YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**TORAH STUDY**

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**Shiur#06*: Osek Be-mitzva* for *Talmud Torah***

Last week, we discussed the concept of *talmud Torah lishmah*, noting that the various definitions of and degrees of emphasis upon *Torah lishmah* we find in the writings of sages throughout the generations reflect their larger dispute regarding the goals of *talmud Torah*. In the upcoming *shiurim,* we will examine a broad range of halakhic areas that are impacted by this wider difference of opinion. In today’s *shiur,* we will consider whether or not one who is engaged in Torah study must set aside one’s learning in order to perform another obligation that arises. While at first glance this may appear to be a relatively minor point, in fact this subject forces us to grapple directly with the very nature of *talmud Torah*.

*Sukka* 25a sets down a general rule: “*Ha-osek be-mitzva patur min ha-mitzva,*” “Whoever is involved in one mitzva is exempt from another mitzva.” The Rishonim argue as to whether this only applies if the performance of the current mitzva precludes engaging in others or even if one could perform both.

What about one who is involved in Torah study? There would appear to be an argument *a fortiori*: if a generic mitzva produces a sweeping exemption, all the more so should *talmud Torah,* which is equivalent to all other *mitzvot.*

However, some Talmudic sources suggest otherwise. *Mo’ed Katan* 9b rules that one who is studying Torah is only exempted from performing a mitzva if there is someone else to perform the mitzva; if no one else is available, one must stop learning and fulfill the mitzva. There is a clear contrast between this ruling and the general principle of *ha-osek be-mitzva*, which exempts one from performing a second *mitzva* even when someone else is available to perform the new *mitzva*. Rambam codifies this in *Hilkhot Talmud Torah* (3:4).

Similarly, *Shabbat* 11a rules that the study of Torah must be interrupted for the *mitzvot* of reciting the *Shema* and *tefilla*; Rambam codifies this as well (*Hilkhot* *Keriat Shema* 2:5, *Hilkhot* *Tefilla* 6:8).

What is the reasoning behind these rulings? Meiri (*Mo’ed Katan* 9b, s.v. *Af al pi*) explains that the primary purpose of *talmud Torah* is to fulfill other *mitzvot*. One who continues to learn in the face of another mitzva undermines the very telos of one’s study. Therefore, one must set aside *talmud Torah* for other *mitzvot*.

From this perspective, the fact that *talmud Torah* is an exception to the general principle of *ha-osek be-mitzva patur min ha-mitzva* does not reflect the relative insignificance of Torah study, but rather its ultimate purpose. This ruling, then, dovetails most neatly with the view, popular among Rishonim, that the purpose of *talmud Torah* is to facilitate the observance of *mitzvot*.[[1]](#footnote-1)

However, this interpretation poses a significant difficulty for those who emphasize that the purpose of *talmud Torah* is less about concrete application and more about the intrinsic value of Torah study. How would the proponents of this school of thought account for these rulings? Bearing in mind what we noted in the previous *shiur* regarding *Torah lishmah*, we might suggest that there is a universal consensus on the matter of mitzva observance being an essential purpose of *talmud Torah*; the only question is whether it is the **sole** purpose. Thus, neglecting another mitzva in order to continue one’s study would definitely undermine the integrity of Torah study. Another way to phrase this idea would be to say that such study is *she-lo lishmah*, in the pejorative sense. One who hides in *the beit midrash* from the performance of a mitzva is, by definition, studying Torah for the wrong reason.

Let us consider an alternative solution, suggested by the comments of two prominent Rishonim: Rashi in Tractate *Sukka* and Rambam in *Hilkhot Ishut*.

The Mishna (*Sukka* 4:2) rules that travelers who are on their way to perform a *mitzva* are exempted from sitting in a *sukka*. The Gemara (25a), as we have noted, explains that this is due to the exemption of *ha-osek be-mitzva patur min ha-mitzva*. Strangely, though, Rashi (ad loc. s.v. *Sheluchei*) comments that the category of travelers refers to “those who travel to perform a *mitzva*, such as to study Torah or to pay one’s respects to a teacher or to redeem captives.” Rashi’s comment is quite challenging: if one who is studying Torah must nonetheless perform a mitzva, certainly one who is merely traveling to study Torah should be required to perform that mitzva, yet Rashi implies that the opposite is the case. This seems counterintuitive.

Rambam seems to embrace a similar paradox. Though, as mentioned above, he holds that Torah study is to be set aside for other commandments, in *Hilkhot Ishut* (15:2), he writes as follows:

When is a man obligated in this mitzva? From the age of seventeen. Once he reaches [the age of] twenty years and has not married, he has transgressed and neglected a positive commandment. However, if he is involved in Torah and engrossed in it, and he fears that if he marries, he will have to busy himself with supporting a wife and thereby come to neglect Torah study, then it is permissible for him to delay [marriage]; for one who is involved in one mitzva is exempt from another mitzva — all the more so regarding Torah study.

