

TALMUD TORAH 3:2

by Rabbi Yitzchak Etshalom

2: The sages said (Horayot 3:8) A bastard who is a *Talmid Hakham* (scholar) takes precedence over a High Priest who is an *Am Ha'Aretz* (possibly "ignoramus" - but this term needs to be explored) as it says (Pr. 3:15) *Yeqara hi mip'ninim* - (she - Torah - is more dear than jewels; the Midrash which follows is a play on the word *p'ninim* which is linked to the *lifnim* - inside) - meaning, [dearer] than the High Priest who enters *lifnai velifnim* - (to the innermost sanctum, i.e. the Holy of Holies on Yom haKippurim).

Q1: What is the impact/ramification of this "precedence"?

YE: R quotes the entire sequence from Horayot in Matn'not Ani'im (8:17-18) in the context of redeeming captives. The list in Horayot is then used in the case where there is not enough money to redeem all of the captives. If they are all are equal in wisdom, we use the scale (Kohen, Levi etc.) to decide who takes preference. However, wisdom (we will assume Torah wisdom here) is THE deciding factor. R extends the Halakha, such that the High Priest need not be an *Am haAretz* to take a back seat to the scholarly bastard - as long as one is greater in wisdom than his fellow, he is redeemed first.

Q2: If this is a practical matter, how much knowledge makes someone a *Talmid Hakham*?

YE: See the sugya in Shabbat 114a, where several formulations are presented. There are several Halakhot which apply to a *Talmid Hakham* - and the definition changes from area to area, as is seen there. The "R. Yohanan said: what is a *Talmid Hakham*? anyone who, when asked about a Halakha in any area, can answer it..." Significantly, R does not codify the definition of either a *Talmid Hakham* OR an *Am Ha'Aretz*.

Q3: What is the definition of an *Am Ha'Aretz*?

YE: The sugya in Berakhot 47b, Sotah 22a and Gittin 61a cites several opinions as to the definition of the term *Am haAretz*. Tosafot in Gittin (ibid. s.v. Eizehu) distinguishes between defining someone as an *Am HaAretz* for different cases. The upshot from Tosafot is that there is no single definition; depending on which area of law, in which the Am HaAretz has a distinct role and status, the definition may change.

It seems clear from the general usage in the Gemara that, during the first couple of centuries of the common era, (when the Mishna was being formulated and ultimately edited and published), the

Rabbis saw themselves as "Haverim" (see especially Mishna D'mai, 2:2-3) and anyone who was not a "Haver" is an Am HaAretz. In order to be a Haver, one's ritual behavior had to conform to certain norms. In that context, the ritual behavior had to do with ritual purity regarding eating; in the above-mentioned sugya, it deals more with general religious comportment - e.g. not wearing Tefillin, not having Tzitzit on his clothes, not reading the Shema evening and morning etc.

Nevertheless, there is an added component in the above-mentioned sugyot - that of levels of study. The Gemara decides in favor of Aherim (aka R. Meir), who states that even if someone studies Scripture and the Oral Law, but does not "serve the Hakhamim" (which may mean studying Gemara, or may mean apprenticing a scholar and learning from his behavior) - is still an "Am HaAretz". Although there are certain areas of Halakha where the definition of "Am HaAretz" has practical application - and therefore needs a tight definition, this section of R is not one of them. The intent of the statement is that Torah scholarship - with its various components in the areas of knowledge, personal character and ethical behavior - is the one true and final measure of greatness; that all other "status" issues, no matter how holy they may be (such as being the High Priest), pale in significance and take a back seat to the greatness earned by the Torah scholar.

By the way, "Am HaAretz" shows up in the "Tnakh" (Scripture) over 40 times, and usually means "the common people" or "everybody else" (as opposed to the King, High Priest etc.). The one clearly negative usage is in Ezra 4:4 where the "Am HaAretz" try to prevent the rebuilding of the "Beit Hamiqdash" (Temple) - and are consistent trouble for the revived settlement in Judea - and they are associated with the threat against the Jewish people during the reign of Ahashverosh! However, it is clear from context that these "Am HaAretz" are not Jews.

See also the sugya in Pesachim 49 to sense the tremendous enmity between scholars and "Amei HaAretz" (plural) - see especially R. Akiva's comment on his former attitude, when he was an "Am HaAretz" - towards scholars. If memory serves me right, Zeitlin did a study on the term; the title of his book is, appropriately, The Am HaAretz. I never read it and cannot testify to historical accuracy or the scholarship.

Q4: A semantic note: Why is a scholar known as a "Talmid Hakham" (literally, "student of a wise person")? Is it better to be a "Talmid Hakham" or "Talmid Hakhamim" (student of wise people)?

EF: Perhaps the best way to translate Talmid Chacham is as "A student who is wise", where Chacham is an adjective describing Talmid. If this is correct, using Chachamim instead of Chacham would be bad grammar.

YE: Conversely, in a few places in MT, R uses the term "Talmid Hakhamim" - Yom Tov 6:22, Ishut 14:2, Gezela 14:12, Hovel uMaziq 3:5 (there seem to be variant manuscripts on this - if anyone out there has the Shabse Frankel or Mosad Harav Kuk MT, please check the mss.). In addition, in Kafach's translation of R's Commentary on the Mishna, that same phrase shows up quite a bit (e.g. Avot 1:13 - in Kafach's expanded version, including the Arabic original, the phrase "Talmid Hakhamim" shows up

in the Arabic, as if that were a technical phrase not to be translated into Arabic.) Significantly, all but one of those sources in MT seem to reflect components of *Kavod* (respect, honor) of the scholar.

Perhaps there are two meanings to the phrase *Talmid Hakham* - 1) a wise student (as Ezra suggests) - in which case the plural should be *Talmidim Hakhamim* (unheard of, which indicates that this meaning is never used as a plural, if it exists at all) and

2) the student of a wise person - in which case the plural should be *Talmidei Hakhamim* (the normal usage) - in that case, one person who has studied with several scholars is correctly called *Talmid Hakhamim*.

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