

“To Know the Forbidden and the Permitted”: An Analysis of Rambam’s View of the Purpose and Goals of Talmud Study

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Introduction

The subject of this article is Rambam’s understanding of the purpose and goals of Talmud study. By way of introduction we will present a brief overview demonstrating the utilitarian objective of Torah study in general.

The source of the mitzvah to study Torah is the verse: ולמדתם¹ אותם ושמרתם לעשותם. The simple meaning of the words indicates that, on its most basic level, the primary goal of Torah study is to facilitate proper observance of the mitzvos, i.e., הלכה למעשה.

The *Chinuch*,² in fact, defines the mitzvah of *limud haTorah* as follows:

מצות עשה ללמד חכמת התורה וללמדה, כלומר כיצד נעשה המצות
ונשמור ממה שמנענו הא-ל ממנו ולדעת גם כן משפטי התורה³ על כון
האמת.

Additionally, the Gemara⁴ states:

וכבר היה רבי טרפון וזקנים מסובין בעלית בית נתזה בלוד נשאלה שאלה
זו בפניהם. תלמוד גדול או מעשה גדול. נענה רבי טרפון ואמר מעשה

1 *Kiddushin* 29b based on *Devarim* 5:1.

2 Mitzvah 419.

3 We must even study the laws classified as משפטים from the Torah’s perspective, notwithstanding their rationality and universality. (See ספר העקרים 3:24.)

4 *Kiddushin* 40b.

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גדול. נענה רבי עקיבא ואמר תלמוד גדול. נענו כולם ואמרו תלמוד גדול שהתלמוד מביא לידי מעשה.

The phrase תלמוד מביא לידי מעשה establishes the role of learning Torah as a means to mastering the halachic details of the mitzvos, thus insuring their proper fulfillment.⁵ In fact, the Gemara implies that the uniquely central role that *limud haTorah* has in the corpus of the *taryag mitzvos* derives from its being the key to the proper execution of the mitzvos.⁶ While many quotes from *Rishonim*⁷ and *Acharonim*⁸ reflect this understanding of the Gemara, perhaps none are as clear as the words of Rav Shneur Zalman MiLiadi, elaborating on Rambam's words in *Hilchos Talmud Torah*:⁹

ואין לך מצוה בכל המצות כולן שהיא שקולה כנגד תלמוד תורה אלא תלמוד תורה שקול כנגד כל המצות כולם שהתלמוד מביא לידי מעשה ונמצא שניהם בידו כי התלמוד מצד עצמו הוא גם כן מצות עשה אף אם לא היה מביא לידי מעשה¹⁰ והואיל והוא מביא גם כן לידי מעשה כל

5 See also commentary of Rabbeinu Bachya on *Avos* 1:17:

לא המדרש עיקר אלא המעשה: כלומר אין תכלית הידיעה ועמלו של אדם בתורה שילמוד תורה הרבה, אין התכלית אלא שיביא הלימוד לידי מעשה, הוא שכתוב ולמדתם אותם ושמרתם לעשותם בא להורות כי תכלית הלימוד אינו אלא כדי שיעשה.

6 The Gemara attributes the 'greatness' of learning to its 'leading to deed.' Moreover, the oft-quoted Mishnah in *Peab* (1:1) ותלמוד תורה כנגד כולם is explained by Rambam in *Perush HaMishnah* to be a consequence of תלמוד מביא לידי מעשה. See footnote 11. Rav Yaakov Emden (משנה א-א (לחם-גדפס בסוף לחם שמים, פאה א-א

תלמוד תורה שאינו מביא לידי מעשה צריך עיון אם הוא בכלל זה [כנגד כולם] כיון שתלמוד תורה כזה אינו גדול אפילו כמעשה אלא מעשה גדול ממנו, זה פשוט מוכרח ממקומו בטעמו. Even though RYE is referring to the study of Kabbalah, he nevertheless opens the door to some Torah subject matter being of lesser importance since it cannot מביא לידי מעשה. (Later in his commentary, he seems to conclude that any Torah learning is כולם.)

7 See for example Rambam in *Moreh Nevuchim* 3:36 and footnote 3 in Rav Kapach edition: וכן כל מה שבא מן הזירוז וההדגשה על הלמידה והלימוד תועלתו ברורה, כי אם לא תשיג ידיעה לא יהא מעשה טוב ולא השקפה נכונה.

