



בית דין דק״ק ספרדים לונדון והמדינה Sephardi Beth Din

לכבוד ידידי הרב יהושע בירדוגו שליט"א

שמחתי מאוד לראות את התרגום לאנגלית של מדרש דוד, הפירוש המיוחס לרבינו דוד הנגיד נכד הרמב"ם על פרקי אבות. למדנו מתורתו של הרמב"ם כי בפרקי אבות נתבארו הרבה מיסודות האמונה והמסורת, ועל כן ייחד הרמב"ם הקדמה מיוחדת לפרקי אבות, וכן בפירושו לפרקי אבות הולכים ומתבררים הרבה מיסודות האמונה והמוסר. פירוש זה מדרש דוד על פרקי אבות הולך ומבאר ומעמיק את העיון בפרקי אבות גם בתוכן אמרותיהם הטהורות של התנאים וגם בדרכם ואישיותם, שכן חלק מהלימוד המיוחד של פרקי אבות הוא לא רק על דברי החכמים, אלא גם החכמים עצמם ומסורת תורה שבעל פה שהם נושאיה.

הרב יהושע הינו מחובשי בית המדרש בהתמדה וביגיעה בתורה בסברא ישרה, ובטוחני שתרגום פירוש מדרש דוד יפתח פתח לרבים לעיון מעמיק בפרקי אבות. נברך את המחבר שיפוצו מעיינותיו חוצה ויזכה להביא עוד מתורתם של חכמי ישראל

נבון את חמודם שיפום מעינותי חוצר דיוכור זוביא עוד מתחותם של חוכמי ש אל עם ישראל הצמא לדבר ה' ולתורתו.

> בברכה עופר לבנת ר"מ בכולל ארץ חמדה בירושלים ודיין בבית הדין הספרדי בלונדון

> > The home of the Sephardi community since 1656

S&P Sephardi Community is the working name of charities in connection with the Spanish and Portuguese Jews' Synagogue. Registered charity number 212517.

Sephardi Beth Din

The S&P Sephardi Community 119-121 Brent Street, London, NW4 2DX T 020 7289 2573

www.sephardi.org.uk



TABLE OF CONTENTS

reface	xi
cknowledgments	xiii
hapter 1	1
hapter 2	
hapter 3	95
hapter 4	133
hapter 5	174
hapter 6	211



1:1

משָׁה קַבֵּל תּוֹדָה מִסִּינֵי, וּמְסָרָהּ לִיהוֹשָׁעַ, וִיהוֹשָׁעַ לִזְקַנִים, וּזְקַנִים לִנְבִיאִים, וּנְבִיאִים מְסָרוּהָ לְאַנְשֵׁי כְנֶסֶת הַגְּדוֹלָה. הֵם אָמְרוּ שְׁלשָׁה דְבָרִים, הֶווּ מְתוּנִים בַּדִּין, וְהַעֲמִידוּ תַלְמִידִים הַרְבֵּה, וַעֲשׁוּ סְיָג לַתּוֹדָה:

Moshe received the Torah from Sinai and then passed it on to Yehoshua, Yehoshua to the elders, the elders to the prophets, and the prophets passed on the traditions to the Men of the Great Assembly. They said three things: Be cautious in judgment, raise many students, and make a fence for the Torah.

ndeed, out of His love for Yisrael, Hashem gave them the Torah, and He gave it to them through our teacher Moshe because of his extreme humility, as the Torah informs us when it says: "Moshe was a very humble man" (*Bamidbar* 12:3). It was for this reason also that Hashem revealed Himself on Mount Sinai and not on any other mountain that He created, for [Sinai] is the lowest of mountains. When Hashem wanted to give the Torah to Yisrael, all the mountains became boastful. Each one said to the other, "I am taller than you, so Hashem will give the Torah upon me." When Hashem saw their boasting between each other,

