

# ליקוטי ופסקי הלכות

## "חוקי חיים"

ותלמד  
"חוקי חיים"  
לעשות רצונך  
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

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Halochos of Talmud Torah | Parshas Bamidbar 5784

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### The Obligation of Learning Torah

#### Halochah, Not Mussar

1. People generally think that the halochos of talmud Torah are mussar-related, and admirable virtues. In truth, just like all other mitzvos, the mitzvah of Talmud Torah has halachos in Shulchan Aruch and other seforim detailing exactly how to fulfill the mitzvah. We all must strengthen ourselves in these halochos.

#### Every Man is Obligated

2. Every Jewish man is chayov to learn Torah (שו"ע יו"ד סי' רמ"ו ס"א) constantly, day and night, according to his ability, as it says: "vehogisa bo yomam volaila" (ש"ה, הרב ס"ה, של"ה) (שבועות אות כ"א).
3. The chiyuv of continuous Torah learning applies to anyone who does not need to occupy himself with his livelihood, or is supported by others, [e.g., Yeshiva bochurim or avreichim], as well as balabatim in the time left after sufficiently providing for their families. Setting aside a bit of time by day and by night is not enough; one is constantly chayov – during all hours of the day and night – according to his strength.

#### One Who is Preoccupied

4. One who is engrossed all day in his livelihood or one who is weak or old and cannot dedicate all his time to Torah learning must still set a fixed time by day and by night to learn Torah. As the Mechaber says: "Whether he is poor or rich; healthy or suffering; young or old – even a beggar, and even a man with a wife and children – he must set a fixed time to learn Torah by day and night, as it says, "vehogisa bo yomam volaila" (שו"ע שם).
5. However, when he has spare time, such as after work hours, or when he is unoccupied, the obligation to learn night and day returns (של"ה מסי' שבועות אות כ"א). If he is free and chooses not to learn, he borders on what Chazal say (סנהדרין דף צ"ט ע"א) on the posuk, "He disgraced the word of Hashem" – "this refers to one who is capable of involving himself in Torah, but does not" (מ"ב סי' ) (קנ"ה סק"ד).
6. **Extremely preoccupied.** If one has no choice and there is a day when he cannot learn at all, he may rely on kerias shema of the morning and evening (רמ"א יו"ד סי' רמ"ו) (רמ"א יו"ד סי' רמ"ו) (ס"א).
7. However, realistically, there is almost no one who only has time to fulfill "vehogisa" with kerias shema. This halachah applies to one in a thousand who is an oneis, e.g., on the major market day (שו"ע ) (ערוה"ש יו"ד סי' ת' ס"ו) (הרב פ"ג ס"ד, ערוה"ש ס"ז).

#### Doesn't Know How to Learn

8. One who does not know how to learn at all should still go to the beis medrash and will get schar for going (רמ"א אר"ה סי' קנ"ה ס"א). He is exempt from setting fixed times for learning and is yotzei with learning the little he understands and by supporting others learning (יעב"ץ בסידורו, לימוד אחר התפילה אות ח').
9. Nowadays, there is almost no one who doesn't know how to learn, as there are seforim in all areas of Torah that are simple to learn, as well as seforim in English and other languages through which one fulfills the mitzvah of Talmud Torah (תשובות והנהגות ח"א סי' ) (תקל"ז). Therefore, everyone must fulfill their mitzvah by learning what they understand.

#### "Make Your Work Secondary"

10. **A working man.** One should always make his Torah primary and his work secondary; he should minimize his dealings and engage in Torah; he should remove indulgence from his heart... (רמ"א יו"ד סי' ) (רמ"ו סי' ), i.e., he should engage in work only to the extent necessary to provide himself and his family with their needs [not just the bare minimum (שי"ך סי' רמ"ג סק"ז)], but not with unnecessary luxuries. He should always try to find ways to increase his learning and reduce his work.
11. **Unable to learn a lot.** All of this applies to one who succeeds in his learning and has the strength to learn a great deal. One who is incapable of learning a lot, whether due to lack of intellect, abilities, or focus, does not need to make his work secondary; he is yotzei by just setting some time aside. He may engage in his business the rest of the day to enable himself to amply support talmidei chachomim or his children who are learning Torah, and it is considered as if he himself learned (שו"ע הרב פ"ג סי' ).

