade.
- 3) Rabbi Meir says: one should always teach his son a clean and easy profession, and pray to Him to whom wealth and property belong. For a profession does not contain [the potential for] poverty and wealth, for poverty is not due to one's profession nor is wealth due to the profession, but all depends on merit.
- 4) Rabbi Shimon ben Elazar says: have you ever seen a wild beast or a bird with a profession? Yet they are sustained without trouble. Now, were they not were created only to serve me, while I was created to serve my master: surely then I should make a living without trouble! But my evil acts have done me in and withheld my livelihood.
- 5) Abba Gurion a man of Sidon says in the name of Abba Guria: one should not teach his son [to be] a donkey-driver, camel-driver, wagon-driver, sailor, shepherd, or shopkeeper, because their profession is the profession of robbers.
- 6) Rabbi Judah says in his name: most donkey-drivers are wicked, while most camel-drivers are worthy men; and most sailors are pious. The best of doctors are destined for Gehenna, and the worthiest of butchers is Amalek's partner.
- 7) Rabbi Nehorai says: I will abandon every profession in the world and I will not teach my son anything but Torah, for a person enjoys its reward in this world while the principal remains for him in the world to come. But all other professions are not so; for when a man comes to sickness or old age or suffering and cannot engage in his profession, he must die of starvation, whereas the Torah is not so, for it guards him from all evil in his youth and gives him a future and hope in his old age. Of his youth what is said? "But they that wait upon the Lord shall renew their strength" (Isaiah 40:31). Of his old age what is said? "They shall still bring forth fruit in old age" (Psalms 92:15). And it is also said of our father Abraham,

“And Abraham was old . . . And the Lord blessed Abraham with everything” (Genesis 24:1). We find that Abraham our father observed the whole Torah before it was given, for it is said, “Because Abraham obeyed My voice, and kept My charge, My commandments, My statutes, and My laws” (Genesis 26:5).

Explanation

Section one: This section continues the topic of yesterday’s mishnah. According to Rabbi Judah men should not be shepherds, lest they engage in bestiality. They should not sleep together in the same bed lest they have relations with each other. In contrast, the Sages permit men to work as shepherds and sleep in bed together because it is not feared that they will engage in bestiality or homosexuality.

Section two: A man shouldn’t work in a profession where there will be many women around, lest they are left alone with women. Therefore a father should not teach his son a woman’s profession. We should note that the reason that a man shouldn’t engage in a woman’s profession is not that it is not “manly” enough. Rather the reason is that such a profession will bring him too much into contact with women.

Section three: Rabbi Meir teaches that there are two important aspects in choosing a profession. The first is that it be honest work, and the second that it not be overly taxing. Overly taxing work would prevent him from having enough time to study Torah. With regard to earning a living substantial enough to support one’s needs, this is not a function of choice of profession but rather of merit earned by living a life of Torah and prayer. When learning these words I find that it helps to remember that professions were not generally the means to become rich during this period in history. A person became wealthy by being a landowner, and land was usually inherited. Choice of profession and hard work certainly would have made some difference, but not nearly as much as it does today. If one couldn’t guarantee becoming wealthy in any case, Rabbi Meir says he might as well choose an honest profession that leaves him time to study Torah.

Section four: Rabbi Shimon ben Elazar presents a naturalistic ideal of human welfare. Were people to return to a more innocent state, they could provide for themselves as do animals—without trouble. Transgressions and misbehavior have caused human beings their current hardships. There is in this section an allusion to the sins of Adam and Eve. Part of Adam’s curse was that he would have to work the land with great toil, and this curse was a direct result of his sin of eating of the Tree of Knowledge. I also read into these words an ecological message—the more we corrupt the earth, the more difficult it will become for us to get from the earth that which we need. There is a lot we could learn from the animals when it comes to taking from our environment only what we need.

Section five: Abba Gurion says that certain professions lead to thievery. The first four of these are professions which involve traveling and travel was dangerous in the ancient world. The problem is that these people may rob those whom they were hired to bring from one place to another. A shepherd was suspected of bringing his flocks to another person’s field. Storekeepers were suspected of cheating their customers. (We can see that this opinion did not stop Jews throughout history from engaging in some of these professions.)

Section six: Rabbi Judah disagrees with Abba Gurion about the camel-drivers and sailors. Since these were professions that involved great danger, Rabbi Judah assumes that they would pray fervently to God for deliverance. In other words, being in dangerous situations makes people realize just how precarious life is, what a gift it

is and that they should be thankful to God. Rabbi Judah adds that the best of doctors is going to end up in Gehenna—in other words hell! To understand this we need to keep in mind that medicine in the ancient world was nothing like medicine is today. Often people who went to doctors would end up dying, perhaps even quicker than they would have otherwise. Being a butcher breeds cruelty, for the butcher must make himself insensitive to the animals pain.

Section seven: Rabbi Nehorai's statement is perhaps as extreme of a statement as can be found on the issue of work versus Torah study. It is not a vision that many rabbis shared, at least not in a practical sense. Nevertheless, there are some elements that in my opinion strike a deep chord. The first is that in a society without a system to provide for its elderly and in which people cannot save up large sums of money, a life of work does not leave one with enough to live on later in life. While there are some safeguards that exist today that didn't exist in the ancient world, care of the elderly is still one of the most difficult and important issues facing society. The second is that when a person is older, nearer to the end of life, they usually judge their lives not based on how much work they have done, but what good deeds they have done, how well they have treated their families and what kind of a spiritual/moral legacy they will leave behind. I think that that is partly what Rabbi Nehorai is speaking about: when a person is older, all the work they did will not matter as much as the quality of the lives they led, and for the rabbis, the quality of life was measured by the amount of Torah studied.

The mishnah, the tractate and the entire seder end with a midrash on Abraham. Abraham's strength stood for him until very late in life. Indeed, he had Isaac when he was nearly 100 years old!

The final midrash on Abraham states that he kept the whole Torah before it was given. In this context, this means that Abraham's blessing came to him because of his observance of the Torah and not merely because of his faith in God (as the Christians taught).

Congratulations! We have finished Kiddushin.

It is a tradition at this point to thank God for helping us to finish learning this tractate and this entire Seder and to commit ourselves to going back and relearning them, so that we may not forget them and so that their lessons will stay with us for all of our lives.

By now, if you have been learning with Mishnah Yomit from the beginning, you have finished two entire Seders of Mishnah. This is a tremendous accomplishment and you should feel satisfied with your hard work and devotion. Seder Nashim began with Yevamoth, a tricky tractate with many difficult laws concerning levirate marriage, worked its way through a tractate on marriage contracts (Ketuboth), two tractates on vows (Nedarim and Nazir), one on adulterous women (Sotah), neared completion with a tractate on divorce and finally, after all this learning, a tractate on how one enters marriage. So you had to wait until the end for the best part, but I'm sure it was worth the effort.

So congratulations on making it through another tractate and seder. May you have the strength and time to keep on learning more Mishnah! Tomorrow we begin the first tractate of Seder Z'manim (appointed times), tractate Shabbat.