Hashem said to the mountains: "Why so hostile, jagged mountains, toward the mountain that Hashem desired for His dwelling?" (Tehillim 68:17). Hashem said to Mount Tabor, Hermon, and Carmel, "Why do you envy one another? I will only give the Torah on Mount Sinai, since it is the lowest of all mountains. I only love one who lowers himself. As a result of its lowliness, it is satisfied with how it is." Hashem came and chose that mountain to give the Torah to Yisrael upon. A proof to this is as the Torah says: "The mountain Hashem desired for His dwelling," so as not to say that He loved the low mountain only at that time. Thus, the Torah comes to inform us that Hashem, on high, loves the downtrodden and lowly ones constantly and forever. As the Torah states: "Hashem shall abide there forever" (ibid.), for anyone who has pride and haughtiness, the Sages have said: "Hashem says, 'You and I both cannot exist in this world" (Sotah 5a). That is, Hashem says to the one who has pride, "You and I cannot both live in this world," for it is said about the Creator: "Sing to Hashem, for He is very exalted" (Shemot 21:15). How thus can a man wear the "clothes" [i.e., pride] of the Creator?

As a result of all this, He shortens the days of one who is haughty and prideful, and one will die early because of his pride. The Sages have said: "Woe to leadership, which buries its master" (*Pesachim* 87b), for the righteous Yosef, because he was a leader among his brothers, even though they did bad and sold him, causing him to suffer, nevertheless, he died earlier than his brothers. See how pride shortens a man's days and causes him to be singled out to be disgusted more than any other creation by the Creator. For the Sages have said: "Anyone who is downtrodden and humble is a chariot for the Divine Presence. About him, it is written [that he has merit] as if he brought all the sacrificial offerings." Even though, nowadays, the Bet Hamikdash is destroyed, he is considered as if he is the Kohen Gadol bringing the sacrifices before the Creator.

The Torah states: "The sacrifices of Hashem are a broken spirit. A broken and smashed heart, Hashem, you will not scorn" (*Sotah* 5b, *Tehillim* 51:19). That is, the prayers of a downtrodden person do not return unanswered; they are accepted before the Creator, may He be blessed, because of their humility, as was mentioned above. You should ponder

the greatness of humility in the eyes of the Creator, and how good and lofty it is, to the point that the master of prophets, our teacher Moshe, of blessed memory, was praised for it, as is written: "The man Moshe was extremely humble" (*Bamidbar* 12:13).

Our teacher Moshe, of blessed memory, passed the Torah to his lofty student, Yehoshua the son of Nun, since he served him all his days, as is written: "Yehoshua the son of Nun, the servant of Moshe, answered" (*Bamidbar* 11:28). The Torah praises him because he is the servant of Moshe. Furthermore, the Torah says about him: "His servant, Yehoshua, the son of Nun, a lad, would not move from the tent" (*Shemot* 33:11). One who serves will be served. Furthermore, our teacher Moshe, may he rest in peace, requested from Hashem that his children be appointed to replace him after he would die. The Creator, may He be blessed, said to Moshe: "One who toils will eat. Yehoshua, your student, toiled, exhausted himself for you, and served you. It is fitting for him to be appointed after you."

"He who guards a fig tree will eat its fruits" (*Mishlei* 27:18). That is to say, one who grows a tree will eat from its fruits. In truth, the Torah says this: "And Hashem said to Moshe, take for yourself Yehoshua and appoint him..." (*Bamidbar* 27:12). This was how he was appointed to succeed Moshe. He achieved all of this because he had a good heart while serving Moshe, his master. For like we said: the one who serves will be served.

Yehoshua, may he rest in peace, passed the Torah to the elders and the prophets, who lived for many years after him. These were the twelve elders: the first was Otniel the son of Kenaz, who in his wisdom returned three hundred laws that Yisrael forgot during their mourning for our teacher Moshe. Otniel restored them through his knowledge. The last of them was Eili the high priest. These elders passed it on to the twelve prophets—the first of them being Shemuel the Ramathian, and the last of them Yechezkel the son of Buzi.