#### Keviyus Ittim [Setting Aside Fixed Times]

##### Uncompromising

12. One who is yotzei his chiyuv with keviyus ittim must not interrupt that time, even if he thinks he can make a great profit (שו"ע אר"ה סי' ) (קנ"ה סי' ), since the main value of keviyus ittim is when he doesn't skip a single day (סדר היום בסדר הלימוד), unless he is a total oneis (נצח ) (ישראל להח"ח פ"ב).

##### The Time

13. **How much?** There is no specific amount of time one must set. It all depends on the amount of time he has (סדר היום).
14. **When?** Ideally, one should set aside the same time every day (כ"ה ) (החיים אר"ה סי' קנ"ה). It is best to designate a slot right after davening, to fulfill the posuk, "yeilchu meichayil el chayil," and to avoid getting engrossed in his affairs and missing his learning (מ"ב שם ) (סק"ג).
15. **Nighttime.** One must also learn at night. One who desires to get the "crown of Torah" must take care to spend his nights in words of wisdom and Torah; not sleeping, eating, drinking, and chatting (שו"ע סי' רמ"ו סכ"ג), since most of the wisdom a person learns is at night (רמ"א שם).
16. **Making up.** If one learns a certain amount or at a certain time each day, but was busy one day and skipped, he must make it up at night (שו"ע אר"ה סי' רל"ה ס"ב). He should not push it off until the next day, since the next day has its own chiyuv (מ"ב שם סק"ד). Bedieved, some say making up on another day works (רמ"ו סי' רמ"ו סק"א).

##### Place

17. **A set place.** One must set a fixed place in the beis medrash for learning Torah (רמ"א אר"ה סי' קנ"ה ס"א).
18. **Learning at home.** Even after learning in a beis medrash, one should set aside time to learn in his house. As the Mechaber says, "Fire consumes any house in which words of Torah are not heard at night" (שו"ע סכ"ד). It is good for his wife and children to see him learning, since the Torah will influence them.
19. **A room to learn.** Even when learning in his house, one should designate an area where he will not be disturbed. If possible, he should have a room specifically for learning Torah, and treat that room with the kedushah of a beis medrash (קב הישר פ"ג).

"The Cheder Horoah" | 20 Minchas Yitzchok St. Yerushalayim | paskenshtibel@gmail.com

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## What to Learn

- Halachah.** It is not enough to learn gemara, rashi, and tosafos; one must also learn the sifrei haposkim in order to know what to do and how to conduct himself based on the Torah and Shulchan Aruch (דרישה סי רמ"ו סק"ד הובא בט"ז שם סק"ד ובש"ך סק"ה).
- The main halachos one must learn are the most commonly applied ones, i.e., orach chaim, and select halachos in the other sections of Shulchan Aruch which everyone must know (שו"ע הרב פ"ב סי"ט וערוה"ש סי"ז).
- If someone insists on only learning gemara without the final halachah, they should not be dissuaded if that may cause them to stop learning altogether, since all words of Torah restore the soul and bring pure yiras Hashem (ערוה"ש סי"ז).
- Mussar.** One is obligated to learn mussar every day (אר"ז והגר"א) (הובאו במ"ב סי תר"ג סק"ב) and to set aside time – whether a little or a lot – for this (ברכי יוסף וה"א הובאו במ"ב סי א' סק"י"ב). This chiyuv precedes learning mishnayos (שעה"צ שם סק"ו).

## Quality of Learning

### Mitzvah to Know Torah

- Everyone is obligated to learn and know the entire Torah shebichsav and sheba'al peh with all their details and particulars, i.e., Tanach, Talmud Bavli and Yerushalmi, Tosefta, Mechilta, Sifra, Sifri, Tur and Beis Yosef, and Shulchan Aruch with its commentaries (שו"ע הרב פ"ב סי"א).
- Although it sounds like a lot and impossible, a person must nevertheless strive for that. If he puts in the time, he can gradually get there. He must try to the best of his ability.