8 See for example *הקדמה לספר חיי אדם* (quoted at length in footnote 91): שיהיה הלימוד ע"מ לעשות כמה שכתוב ושמרתם לעשותם...כי אם לא ילמוד לא ידע מה לעשות וע"ז אמרו נמנו שהלימוד מביא לידי מעשה ר"ל שידוע מה לעשות.

9 *Hilchos Talmud Torah* 3:3.

10 See footnote 17 for an explanation of מעשה לא היה מביא לידי מעשה.

המצות כולן שאי אפשר לקיים כל המצות כהלכתן בתנאייהן ודקדוקיהן בלי לימוד היטב לידע כל ההלכות שהן דקדוקי המצות ותנאייהן לכך הוא שקול כנגד כל המצות כולן¹¹ ולפיכך התלמוד קודם למעשה בכל מקום.¹²

The *Acharonim*¹³ do, in fact, identify an aspect of Torah study, unrelated to fulfillment of the other mitzvos, based on the verse והגית בו והגית בו וליילה¹⁴. This mitzvah of '*limud haTorah*' is distinct from the mitzvah of '*yedias haTorah*'¹⁵ and can be fulfilled regardless of the subject

11 The Rambam adds שקול to the terminology of כנגד כולם. (See *Kesef Mishneh*). The precise meaning of the phrase כנגד כולם is unclear. At first glance, it would seem to imply the superiority of the mitzvah of *limud haTorah* over the combined total of all other mitzvos as *Yerushalmi Peah*, quoted by Rash MiShantz, indicates: אפילו כל מצוותיה של תורה אינן שוות. לדבר אחד מן התורה. (See also *Moed Katan* 9b.) However, RSZ does not appear to have understood Rambam in this way. By citing ונמצא שניהם תלמוד מביא לידי מעשה (which is taken from Rashi's comment on *Kiddushin* 40b), he is establishing the superiority of *limud haTorah* over any individual mitzvah. In fact, many commentators discuss the inherent contradiction in declaring learning to be greater by virtue of its leading to deed. If so, deed is greater, מי נתלה במי קטן נתלה בגדול. (See *Rashi, Bava Kama* 17a and *Tosafos, Kiddushin* 40b who both conclude that deed is greater. See also *Pnei Yehoshua, Bava Kama* 17a for an explanation of תלמוד גדול according to Rashi.) As RSZ elaborates, *limud haTorah*, aside from being a mitzvah unto itself, is also the key to every other mitzvah and therefore superior to it. It would appear that Rambam struggles with the word כנגד because it suggests parity when, in fact, the conclusion of תלמוד גדול indicates otherwise. His solution is the addition of the word שקול to imply that learning the halachos of a given mitzvah endows *limud haTorah* with the value of that mitzvah, thus achieving ונמצא שניהם בידו. See *Orchos Tzadikim*, beginning of שער התורה for a similar explanation of Rambam. See also קובץ על יד p. 275 in מפרשי יד [החזקה להרמבם] (עוז והדר).

12 *Shulchan Aruch HaRav, Hilchos Talmud Torah* 4:2, pp. 1696-1697.

13 See ספר שערי תלמוד תורה pp. 32–34 for a list. See especially Introduction to דם היי quoted in footnote 91.

14 *Menachos* 99b based on *Yehoshua* 1:8.

15 *Yedios haTorah*, based on the source of ולמדתם אותם ושמרתם לעשותם as well as on the Gemara's *derash* (*Kiddushin* 30a), שיהיו דברי תורה, ושננתם—שיהיו דברי תורה, comprises both full breadth of halachic knowledge and analytical capability.

matter that is learned, whereas the mitzvah of *yedias haTorah* requires a curriculum that is limited to 'halacha' (or at least the sharpening of one's mental acuity, which is itself necessary for accurate application of halacha). However, one may fulfill both facets of the mitzvah simultaneously only by learning halachic subject matter. Rav Yisrael Salanter¹⁶ describes the mitzvah of *yedias haTorah* as well as its goals:

והנה ליסוד ידיעת התורה הוא דוקא לימוד הגמרא והפוסקים, ואינו יוצא בלימוד אחר כמובן, וגם סדר הלימוד יהיה בענין שיגיע למטרתו... תכלית המצוה של ידיעת התורה הוא לידע דיני התורה ומשפטיה על בורין שיהיה לו הלכה ברורה בכל מקום איך לשמור ולקיים את כל התורה והמצוה... וסוף התכלית הוא להגיע למעלת ההוראה בבחינה נעלה להורות הוראה לעצמו ולאחרים.¹⁷

As a general rule, the obvious reason behind a mitzvah does not preclude esoteric ones. *Limud haTorah* is no exception. Thus, much has been written about the unique role of Torah study in perfecting

16 *Iggeres* 27.