Rambam’s ruling seems to directly contradict his previously-cited position that other *mitzvot* take precedence over Torah. How can one justify setting aside the biblical obligation of “*Peru u-rvu”* (“Be fruitful and multiply”) for the study of Torah? Indeed, Netziv (*Meshiv Davar* 2:53) writes, “I remain confounded regarding the proper understanding of the words of our teacher, which are illuminating in every [other] place.”

The Acharonim offer a range of resolutions to the apparent contradiction. Maharam Schick (*EH* 1) explains that since the ultimate goal of *Peru u-rvu* is to populate the earth, it is considered a mitzva that can be performed by others. In other words, the mitzva of *Peru u-rvu,* a results-oriented commandment, is fundamentally incumbent upon the community as a whole, and therefore it does not require one to interrupt one’s learning. This explanation, while fascinating and of hashkafic importance, does not seem tenable. Rambam, like most Rishonim, seems to view *Peru u-rvu* as an obligation incumbent upon the individual, just like any other positive commandment.

The Arukh Ha-shulchan (*EH* 1:13) suggests that *Peru u-rvu* is a *mitzva she-einah overet*, a commandment whose time will not pass, as one can fulfill this obligation later on in life. Such an obligation, he suggests, is pushed off by Torah study. Netziv (ibid.), however, rejects this solution.

Following [HaRav Lichtenstein zt”l](http://webcache.googleusercontent.com/search?q=cache:G_p-LKFsKB4J:etzion.gush.net/vbm//update_views.php%3Fnum%3D7419%26file%3D/vbm/archive/15-d-sukka/34d-sukka.rtf+&cd=1&hl=en&ct=clnk&gl=us), we may propose a different resolution to the difficulty in Rashi and Rambam, which is analogous to that of the Arukh Ha-shulchan but somewhat different. As we have stated, the larger explanation for the Gemara’s ruling that *osek be-mitzva* does not apply to one studying Torah is rooted in the nature of *talmud Torah*, namely that it is intended to facilitate mitzva observance. This, however, may be understood either narrowly or broadly. Narrowly understood, this precept would mean that one who studies Torah must always set it aside for the sake of another mitzva. According to this view, the rulings of Rashi and Rambam are inexplicable. An alternative interpretation, however, is that because *talmud Torah* leads to mitzva observance in the long term, one must set aside Torah study when one’s scholarly pursuits imply a disconnection between study and action. One who engages in the mitzva of *talmud Torah* in a fashion indicating that it is merely theoretical undermines the integrity and essence of *talmud Torah*.

This more expansive approach may be understood even according to some of the “intrinsic” approaches to *talmud Torah* that we outlined in previous *shiurim*. For example, this view appears to fit nicely with Chazon Ish’s view that *talmud Torah* helps to shape one’s religious personality broadly, rather than requiring one to apply each halakhic detail in a more concrete sense. Moreover, this perspective may allow us, in limited circumstances, to apply the principle of *osek be-mitzva* even regarding *talmud Torah*. One may continue studying Torah as long as the mitzva being set aside is not denigrated.

This offers us an explanation for Rambam’s otherwise enigmatic ruling regarding *Peru u-rvu*. One who sets aside Torah study at a young age to start a family may suffer a significant loss in overall religious development. In the long run, setting aside Torah learning for *Peru u-rvu* in such a scenario, rather than sending the message that Torah study is intended to facilitate mitzva observance, broadcasts the opposite idea.

A similar explanation may be offered for Rashi’s view. One who refuses to leave the *beit midrash* for the sake of a mitzva directly undermines the Torah study in which one is presently engaged. However, if one is still on the way and not currently engaged in Torah study proper, one does not directly undermine its linkage to action. Therefore, ironically, Rashi contends that we can indeed apply *osek be-mitzva* in such a scenario.

Let us circle back to our larger discussion of the purpose of *talmud Torah*. Our initial reaction was that the Gemara’s ruling that *osek be-mitzva* does not apply to *talmud Torah* leads us in the direction of those authorities who see the primary purpose of *talmud Torah* in practical mitzva observance. An analysis of Rashi and Rambam’s seemingly enigmatic positions regarding *talmud Torah*, however, raises the possibility that the Gemara’s ruling can be seen as compatible with the view that *talmud Torah* is intended to bring about a deeper connection to *mitzvot*, such as a renewed commitment to living a halakhic lifestyle or inculcation of the greater values that are manifest in everyday *halakhot*.

It must be granted, however, that it remains difficult to square the *sugya* of *osek be-mitzva* with R. Chayim Volozhin’s view of Torah lishmah. Indeed, our *sugya* appears to lend support to the contention that even R. Chayim would be forced to agree that *talmud Torah* involves both intrinsic and extrinsic elements, both of which are non-negotiable. As we discussed in a previous *shiur* regarding *Torah lishmah*, this is borne out by additional comments which indicate that he too sees two tiers in the telos of *talmud Torah*.

1. For Rav Hutner’s development of this idea and the associated concept of “*bittulo zehu kiyumo*” (*Menachot* 99b), see R. Yitzchak Blau, <http://etzion.org.il/en/rav-hutner-multiple-activities-unified-vision-life>. [↑](#footnote-ref-1)