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Getting Paid to Teach Torah

Source

The משנה in נדרים states that if Reuven took a נדר not to get benefit from Shimon, Shimon can teach Reuven מדרש (תורה שבכתב) but isn't able to teach Reuven הלכות ואגודות מקרא. The assumption of the משנה is that since Shimon can't get paid for teaching הלכות ואגודות, Shimon wouldn't be benefiting Reuven by teaching him. However, when it comes to מקרא since Shimon would be able to get paid for the teaching, Reuven would be benefiting from Shimon by being taught. The גמרא לוי-לז explains this דין by quoting the פסוק in דברים where משה ה' tells "Behold, I have taught you statutes and ordinances, even as the Lord my God commanded me" and just like משה ה' taught for free, משה and all future teachers should teach כלל ישראל for free. The גמרא asks didn't ה' also teach משה the תורה for free, so how could a teacher get money for teaching מקרא? The גמרא gives two answers to this question. רב answers that you can receive money for teaching children because you are getting paid to watch them. The ר"ן explains this to mean that really you can't get paid to teach any type of Torah, but since children are generally taught מקרא you aren't getting paid to teach them, but you are getting paid because you are babysitting them. רבי יוחנן suggests that you can teach adults and children Torah and your compensation is for the cantillation of the Torah and this

only applies to מקרא. Which opinion do we פסקן like and how are we to understand how rabbis get paid nowadays?

Who do we פסקן like?

The ר"ן says that we פסקן like רבי יוחנן and you can teach מקרא to children and adults for money because you are getting paid for the cantillation. This still presents a major problem. If we held like רב that you can get paid for teaching children because you are babysitting them, we could have understood how a Rebbe could get paid to teach kids. However now that we hold like רבי יוחנן, how many Rabbis are teaching cantillation nowadays?

Teaching מצות דרבנן

As mentioned above, we פסקן like רבי יוחנן who holds you can teach cantillation for money to adults and children. The הגהות רמ"א יורה דעה הלכות תלמוד תורה סימן רמו brings the דיני דרבנן that a teacher would be allowed to teach for money. The reason for this is since the גמרא in נדרים is clear that according to רבי יוחנן the cantillation was instituted by the Rabbis one can get paid for that. Therefore the הגהות מיימוני suggests that other דיני דרבנן would also be allowed to be taught for money. While this could potentially be a basis for rabbis to get paid, Rav Schachter in קפו quotes Rabbi Soloveitchik who argues. The Rav explained that even though a person's obligation to fulfill מצות דרבנן are only on a Rabbinic level and we can invoke the rule of ספק דרבנן להקל, when it comes to the learning laws that the Rabbis added, those are part of the

and therefore teaching these laws would fall into the category of subjects a person can't get paid to teach. The Rav went on to explain that even though someone is learning only דיני דרבנן they would still fulfill the biblical מצוה of תלמוד תורה and therefore one wouldn't be able to accept money even if they were only teaching דיני דרבנן. The Rav concluded that you can only teach the cantillation for money because that doesn't become part of the הפצא של תורה שבעל פה but דיני דרבנן would be considered part of the הפצא של תורה שבעל פה.

שכר בטלה

The שולחן ערוך יורה דעה הלכות תלמוד תורה סימן רמו says that nowadays the practice is for someone who teaches Torah to get compensated because by teaching Torah he is giving up other opportunities that would have enabled him to get money. This concept isn't limited to just Rabbis but also is the basis for Doctors to charge money for treating patients and for people to receive money for returning lost objects. According to this reasoning, one seemingly would only be able to be paid if one had the ability to have other opportunities outside of teaching Torah.

Rav Moshe Feinstein's Approach

שו"ת אגרות משה יורה דעה חלק ב סימן רמ"א deals with this question. He quotes רמ"א יו"ד סימן רמ"ו that allows rabbis to get paid so that they will be able to focus more on their learning. He then quotes the ש"ך and כסף משנה that say even though the רמב"ם argues that rabbis shouldn't receive money, the practice has always

been for rabbis to accept money. Rav Moshe continuing to quote the ש"ך and משנה כסף says that if the teachers don't get supported, the Torah wouldn't be studied properly anymore and it would be forgotten by Klal Yisrael.

Rav Moshe concludes by saying that people who want to be *מהמיר* on this הלכה are listening to their *יצר הרע*. If one doesn't accept money for teaching תורה, one will be so engrossed in trying to get money that one will have no time to learn and ultimately not be successful. Rav Moshe says that even the Rishonim who were like angels received money for teaching Torah, so how much more so should Rabbis today be able to receive money for teaching. Therefore, one shouldn't listen to their *יצר הרע* and should accept money for teaching Torah.