17 In *Iggeres* 31, RYS posits that the mitzvah of *limud haTorah* has both חק and משפט aspects. Learning the details of any mitzvah, even a חק, is a משפט because how else can one fulfill a mitzvah if he hasn't learned its details—מעשה—תלמוד מביא לידי מעשה. On the other hand, even learning the details of a משפט may be considered a חק because knowing the laws of the Torah has intrinsic value and is therefore an obligation even if it never would be מעשה such as in the case of סורר ומורה בן סורר according to the opinion that לא היה ולא עתיד להיות. Learning Torah should preferably be על מנת לעשות (*Avos* 4:5), not כדי לעשות i.e. it should be approached with the חק perspective—that the value of the act of learning is not contingent on the resulting halacha—but with the משפט methodology—that the learning yield a concrete, halachic product, albeit one that might not be 'practical' or 'relevant.' (For elaboration on this distinction, see footnotes 38 and 97.) It would seem from RYS that learning that lacks the משפט methodology is a fulfillment of the mitzvah of והגית but not of *yedias haTorah*. This section of RYS is often quoted to demonstrate that *limud haTorah* and *halacha 'lemaaseh'* are not connected, when in fact it indicates the opposite. See also תורת רבי סדר הנהגה בלימוד: שיהא הלימוד למעשה לעבור על השו"ע: p. 143: ישראל מסלנט הרבה פעמים ולעיין אחר כך בשו"ת לעמול היטב ולאסוקי שמעתתא אליבא דהילכתא בכל דבר שיבא לידו. יחקור בשכלו בכל מה שלומד את היוצא מלימוד זה הלכה או מוסר או מצוה.

man's soul,¹⁸ not to mention its cosmic importance.¹⁹ Ultimately, though, however profound the metaphysical effects of sitting in a *sukkah*, the halachic parameters of the mitzvah are clearly defined, as is its stated 'purpose' of למען ידעו דורותיכם. Similarly, based on the sources quoted above, it would seem that the halachic parameters of Torah study, as well as its stated 'purpose' of ושמרתם לעשותם, are evident.²⁰

Perhaps a fitting final word²¹ to this introduction can be found in the following description of the mitzvah of *limud haTorah*:²²

מצות עשה על כל איש מישראל ללמוד תורה הלכה למעשה כפי כוחו,
ועל ידי זה יוכל גם כן לקיים המצות כהלכתן ולשמור עצמו מכל איסורי
התורה וכמו שנאמר בתורה ולמדתם אותם ושמרתם לעשותם וכמו
שאמרו רבותינו גדול תלמוד שמביא לידי מעשה.

The Primary Function of Talmud Study: “To Know the Forbidden and the Permitted”

With the wealth of classic writings that Rambam left behind as his legacy, it would seem odd to begin an analysis of his view of so crucial a topic as Talmud study with a relatively obscure source, but none reflects so directly and dramatically on our topic as does his comment in an *Iggeres* to his student, R. Yosef.²³ In this *Iggeres*, Rambam boldly states:

18 See, for example, Kiddushin 30b. See also *Bach* on *Tur Orach Chaim* 47.

19 See, for example, *Nefesh HaChaim* 4:10-14.

20 Rav Chaim Volozhin discusses the esoteric aspects of *limud haTorah* at length in *Nefesh HaChaim* שער ד but writes in his introduction to ביאור הגרא על שולחן ערוך:

וזה כל פרי לימוד הש"ס להוציא ממנו הלכה למעשה. אשרי השונים הלכות על מנת לעשות ולקיים המה המקימים את העולם כולו.

Similarly, in his commentary on *Avos* 6:1, he writes,

עיקר הלימוד... להשיג על ידי התורה המצות והדינים ולידע כל דבר על בוריה כללים ופרטים.

21 Although, admittedly, not an authoritative one.

22 *Sefer Yalkut Yosef: Hilchos Talmud Torah*, 245-246:1.

23 *Iggeres HaRambam*, R. Sheilat edition pp. 257–259. The following quote is preceded by Rambam's urging R. Yosef to master *Mishneh Torah* and disseminate it.

