

HALACHIC AND HASHKAFIC ISSUES IN CONTEMPORARY SOCIETY

2 - TORAH AND SECULAR STUDIES

PART 1 - TORAH IM DERECH ERETZ

OU ISRAEL CENTER - WINTER 2016

A] SECULAR STUDIES TO MAKE A LIVING

1. רבן גמליאל בנו של רבי יהודה הנשיא אומר יפה תלמוד תורה עם דרך ארץ שיגיעת שניהם משכחת עון וכל תורה שאין עמה מלאכה סופה בטלה וגוררת עון

אבות ב:ב

2. רבי אלעזר בן עזריה אומר אם אין תורה אין דרך ארץ אם אין דרך ארץ אין תורה

אבות ג:ז

Chazal propose a combination of 'Torah with Derech Eretz' - Torah without 'work' will eventually cease and lead to sin

3. ואספת דגנך (דברים יא:יד) - מה תלמוד לומר? - לפי שנאמר: (יהושע א:ח) לא ימוש ספר התורה הזה מפיד, יכול דברים ככתבין? תלמוד לומר: ואספת דגנך - הנהג בהן מנהג דרך ארץ, דברי רבי ישמעאל. רבי שמעון בן יוחי אומר: אפשר אדם חורש בשעת חרישה, וזורע בשעת זריעה, וקוצר בשעת קצירה, ודש בשעת דישה, וזורע בשעת הרוח, תורה מה תהא עליה? אלא: בזמן שישראל עושין רצונו של מקום - מלאכתן נעשית על ידי אחרים, שנאמר: (ישעיהו סא:ה) ועמדו זרים ורעו צאנכם וגו'. ובזמן שאין ישראל עושין רצונו של מקום - מלאכתן נעשית על ידי עצמן, שנאמר: ואספת דגנך; ולא עוד, אלא שמלאכת אחרים נעשית על ידן, שנאמר: (דברים כח:מח) ועבדת את אויבך וגו'. אמר אביי: הרבה עשו כרבי ישמעאל - ועלתה בידן, כרבי שמעון בן יוחי - ולא עלתה בידן.

ברכות לה:

Every Jew is required to know the whole Torah. Yet without money how can a person live? Chazal discuss the most appropriate mix of Torah and other activities which are needed to make a living. We see two divergent views here. R. Yishmael says that the Torah mandates a combination of Torah and 'Derech Eretz' - here meaning the activities that go into making a living. He does not however seek to define here the balance of Torah and other activities (see below). R. Shimon bar Yochai rejects this and sees the model for a Jewish life as one entirely of Torah. To have to work for a living is a punishment which comes about due to our misdeeds. The gemara does not rule between the two views. It does, however, say that, for the majority of people, Rashbi's model will not work practically

4. אח"כ ילך לעסקיו, דכל תורה שאין עמה מלאכה סופה בטלה וגוררת עון

שולחן ערוך אורח חיים סימן קנ"א

The Shulchan Aruch clearly rules like R. Yishmael and rules that a person should go out to work since Torah cannot be maintained without work and a lack of employment will bring a person to sin

5. ולא שבט לוי בלבד אלא כל איש ואיש מכל באי העולם אשר נדבה רוחו אותו והבינו מדעו להבדל לעמוד לפני ה' לשרתו ולעובדו לדעה את ה' והלך ישר כמו שעשהו האלקים ופרק מעל צוארו עול החשבונות הרבים אשר בקשו בני האדם הרי זה נתקדש קדש קדשים ויהיה ה' חלקו ונחלתו לעולם ולעולמי עולמים ויזכה לו בעה"ז דבר המספיק לו כמו שזכה לכהנים ללוים

רמב"ם הלכות שמיטה ויובל פרק יג הלכה יג

However the Rambam, having described the holy role of the Levi'im and Cohanim as set apart from the rest of the people for a spiritual life, maintains that this role can be taken by on others too. If they wish to dedicate their life to Torah, they can throw off the obligation of making a living and opt to be maintained by others. Such a life is called 'kodesh kedoshim'. But the Rambam is clearly not advocating this for every person.