The lofty Shemuel the Ramathian would go to all the cities where people lived in Yisrael so that he could teach the ways and laws of the Torah. Anyone who had a judgment or matter with a colleague would be judged by him, and he would make peace between them. For judgment is what makes peace between two people, as each side initially believes his claim to be right. After Shemuel gave his verdict and clarified the truth, the tension between them would be defused and it brought peace between the two parties. He would not trouble anyone for his expenses, not even a *perutah*'s worth. Rather, everything came from his own wallet. He would even take his meals from home, taking no benefit from anyone for himself. This is as the verse states: "And he returned to Ramah, for there was his house" (*Shemuel I* 7:17); wherever he would go, his house was with him (*Berachot* 10a). That is, wherever he would go, he would take everything that he needed with him.

All of the prophets mentioned then passed it on to the great people of Yisrael. For example: Zerubavel, Nehemiah, Serayah, and Mordechai. They came after the prophets and lived during the times of Ezra the Scribe. They lived during the beginning of the Second Temple period. These Sages instructed their students: "Scholars, at the time that you are setting the judgment, be meticulous with judgment; do not corrupt it. For the Creator, may He be blessed, is over your heads, and *Gehinnom* is under you. Second, study a lot of Torah and have many students. Third, create a fence for the judgments of the Torah."

1:2

שִׁמְעוֹן הַצַּדִּיק הָיָה מִשְׁיָרֵי כְּנֶסֶת הַגְּדוֹלָה. הוּא הָיָה אוֹמֵר, עַל שִׁלשָׁה דְבָרִים הָעוֹלָם עוֹמֵד, עַל הַתּוֹרָה וְעַל הָאֲבוֹדָה וְעַל גְּמִילוּת חֵסָדִים:

Shimon the Righteous was from the remnants of the Men of the Great Assembly. He used to say: On three things the world stands—on Torah, on service, and on acts of kindness.

Shimon the Righteous merited to serve as the Kohen Gadol in the Temple for forty years due to his righteousness. Ezra the Scribe was his contemporary. During his time, Alexander the Great wanted to wage war with Darius. Shimon the Righteous went out to greet him, and when King Alexander saw him, Alexander came down from his chariot and prostrated himself before Shimon the Righteous. Alexander said to his servants, "Do not wonder about me prostrating myself before this Jew, for before I go out to do battle with my enemies, I see an image of him. Yesterday, I saw him in my dreams, and he said to bow down before him."

After this, the king said to Shimon the Righteous: "I want to make war with Darius; can you ask the *Urim V'tumim* if I will win or not?"

Shimon the Righteous answered him: "You should know, my master, that the *Urim V'tumim* has not given an answer since the destruction of the First Temple. However, I promise you that you will succeed over your enemies."

The king said to him: "It is my desire that you place a symbol like an image of me in the Temple, so that it should be a remembrance that I entered the Temple and did not cause any harm to even one Jew."

Shimon the Righteous said to him: "My master, it is not possible to do this, for it is forbidden to do so. Rather, we will do for you a different remembrance: each boy that is born this year will be called your name, Eskandar (Alexander). Furthermore, any documents that are written will be dated according to your reign" (*Avodah Zarah* 10a).

This is Shimon the Righteous, who received the Torah from the Men of the Great Assembly, which was comprised of 120 elders. He said: "On three things the world stands: One, toiling in learning Torah and clarifying its judgments; two, praying every day; and three, doing acts of kindness with people."