### Learning Without Understanding

- Torah shebichsav.** One who learns Torah shebichsav, even without understanding it, fulfills the mitzvah to learn Torah (שו"ע הרב פ"ב סי"ב).
- Torah sheba'al peh.** If one learns Torah sheba'al peh without understanding it, it is not considered learning. The whole purpose of Torah sheba'al peh is to explain Torah shebichsav – if he doesn't understand, Torah was not explained (שו"ת אר"ך צבי ח"א סי כ').
- Nevertheless, even if he does not understand Torah sheba'al peh, he must still try to learn it, since le'asid lavo he will understand all the Torah he worked at in this world (שו"ע הרב שם, צ"ל"ח בהקדמה לגבי) (לימוד אגדות חז"ל).
- Zohar.** Merely saying the words of the Zohar, even without understanding, is significant (חיד"א, שו"ת חיים שאל ח"א סי ע"ה).

### Four Times

- When approaching something new, one must learn it four times to understand it well. Otherwise, he will not fully understand it, even if he thinks he does (סי"ח הי"ג עולם ח"ב פ"א, קריינא דאגרתא ח"א סי ט). If one learned without reviewing four times initially, he did not fulfill the mitzvah of learning Torah (ח"ה הובא בתשובות והנהגות ח"א סי תקל"ט).

### Review

- One who forgets something he learned transgresses the prohibition of pen tishkach (מנחות צ"ט ע"ב). Chazal explain that the posuk is referring to all of Torah, not just the aseres hadibros (הרב פ"ב סי"ד).
- Some count this prohibition as one of the 613 mitzvos (יראים סי). The Rambam, who didn't, held that the issur is midvrei sofrim (שו"ע הרב פ"ג קו"א סק"א).
- One who doesn't review, resembles one who plants but does not reap (סנהדרין צ"ט ע"א). Therefore, each person must review his learning so as not to forget it. Success in learning mainly depends on review, since reviewing develops one's intellectual skills (קריינא) (דאגרתא ח"א סי ו').
- One should review even at the expense of learning new material, as it says in Avos: "You are not responsible to finish the job, but you are not free to sit idle (הפלאה הקדמה לכתובות אות כ"א).
- However, if one didn't review because he was learning new material, not because he was sitting idly, and forgot some Torah, it's a machlokes if he is oveir on pen tishkach (פסקים ותשובות סי רמו) (הערה 187).
- If one who supports Torah has a choice between supporting a talmid chochom who reviews and one who doesn't but learns more quantitatively, he should give preference to the one who constantly reviews his learning (מו"ר בשו"ת שבט הקהתי ח"ב סי ע"א).
- A koveia ittim.** One who is koveia ittim must also designate time to review his learning so as not to forget what he learned. It is improper for one to learn a daf a day but not review and even forget what he learned within a few days. He must also find time for review.
- However, if one is so busy with his livelihood that he does not have time to review all that he learned, or if one forgot due to old age or illness chas veshalom, he is doesn't transgress pen tishkach (שו"ע הרב סי"ו וע"י תו"ט אבות פ"ג מ"ח שכתב שאפ"ה מתחייב בנפשו).

## Learning Out Loud

- One of the ways to acquire Torah is through "arichas sefosayim" (אבות פ"ו מ"ה). Therefore, one should learn audibly and pleasantly (מאירי יומא י"ט ע"ב). One who learns aloud remembers what he learned (שו"ע יו"ד סי רמ"ז סב"ב).
- Disturbing neighbors.** If one is learning out loud and it disturbs nearby residents, they may not object (מ"ר בשו"ת שבט הקהתי ח"ד סי). However, if possible, one should not disturb his neighbors' peace (מו"ר בפתחי חושן גניבה פט"ו סק"ג).
- Distracting others.** If one is learning aloud and it distracts others learning in the Beis medrash, they may not object. If he is in a place where it is customary to be quiet, such as an otzar seforim, they may object.

