

Rejecting a Student

Rambam, Mishnah Torah, Hilchos Talmud Torah, Perek IV

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Halacha I

“We may only teach Torah to a student who is appropriate and acts appropriately or to a *tam*. But if the student was going on an improper path we endeavor to bring him back to improve and guide him on a straight path. We then investigate him and then bring him back to the study hall and teach him...”

This is a challenging passage to which to relate. The idea of rejecting a student is such a difficult thing! Furthermore, we speak so much of the remarkable capacity of Torah to inspire us. Maybe it can help the student in question! Granted, the tone of the above passage is very much hopeful that we will help the student back on the right path and then return to teaching him Torah, but the “bottom line” is that if he’s not conducting himself appropriately we are not to teach him. Why is that? Does the manner of his inappropriate behavior make a difference? Additionally, the word *tam* certainly catches the eye. This community learning project is taking place around the Pesach holiday, on which we refer to the *tam*, the simple son, among the Four Sons. What is its meaning here?

In addition to our general confusion about this issue, it seems to be at odds with a gemora in Meseches Brachos, 28a. There the gemora speaks of Rabban Gamliel being deposed from his leadership position in favor of Rebbe Elazar ben Azaryah, who instituted a dramatic change in the study hall. Whereas Rabban Gamliel stationed a sentry at the door to ensure that only those students who exemplified *tocho kebaro*, one’s internal essence being as pure as one’s external appearance, would be allowed in, Rebbe Elazar ben Azaryah removed the sentry and hundreds of benches needed to be added to the study hall. What, exactly, was the profile of a student who was not *tocho kebaro*? The gemora in Meseches Yoma, 72b, laments the tragedy of a scholar who is not *tocho kebaro* and then a few lines later cites a teaching that bemoans an individual studying Torah who doesn’t live with fear of Heaven¹. This would imply that the definition of a scholar who is not *tocho kebaro* is the individual does not leave with a fear of Heaven. The gemora speaks of Rabban Gamliel’s dismay, being concerned that his policy was incorrect. The clear implication of the gemora is that Rabban Gamliel’s practice was misguided. Do we not learn from here that students should be taught even though their conduct is not as pristine as one would hope? The Aruch Hashulchan (Yoreh Deah, 276, 21) poses an additional question. Presumably the problem with teaching Torah to an individual who does not demonstrate the appropriate fear of Heaven is that his study of Torah will not be for the proper motivation (*lo lishmah*). Do we not learn² that a person is encouraged to do good deeds, even when his actions do not stem from a sincere motivation, because we believe that, ultimately, the sincere motivation will come³? The Aruch Hashulchan cites Tosfos in Pesachim, 50b (d’*h vekan beosam shelo lishmah*) who deal with a very similar point. Tosfos explain that when the gemora in Meseches Brachos, 17a, says a person who studies Torah for the wrong motivations would be better off not having been created, it is referring to a person who is studying Torah with the intent of taunting and besting others. Such an individual taints the sacred nature of the words of the Torah, and is indeed better off not studying, and not even having been created. That, says the Aruch Hashulchan, is the meaning in our context, too. Surely the Torah has the capacity to positively influence a person. If a person needs to improve in fear of Heaven, Torah study can do wonders, and those around him should continue to teach him. If his very study of the

1 This term normally means a self-imposed sense of discipline which protects an individual from sin.

2 Pesachim 50b

3 *Mitoch shelo lishmah bah lishmah*

Torah involves inappropriate plans and strategies, his teachers should try to help him improve his ways. If they are not successful then, tragically, they should stop teaching him.

Interestingly, the Lechem Mishnah, commenting on the Rambam cited above, has a different understanding of the lesson of the story of Rabban Gamliel and Rebbe Elazar ben Azaryah. Clearly Rebbe Elazar ben Azaryah would not want a student in the bais medrash who is not *tocho kebaro*. After all, the previously cited gemora in Yoma teaches that such an individual is despicable (*nisav*) in the eyes of Hashem. What did Rebbe Elazar ben Azaryah do differently than Rabban Gamliel? He eliminated the sentry. He believed it wasn't the community's job to ascertain the spiritual status of each student. That, says the Lechem Mishnah, is the meaning of the word *tam* as used in the Rambam. It is not clear what this student is. The Rambam is teaching that we need not plumb to the depths of a student's essence or conduct in order to decide whether or not to teach him. We should teach Torah to whoever steps forward. If the person proves himself to lack in appropriate fear of Heaven, we should stop teaching him Torah, until, hopefully, with the help of others, he returns to a good path.

We have discussed two very different views of the meaning of this passage of the Rambam. We should note that when schools grapple today with the terrible question of expulsion it is almost always a third issue which is being dealt with; the thorny issue of the impact one student is having on the other students of a school.

As we study these ideas in memory of Rav Gedaliah Anemer, zt"l, it should be noted that he believed passionately in the power of Torah study to positively impact students, and, with much love and patience, witnessed first hand many young people from our community slowly warm to the sanctity of the Torahs' words.