1:3

אַנְטִיגְנוֹס אִישׁ סוֹכוֹ קַבֵּל מִשִּׁמְעוֹן הַצַּדִּיק. הוּא הָיָה אוֹמַר, אַל תִּהְיוּ כַעֲבָדִים הַמְשַׁמְשִׁין אֶת הָרַב עַל מְנָת לְקַבֵּל פְּרָס, אֶלָּא הֶווּ כַעֲבָדִים הַמְשַׁמְשִׁין אֶת הָרַב שֵׁלֹא עַל מְנָת לְקַבֵּל פְּרָס, וִיהִי מוֹרָא שַׁמַיִם עֵלֵיכֵם:

Antignos, man of Socho, received the Torah from Shimon the Righteous. He used to say: Do not be like servants who serve their master to receive a reward. Rather, be like servants who serve their master not on the condition of receiving a reward. And may the fear of Heaven be upon you. ntignos learned under Shimon the Righteous. He used to say: "Son of man, do not be a servant of Hashem so that He can do good for you and take care of all your needs. For if you serve Hashem in this fashion, then know that your service to Him is invalid, and you will cause Him to investigate your actions. Rather, be like a servant to the Creator without any pretexts, like how the sun, moon, and angels serve Him. As a result of this, reverence of Hashem will be upon you."

We see this [exemplified] by Rabbi Shimon. One time, when Yisrael needed rain, Rabbi Shimon got angry at the Heavens, saying: "Shame on you and hide your face!" The Heavens became afraid of him, and clouds became dark, and an abundance of rain fell (*Taanit* 25a). We learn from here that when Yisrael is doing the will of Hashem and walking in His ways, then their reverence will be upon the Heavens. The proof is from the statement of the Mishnah: "The fear of the Heavens will be upon you."

1:4

יוֹסֵי בֶן יוֹעֶזֶר אִישׁ צְרֵדָה וְיוֹסֵי בֶן יוֹחָנָן אִישׁ יְרוּשָׁלַיִם קִבְּלוּ מֵהֶם. יוֹסֵי בֶן יוֹעֶזֶר אִישׁ צְרֵדָה אוֹמֵר, יְהִי בֵיתְדְ בֵית וַעַד לַחֲכָמִים, וֶהֵוי מִתאַבֵּק בַּעֵפַר רַגְלֵיהֶם, וֶהֵוֵי שׁוֹתֶה בִצָּמָא אֶת דְּבַרֵיהֶם:

Yosi the son of Yoezer, man of Sereda, and Yosi the son of Yohanan, man of Yerushalayim, received it from them. Yosi the son of Yoezer said: May your house be a house of meeting for the Sages. Attach yourself to the dust to their feet, and drink their words with thirst.

V osi the son of Yoezer had a nephew who was an apostate. His luck led him to become an important officer, and one hundred men carrying golden scepters would escort him. One day, it was rainy and muddy, and Rabbi Yosi, his uncle, was walking. One of the servants to this apostate pushed Rabbi Yosi into the dirt. His nephew recognized him and said to him: "Abandon the Jewish religion and come with me, and I will do good for you; you will see the honor that will come to you." Rabbi Yosi answered him: "If the Creator, may He be blessed, gives this much honor to wicked people in this world, how much better and abundant is He going to give to the righteous ones in the Next World! If I, who does His will in my poverty and destitution, receives this kind of suffering, how much more will the punishment of *Gehinnom* in the Next World be for those who rebel against His mouth and His commandments! The Creator will cause them great pain in *Gehinnom*."

When the apostate heard the words of his uncle, his heart softened, and a great fear overcame him. He rode his horse to his house and split his property: A third [went] to his children, a third to the Talmudic Sages and paupers, and a third to his servants. He took with him a sword, wandered into the desert, and stood in a [certain] place. He then gathered wood and lit it; he gathered stones and placed them on a wall that was leaning on a beam. He stood up the sword so that it was stuck into the ground and its sharp point was sticking up. And he made a noose out of rope and hung himself by the neck. At that time, the fire rose up and burnt the rope that was around his neck until it got cut; he then fell onto the sword, and it impaled him. The fire reached the beam that was holding the wall with the rocks and caused the rocks to fall on him, and thus he received all four capital punishments from the Torah: Stoning, when the rocks of the wall fell on him; Fire, when he was burnt by the fire; Slaying, when he fell onto the sword; Strangulation, when the rope suffocated him. When the Creator, may He be blessed, saw that he had accepted the four types of death penalties, a Heavenly voice came forward from the Heavens and said: "This man is destined for life in the Next World."