לפי שהתכלית המכוננת במה שחובר בתלמוד וזולתו כבר נכרתה ואבדה ותכלית הלמדנים כלוי הזמן במשא ומתן שבתלמוד כאילו הכונה והתכלית היא האמון בוכוח לא זולת זה. וזו לא היתה הכונה הראשונה אבל המשא ומתן והוכוח אמנם נפלו במקרה כאשר היה מאמר שקול ופרשו אחד בפרוש ופרשו אחר בחלופו הוצרך כל אחד מהם להראות אופן ראיתו ולהכריע פרושו. והכונה הראשונה אמנם היה ידיעת מה שצריך לעשות או להזהר ממנו.

For²⁴ the intended objective of the 'Talmud has been lost²⁵ and the objective of the *lamdanim* is a waste of time in Talmudic give and take, as if nothing more than skill in argumentation is the intent and objective. This argumentation was not the primary goal²⁶ but rather emerged in the course of debate over conflicting interpretations of a statement in need of clarification. The primary goal, in fact, is knowing what one must do or avoid.²⁷

Similar sentiments appear at other points in his correspondence with R. Yosef,²⁸ most notably the following quote:²⁹

24 Translations are not intended to be literal and will be offered only for those passages that are not self explanatory. For a more precise translation of this passage, see *Introduction to the Code of Maimonides* by Dr. Isadore Twerski, pp. 46-47.

25 I.e., forgotten. Translation follows R. Sheilat. R. Kapach p. 136 translates as "completed and fulfilled," i.e., Talmudic give and take is no longer essential, only the conclusions are.

26 R. Sheilat translates as "הכונה הראשונה" which literally means "the original intent" (and is therefore very similar to the first phrase of "התכלית המכוננת") but it can also be understood to agree with R. Kapach's translation of "המטרה העיקרית."

27 In *Introduction to Mishnah*, Rav Kook edition p.64, Rambam identifies four motivations of Rav Ashi in composing the Talmud: 1- Presentation of the conflicting interpretations of the Mishnah and the arguments for and against each interpretation. 2- Rendering of the conclusion and halachic decision. 3- Post-Mishnaic halacha and its basis of derivation from the understanding of the Tannaim. 4- *Derashos*. He identifies #1 as Rav Ashi's main intent. Based on the quote from this *Iggeres*, he appears to understand #2 as inseparable from #1.

28 See remainder of this *Iggeres*, RS edition pp. 258-259; RK edition p. 136; also RS p. 302; RK p. 126.

29 RS edition pp. 312-313; RK edition p. 134.

ואם תכלה זמנך בפירושים ובפירושי הויות הגמרא ואותם הדברים אשר
הנחנו מעמלם הרי זה אבוד הזמן ומעוט התועלת.

And if you waste your time with Talmudic “interpretations”³⁰—
from whose toil we have freed you—it is a waste of time and of lit-
tle gain.

Two important principles emerge from Rambam's comments:

1) Learning Talmud is a utilitarian endeavor, with extracting hala-
chic conclusions its functional objective. In his Introduction to *Mish-
neh Torah*,³¹ Rambam similarly states:

ואין צריך לומר הגמרא עצמה... שהם צריכים דעת רחבה ונפש חכמה
וזמן ארוך ואחר כך יודע מהם הדרך הנכונה בדברים האסורים
והמותרים ושאר דיני התורה היאך הוא.

Additionally, in MT,³² using the metaphorical reference of “bread
and meat” (elementary levels of wisdom that must precede more eso-
teric ones), Rambam defines the purpose of Talmud study as:

לידע ביאור האסור והמותר וכיוצא בהן משאר המצות³³

The simplicity and obviousness³⁴ of this assertion might go unno-
ticed if not for its staggering ramifications and total incompatibility

30 The word "פירושים" is not clearly defined here. At first glance, it might seem that Rambam is referring to differing views of *Amora'im* in their interpretation of the Mishnah. The usage would, therefore, be identical to the usage in the previous quote, which clearly referred to interpretations of the *Amora'im*. Also, in his *Introduction to Mishnah*, Mosad HaRav Kook edition p.64, the use of "פירושים" would be consistent. See footnote 27. Accordingly, Rambam would be discouraging analysis of opinions not accepted as the final halacha. See *Perush HaMishnah, Nazir* 2:1. "פירושי הויות הגמרא" is difficult to understand accordingly. See RS edition pp. 312-313 footnote no.9. It seems more likely that the reference here is to one of the three types of post-Talmudic works described in the Introduction to MT: "הפירושין וההלכות והתשובות," Frankel edition p. 9. Rambam is, therefore, criticizing the practice of analyzing the "*shakla vetarya*" of the Gemara. I don't know if Rambam was familiar with the methodology of the *Tosafists*, but their approach would certainly fall into the category of "פירושים." See footnote 90.