6. **סופה בטלה וגוררת עון** - כתבו הספרים שזכו נאמר לכלל העולם שאין כולם יכולים לזכות לעלות למדרגה רמה זו להיות עסקם רק בתורה לזדה אצל אנשים יחידים וכל להמלא ככל עת באופן זה וזכו שאמרו צרכות ל"ה ע"צ הרבה עשו כרש"י ולא עלתה צידן ר"ל דוקא הרבה. וזפרט אס כבר נמלאו אנשים שרואים להספיק לו לרכיו כדי שיעסוק בתורה בזדאי לא שייך זה ויששכר וזבלון יוכיח

ביאור הלכה סימן קנו

The Mishna Berura clearly qualifies the general rule of 'Torah and Derech Eretz' proposed by R. Yishmael. This is only for the masses. But there are individuals who are able (and therefore obliged?) to act in accordance with Rashbi, to dedicate their lives to Torah and to avoid involvement in anything else

7. אבל יחיד לעצמו שאפשר לו להיות אך עסוק כל ימיו בתורתו ובעבודתו ... ודאי שחובה מוטלת עליו שלא יפרוש אף זמן מועט מתורה ועבודה לעסוק פרנסה ח"ו וכדעת רשב"י

נפש החיים חלק א פרק ח ד"ה ואמרו

*The Nefesh Hachayim (talmid of the Vilna Gaon) writes that a person who can dedicate his life to Torah only, **must** do so*

8. כל איש ישראל חייב בתלמוד תורה ... אפילו בעל אשה ובנים, חייב לקבוע לו זמן לתלמוד תורה ביום ובלילה, שנאמר: **והגית בו יומם ולילה** וזשעת הדחק, אפילו לא קרא רק קריאת שמע שחרית וערבית, **לא ימוש מפיק קרינתו** זיה ... ויכול אדם להתנות עם חזירו שהוא יעסוק בתורה וכו' ימליא לו פרנסה ויחלוק עמו השכר

שולחן ערוך יורה דעה סימן רמו סעיף א

The Rema rules that every man must learn Torah, regardless of his work or life pressures. He adds the halacha of Rashbi as a bare minimum - the obligation to learn Torah can be fulfilled with a minimal learning morning and evening

- On the question of whether it is allowed to take leave Torah to pursue parnasa, the halacha is like R. Yishmael for the masses and like Rashbi for select individuals.
- On the question of what is the basic obligation of Torah study, the halacha is like Rashbi that a minimal learning will fulfil the basic obligation if absolutely necessary.

9. כיצד? היה בעל אומנות והיה עוסק במלאכתו שלש שעות ביום ובתורה תשע

רמב"ם הלכות תלמוד תורה פרק א הלכה יב

The Rambam gives guidance as to the daily work/Torah balance - 3 hours of work and 9 hours of Torah!

10. ... ומ"מ לא יעשה מלאכתו עיקר, אלא עראי, ותורתו קבע, וזה וזה יתקיים בידו

שולחן ערוך אורח חיים סימן קנו

The Shulchan Aruch does not however mention a specific ratio but states that, however long you learn, the Torah must be 'kevah' - fixed and the parnasa should be 'arai'.

In practice, many people must work long hours and can learn for only short periods. They must therefore achieve an attitude whereby their Torah learning, however short, is regarded as 'kevah' and their work as 'arai' - a means to an end and not an end in itself - see also below

As such, according to the halacha, whilst a man is obligated to know the whole Torah and should therefore learn as much Torah as possible, it appears legitimate (for most people) to take time from Torah to work in order to make a living and therefore also to study for those purposes

B] SECULAR STUDIES FOR THEIR OWN SAKE

11. אמר רבי יוחנן משום ר"ש **בן יוחאי**: אפ"ל לא קרא אדם אלא קרית שמע שחרית וערבית - קיים לא ימוש ... שאל בן דמה בן אחותו של ר' ישמעאל את ר' ישמעאל: כגון אני שלמדתי כל התורה כולה, מהו ללמוד חכמת יונית? קרא עליו המקרא הזה: **לא ימוש ספר התורה הזה מפיק והגית בו יומם ולילה**, צא ובדוק שעה שאינה לא מן היום ולא מן הלילה ולמוד בה חכמת יונית