## Toiling and Laboring in Torah

- "Torah learning does not endure for one who is lax about it, one who is too leisurely, or one who learns while eating and drinking; only for one who "kills himself" over it and agonizes over it, withholding sleep from his eyes..." (שו"ע סכ"א). This means that only one who "kills himself" over his Torah will not forget it (שו"ע הרב) (פ"ד סי"ט) for the only wisdom that endures is that learned through toil and labor; when learned pleasurably and leisurely, it will not last or be of benefit (פיה"מ אבות פ"ה מכ"ג).
- The main aspect of toil in Torah is that of pilpul and the back-and-forth in order to truly understand it, as it says, "im bechukosai teileichu" – that you should labor in Torah. This explains the text of the brocho, "la'asok bedivrei torah" – Torah should be like an occupation with "negotiation" (ט"ז אור"ח סי מ"ז סק"א).

## Interruptions During Learning

### Bittul Torah

- Bittul Torah is when a person can learn, but doesn't, or when a person stops learning and gets caught up in trivial worldly matters, neglecting his learning. This is included in the posuk, "He disgraced the word of Hashem" (שו"ע סכ"ה).
- Bittul Torah applies to every single hour a person could've learned, but didn't (ח"ה, תורת הביית).
- Qualitative bittul Torah.** Some say that a person who learns but doesn't put in the effort to delve into the Torah as much as he could is qualitatively mevateil Torah (משנת ר' אהרן ח"א) (עמ' נ).

### Disrupting Learning

- Apart from the issur of bittul Torah, there is an issur to interrupt learning for something else. Doing so shows disrespect for the Torah and disrespect for its kedushah. It is like speaking to a king and interrupting to speak to someone else (רבינו יונה אבות פ"ג מ"ז).
- The issur to interrupt learning is even for a single word, or a temporary interruption (תו"ר אבות פ"ג מ"ז). Therefore, one must be very careful not to use his phone while learning, not even to check who is calling, or similar, which would count as an interruption. It is praiseworthy to turn off the phone completely to avoid any temptation.
- If one finished learning a topic and did not yet start another, he may interrupt if there is a need. Still, a ba'al nefesh should try to avoid even this, and wait until he is finished learning (יוסף אומץ) (הקדמון עמ' 268, שעה"צ סי רפ"ה סק"א).
- After a seder, one may stop even if he is mid-topic (שו"ע) (הקדמון עמ' 268, שעה"צ סי רפ"ה סק"א).
- 'Gezundheit'.** One should not even respond "Gezundheit" to a sneeze in the beis medrash mid-learning (שו"ע סי"ז). This applies nowadays as well (ט"ז סק"ו ושו"ע הרב פ"ד סי"א).
- Drinking.** If one needs a drink to refresh himself, he may take a break, even mid-topic, to make a brocho and drink (שו"ת לב חיים ח"ג) (סי"כ"ג). Similarly, if drinking a coffee or the like..., will help him learn better, he may stop for a coffee, as long as he actually feels he needs it.

### Interrupting for Another Mitzvah

- Chazal say that learning is equal to all the mitzvos (שו"ע סי רמ"ז סי"ח). Nevertheless, sometimes one must stop learning to perform another mitzvah, as follows:
- If the other mitzvah can be done by others, he should not interrupt his learning (שו"ע שם). The same is true of a mitzvah only he can do, but he can wait until he is done with learning (ביאור הגר"א סי ר"מ סק"ד).
- If the mitzvah can't be done by anyone else, he should pause to do the mitzvah, and then return to his learning (שו"ע) (שם), e.g., burying a meis ל"ע, based on the niftar's honor (ע"י שו"ע יו"ד סי שס"א ס"א); chesed; tzedoko; and hachnosas orchim (אהבת חסד ח"ג פ"א); or gladdening a chosson and kallah (רמ"א אבה"ע"ו סי ס"ה ס"א).