Rabbi Yosi the son of Yoezer and Rabbi Yosi the son of Yohanan received the Torah from Shimon the Righteous and Antignos. Yosi the son of Yoezer said: "You, son of man, your house should be open as a meeting place for Sages and paupers. For the Sages have said: 'Any house in which words of Torah are heard will not be destroyed, and any house where words of Torah are not heard is fitting to be burned with fire' (*Eiruvin* 18b). Furthermore, I command that your house should be open to the Sages, and [you should] attach yourself to the dust of their feet. You should always yearn for their words, as he said: 'drink their words with thirst...'" 1:5

יוֹסֵי בֶן יוֹחָנָן אִישׁ יְרוּשָׁלַיִם אוֹמֵר, יְהִי בֵיתְדָּ פָתוּחַ לִרְוָחָה, וְיִהְיוּ עֲנִיִּים בְּנֵי בֵיתֶדֶ וְאַל תַּרְבֶּה שִׁיחָה עִם הָאשָׁה. בְּאִשְׁתּוֹ אָמְרוּ, קַל וָחַמֶר בְּאֵשֶׁת חֲבֵרוֹ. מִכָּאן אָמְרוּ חֲכָמִים, כָּל זְמַן שֶׁאָדָם מַרְבָּה שִׁיחָה עִם הָאִשָּׁה, גוֹרֵם רָעָה לְעַצְמוֹ, וּבוֹטֵל מִדְּבְרֵי תוֹרָה, וְסוֹפוֹ יוֹרשׁ גיהנֹם:

Yosi the son of Yohanan, man of Yerushalayim, said: May your home be open wide, and may poor people be familiar within your house. Do not increase conversations with a woman. This is said about your wife; how much more so by the wife of a colleague. From here, the Sages have said: Any time that a man increases conversations with a woman, he causes evil to himself, and neglects the words of Torah. And in the end he will inherit Gehinnom.

abbi Yosi the son of Yohanan, man of Yerushalayim, said: Son of man, your house should always be open to acts of charity. Anyone in distress should be able to enter and leave in peace. Similarly, it should be open for widows and orphans. They should be as important in your eyes as your own children and household. You should know that when you give [someone] something, what you are giving them is not coming from you but rather from what the Creator gave to you. For the hearts of paupers, widows, and orphans are broken-hearted, and they cannot tolerate anger or rebuke. For their tears are drained, and Hashem will save them and curse those who cause them pain. If it happens that a poor person, an orphan, or a widow will come to you for charity and you will not have anything to give, you should strive to get others to give to them. You will merit and cause others to merit. If you don't even know others who can give, then you should appease them with words and a pleasant face. You should say to them: "Forgive me, it is my intention to give, for my eye sees, but my hand is short. The Creator, may He be blessed, will fulfill that which you ask and will give forth plenty from His hands, and you will not need to take any means of charity." Without

a doubt, any pauper, orphan, or widow who hears these words will be comforted.

However, if you reprimand him and say to him: "Go and work, since you have shoulders that can carry nuts. You have big round eyes; go and see the wide path before you. How can you embarrass yourself by taking charity?" Not only did you not give the person anything, but you humiliated them, which is considered as if you spilled their blood. If you did not give them anything, but instead showed jealousy by complimenting their eyes, their build, or their good health, know that this is a grave sin. Not only that, but such a person does not have a portion in the Next World, since he embarrassed another by "spilling their blood" before others and causing their face to become red, as the Sages have stated in *Bava Mesia* 58b: "A person who embarrasses his friend in public loses his share in the World to Come."