מנחות צט:

Here, we find a parallel disagreement between R. Yishmael and Rashbi which, apparently, has them taking opposite positions! Rashbi (who above in source 3 said that a person should learn only Torah) says that, actually, one can fulfil one's obligation to learn by a minimal amount at day and at night. R. Yishmael, however (who above said that the Torah sanctioned making a living too) seems to give 'this Torah shall not leave your mouth ...' a very strict interpretation and, apparently, told his nephew that he could never learn other studies.

The resolution of the two gemarot may be as follows. R. Yishmael rules that the obligation to learn Torah is constant but he does sanction taking off time from Torah to do what is necessary to make a living (sowing, reaping etc). Presumably, this is not only for farmers but would include professions and whatever vocational training and study is required for the job. R. Yishmael does not appear to sanction leaving Torah learning at all for academic interests not related to parnasa. Rashbi's position is that a person is obligated to learn only a minimal amount to fulfil the mitzvah of talmud Torah. However, he should extend this and fill his whole day with Torah if possible and trust to God to give him parnasa.

12. ואין לאדם ללמוד כי אם מקרא משנה וגמרא והפוסקים הנמשכים אחריהם. וזוה יקנה העולם הזה והעולם הבא אבל לא בלמוד שאר חכמות. ומ"מ מותר ללמוד בחקראי בשאר חכמות, ובלבד שלא יהיו ספרי מינים

רמ"א שולחן ערוך יורה דעה סימן רמו סעיף ד

The Shulchan Aruch rules that studying 'other wisdoms' is permitted only on a temporary basis. This raises a number of questions:-

- What does the Rema include in 'other wisdoms'?
- Is he talking about study only for parnasa or also for other purposes?
- If they are permitted, why only on a temporary basis and if they are forbidden, why is temporary study allowed?
- What does 'temporary' mean?

Much will turn on the definition of 'Derech Eretz' in sources 1 and 2 above. We have seen above that one interpretation is 'earning a living'.

13. ודרך ארץ: הוא שתהיה חברותו עם בני אדם חזרות נאה בעדינות וזמנום

פירוש המשנה לרמב"ם מסכת קידושין פרק א משנה י

The Rambam defines Derech Eretz as acceptable social norms of conduct to ensure a polite and functioning society

14. דא"ר ישמעאל בר רב נחמן עשרים וששה דורות קדמה דרך ארץ את התורה ה"ד (בראשית ג:כד) לשמור את דרך עץ החיים. דרך - זו דרך ארץ. ואח"כ עץ החיים - זו תורה

ויקרא רבה פרשה ט ד"ה ג ד"א ושם

Chazal point out that 'Derech Eretz' preceded the Torah by 26 generations (from Creation to Matan Torah). This is associated with the 'Derech' in Bereishit 3:24 which leads to the Tree of Life i.e. Torah

15. "In Vayikra Rabba 9 the Sages designate the road that leads to the Tree of Life ... as 'Derech Eretz', as the the way of culture - the way of that social refinement which results from people living together in the world, as being the first tutor and educator to morals, manners and order. ... 'Culture' starts the work of educating the generations of Mankind and Torah completes it; for the Torah is the most finished education of Mankind. ... For us Jews, 'Derech Eretz' and 'Torah' are one ... But in the general development of mankind, culture comes earlier. ... That is why the Jew rejoices whenever and wherever culture elevates people to a perception of true values and to nurture goodness. But, of course, where culture and civilisation are used in the service of sensuality, the degeneration only gets all the greater. But still, such misuse of culture does not do away with the intrinsic value and blessing of Derech Eretz for תורה אין תורה. Therefore, Jews too are to attach themselves to and love all good and true culture and by the ways and manner of their behaviour and demeanor appear as educated people, and show that being a Jew is only a higher stage of being a man. And, of course, on the other side too, דרך אין תורה אין דרך, ארץ - if culture and education, instead of leading to Torah, take the place of it, then it is not the way that leads to the Tree of Life, but is the way that leads to degeneration.

Rav S.R. Hirsch - Commentary on Bereishit 3:24

Rav Hirsch defines 'Derech Eretz' here as culture and education which create an 'educated person' by building a person's morals and manners as a preparation for Torah. Similarly, on the Mishna in Avot 2:2, Rav Hirsch defines Derech Eretz as 'anything related to the general wisdom of mankind, society and civilisation'. Where is the source for validating a system of chochma outside Torah?

16. וְשִׁנַּנְתֶּם לְבַלְיָד וְדַבַּרְתֶּם בָּם בְּשִׁבְתֶּךָ בְּבֵיתְךָ וּבְלֶכְתְּךָ בְּדֶרֶךְ וּבְשֹׁכְבְּךָ וּבְקוּמְךָ

דברים ו:ז

The Torah includes a mitzva to learn Torah and be involved in it

17. **ודברת בם:** עשם עיקר ואל תעשם טפלה, שלא יהא משאך ומתנך אלא בהם, שלא תערב בהם דברים אחרים כפלוגי, שמא תאמר למדתי חכמת ישראל אלך ואלמד חכמת האומות. תלמוד לומר (ויקרא יח ד) **ללכת בהם**, ולא ליפטר מתוכם

ספרי דברים פסקא לד"ה ודברת בם

Chazal are apparently saying that one's sole enterprise should be Torah and not secular studies. However, Rav Hirsch read this source in a different manner

18. If we understand these sentences ... aright, then the sentence which stands at their head '*make them the primary [focus] and not subsidiary*' forewarns one not to take the following sentences to mean that one is completely to ignore and remain in ignorance of all knowledge and science which has been gained and nurtured by non-Jewish sources or which have no direct bearing on the knowledge to be gained by the study of the Torah. Inasmuch as what is commanded is '*make them the primary [focus] and not subsidiary*' the permission to occupy oneself also with other spheres of knowledge is assumed. Only, the knowledge of Torah and the understanding we derive from it is to be our principle concern and to be regarded as having been given to us as the absolute and firmly established Truth. Only as accessory knowledge and in so far as they serve to truly help the study of the Torah and are subordinated as the 'tofel' to the 'ikar', are they to be studied. But the Torah and all its teachings must ... be the yardstick by which we measure the results obtained by other spheres of learning. Only that which is in accordance with the truths of the Torah can remain true for us. All that we accept intellectually must always be considered from the point of view of the Torah and must be within the lines of the doctrines it teaches so that we do not adulterate the knowledge we draw out of the Torah with ideas which have developed from other and strange premises. We are not to consider Torah as being the same as other knowledge, so that the Torah is for us only *another* branch of all other knowledge.

Rav S.R. Hirsch - Commentary on Vayikra 18:4

Rav Hirsch understands that secular subjects are not forbidden per se. But they must always be seen as subordinate. This is what the Rema means by 'akrai'. The emphasis is on making a qualitative as well as quantitative distinction between Torah and other studies. If that is done, other wisdoms may be studied, provided that they are not objectively prohibited.

It thus seems that there is a place in Judaism for the study of external wisdoms, as long as they are kept 'akrai'. Some authorities (such as the Rogachover) understood this to mean that they could not be taught publicly. Thus setting up schools for secular studies would be assur. Others (Rav Baruch Ber Leibovitz) extended this to teaching parnasa too, so that there could not be Jewish schools for learning trade either. The view of many others (Rav Hirsch and R. Elchonon Wasserman) was that the critical issue was to see Torah as superior to non-Torah activity.

But in Rav Hirsch's model of Torah Im Derech Eretz, which wisdoms are considered to be part of the 'Derech Eretz' which builds a person to achieve Torah?