Rather, if a pauper, orphan, or widow comes before you requesting charity, if you have, give to them in secrecy to prevent embarrassment. You should especially do this if this person is from a good family but lost everything, as King David stated: "Praiseworthy are those who look after the poor" (*Tehillim* 41:2). That is, praiseworthy is the man who gives charity to a pauper in private, so that he will not be embarrassed and broken-hearted. Therefore, a man should give charity in secrecy, for if the poor person will know who gave him charity, the man who gave will be praised by people who will call him a man of charity, causing the commandment to lose its perfection. Especially if they honor him as a result of this, then he will lose the reward of charity in this world as a result of the honor he received from the people.

If it happens that a poor woman asks you for charity, I ask you, son of man, do not speak many words with her. Since increased conversation, even with one's own wife, causes man to sin and do something forbidden—all the more so by the wives of others. Within this matter, the Sages say that anyone who increases conversations with women causes evil to himself, which will lead to wasting seed, immodesty, and promiscuity. It will disturb his Torah, and in the end, he will inherit *Gehinnom*. The Sages have said: "Anyone who takes anything from a woman so that he can look at her beauty will not be cleansed from the sufferings of *Gehinnom*. As it is written: 'From hand to hand, evil will not be cleaned'" (*Mishlei* 11:21). Furthermore, they say that anyone who touches her won't be clean [of sin]; even if he touches the small finger, he is an apostate (*Berachot* 61a). Thus, if it happens that a poor woman comes and asks for charity, he should give her charity in a modest way [such as] by giving it through another person so that he will not come to sin and, thus, inherit *Gehinnom*. As they said: "And, in the end, he will inherit *Gehinnom*."

1:6

יְהוֹשָׁעַ בֶּן פְּרַחְיָה וְנִתַּאי הָאַרְבֵּלִי קִבְּלוּ מֵהֶם. יְהוֹשָׁעַ בֶּן פְּרַחְיָה יְנוּתָאי הָאַרְבַלִי קִבְּלוּ מֵהֶם. יְהוֹשָׁעַ בֶּן פְּרַחְיָה יְזוּשָׁעַ בָּן פְּרַחְיָה יְזוּשָׁעַ בָּן פְּרַחְיָה יְזוּשָׁעַ בָּן פְּרַחְיָה יְזוּשָׁעַ בָּן פְּרַחָיָה אוֹמֵר, עֲמֵה לְדָּ רַב, וּקְנֵה לְדָ חְבַר, וֶהְוֵי דָן אֶת כָּל הָאָדָם לְכַף זְכוּת: We son of Perahiyah and Nitai of Arbel received it from them. Ye hoshua the son of Perahiyah said: Appoint for yourself a rabbi, acquire a friend, and judge every person favorably.

Rabbi Yehoshua the son of Perahiyah was the teacher of Yeshu. One day, they arrived at a hotel where anything one desired could be found. The owner of the hotel was a woman. As they were leaving the hotel, Rabbi Yehoshua said to Yeshu: "How beautiful was this house!" Rabbi Yehoshua was referring to the house, which was the hotel, however, Yeshu thought that his rabbi was looking at the owner of the hotel and that he had focused on her,¹ so he answered: "Rebbi, she is beautiful, but her eyes are bad." His rebbi answered back: "Wicked one, you thought I was looking at the hostess!" At that moment, 300 Torah scrolls, 300 students, and 300 shofars were taken out, and he was excommunicated (*Sotah* 47a).

Yehoshua the son of Perahiyah and Nitai of Arbel received the Torah from those who were before them. Rabbi Yehoshua the son of Perahiyah used to say: Son of man, appoint one rabbi to teach you Torah, for Torah

¹ Based on *Vayikra* 16:6, the Sages understand the word *bayit*, "house," as referring to a woman (generally, a man's wife).