Science

20. ... צריך האדם ליחד עצמו להבין ולהשכיל בחכמות ותבונות המודיעים לו את קונו כפי כח שיש באדם להבין ולהשיג כמו שבארנו בהלכות יסודי התורה

רמב"ם הלכות תשובה פרק י הלכה ו

The Rambam mandates the study of the sciences as a practical route to understand the Creator

History and Literature

21. מליצות ומשלים של שיחת חולין ודברי חשק, כגון ספר עמנואל, וכן ספרי מלחמות, אסור לקרות בהם בשבת; ואף בחול אסור משום מושב לצים; ובדברי חשק, איכא תו משום מגרה יצר הרע

שולחן ערוך אורח חיים סימן שז סעיף טז

The Shulchan Aruch rules that secular books of poetry, literature and history are prohibited to read, even on weekdays, due to 'moshav leitzim' - being an unproductive waste of time. Literature of an arousing nature is also prohibited under

22. ... ואין בכלל זה יוסיון וספר יוחסין ודברי הימים של ר"י כהן ושזט יהודה שמהם ילמדו דברי מוסר ויראה

משנה ברורה סימן שז ס"ק נח

However, the Mishna Berura rules that, when it comes to history, this is not a blanket ban - certain books are definitely permitted since they are productive in that they lead to yirat shamayim

23. כִּי שֶׁאֵל־נָא לְיָמִים רְאֵשִׁים אֲשֶׁר־הָיוּ לְפָנָיִךְ לְמַן־הָיוּ אֲשֶׁר בְּרָא אֱלֹקִים | אֲדָם עַל־הָאָרֶץ וְלִמְקָצָה הַשָּׁמַיִם וְעַד־קִצְּהָ הַשָּׁמַיִם הִנְהִיִּה בְּדִבְרֵי הַגְּדוּל הָזֶה אִו הַנִּשְׁמָע כָּמֹהוּ

דברים ז:לב

The Torah itself instructs us to ask about the history and nature of the known world as a means to strengthening our understanding of the the experience of Sinai

24. The sphere for human research is limited both in time אֲדָם עַל־הָאָרֶץ - to after the creation and in space וְלִמְקָצָה הַשָּׁמַיִם וְעַד־קִצְּהָ הַשָּׁמַיִם - from one end of the heaven to the other end of the heaven. We are denied knowledge of and it is useless to try and probe to find out what was before the creation or what lies beyond the created material world ... But to obtain knowledge of Nature and History which is open to our research within these limits is not only something permitted but something which is **eminently desirable to the fullest possible extent, for only a mind armed with such a wide panoramic view on all matters can draw the right conclusions of the Jewish position in the world ...**

Rav S.R. Hirsch - Commentary on Devarim 4:32

Philosophy

The permissibility of the study of philosophy is a very complex issue which needs to be dealt with in full separately

Works of Heretics

The Rema's reference to 'Sifrei Minim' (above) relates to the secular chochma that he is discussing there. As such, it is unlikely that he is discussing works of actual heresy discussing other religions or views on Judaism which are heretical

25. ספרים רבים חברו עובדי כוכבים בעבודתה היאך עיקר עבודתה ומה מעשיה ומשפטיה, צונו הקב"ה שלא לקרות באותן הספרים כלל ולא נהרהר בה ולא בדבר מדבריה, ואפילו להסתכל בדמות הצורה אסור ... אע"פ שאין אתה עובדה שדבר זה גורם להפנות אחריה ולעשות כמה שהן עושין

רמב"ם הלכות עבודת כוכבים פרק ב הלכה ב

Books of actual heresy are not even allowed to be look at. As such, the Rema may be talking about works of secular chochma which are written by 'minim; i.e. people with anti-Torah views and perspectives

26. Know, my masters, that I myself have investigated much into these matters. The first thing I studied is that science which is called judicial astrology - that is, (the science) by which man may know what will come to pass in the world or in this or that city or kingdom and what will happen to a particular individual all the days of his life. I also have read in all matters concerning all of idolatry, so that it seems to me there does not remain in the world a composition on this subject, having been translated into Arabic from other languages, but that I have read it and have understood its subject matter and have plumbed the depth of its thought. From those books it became clear to me what the reason is for all those commandments that everyone comes to think of as having no reason at all other than the decree of Scripture. I already have a great composition on this subject in the Arabic language (namely, the Guide of the Perplexed) with lucid proofs for every single commandment but this is not required of us now. I now return to the subject of your inquiry.

Maimonides Letter on Astrology