31 Frankel edition p. 9. See also p. 8: "...יתבאר האסור והמותר..."

32 *MT Hilchos Yesodei HaTorah* 4:13.

33 See also *Iggeres* to Rav Pinchas, RS edition p. 439.

with contemporary realities in *derech haLimud*, as will be discussed later.³⁵

2) Misunderstanding and betraying the utilitarian nature of Talmud study, a circumstance already prevalent in the time of Rambam, constitute nothing less than כלוי הזמן, wasting time. This harsh condemnation of the alternative '*derech*' that elevates process over product, establishes the reality that, to Rambam, the goal of Talmud study is almost exclusively functional. "*Lomdus*" that is not distilled into actual halachic form is, therefore, irrelevant, and while it might constitute a fulfillment of the mitzvah of Talmud Torah on some level,³⁶ it is clearly not the "primary goal" or "original intent" of Talmud study. Accordingly, Rambam would be equally dismissive of analysis of opinions not accepted according to halacha,³⁷ as he would be of analysis of opinions accepted according to halacha that do not yield any concrete, final halachic conclusions.³⁸ Thorough study of what today is called 'Gemara, Rashi and Tosfos' without any attempt to examine the actual '*halacha lemaaseh*'³⁹ would be, in Rambam's view, of minimal value, totally missing the "original intent" of Talmud.

34 As noted amply in the Introduction.

35 Perhaps it is precisely because of its obviousness that Rambam did not underscore this idea as forcefully in *MT, Hilchos Talmud Torah*, even though the alternative *derech* already existed.

36 See discussion of the two facets of Torah study: *Yedias HaTorah* and *Limud HaTorah* in Introduction.

37 See *Perush HaMishnah, Nazir 2:1* and *Introd. to SHM*, Frankel edition p.10.

38 Emphasis is on conclusions, even if not necessarily 'practical' or 'relevant.' Rambam obviously considered the study of the details of any mitzvah to be of value. He did not advise readers to skip the parts of MT that were no longer '*lemaaseh*' in the conventional and literal sense. On the other hand, considering the general objective of Torah study and Talmud study in particular, it seems obvious that Rambam would advocate the prioritization of applicable halacha.

39 See footnote 91.

The Dispensability of Talmud Study and the Role of *Mishneh Torah*

Defining the goal of Talmud study in the aforementioned way leads to a startling but logical conclusion: the dispensability of Talmud study. After all, if the point of it all is the 'bottom line,' and Talmud study is as valuable as the knowledge of halacha that can be extracted from it, couldn't a code of law, presenting Talmudic decisions in a clear, simplified form, replace the Talmud itself?

Rambam was not shy about his ambitious perspective on the contribution MT would make to the world of Torah scholarship. Toward the end of the Introduction to MT,⁴⁰ he famously states:

כדי שלא יהיה אדם צריך לחיבור אחר בעולם בדין⁴¹ מדיני ישראל אלא יהיה חיבור זה מקבץ לתורה שבעל פה כולה... לפיכך קראתי שם חיבור זה משנה תורה לפי שאדם קורא בתורה שבכתב תחלה ואחר כך קורא בזה ויודע ממנה תורה שבעל פה כולה ואינו צריך לקרות ספר אחר ביניהם.

Similar thoughts can be found in the Introduction to *Sefer Ha-Mitzvos*.⁴²

Shocking as it may seem, Rambam's intent is hard to interpret any other way than the obvious one. The notion of attempting to understand his words in a manner that would reconcile them with conventional *hashkafos* is highly problematic, given Rambam's clarity of expression, the prominence with which he presents this view, the different contexts in which he reiterated his position and the corroborating evidence of other interconnected comments related to the subject. In short, for Rambam to dramatically state in the Introduction to MT and SHM that Talmud study, in the conventional sense, will no longer be essential, and to advise his student in correspondence to act accordingly, leads to the incontrovertible conclusion that Rambam

40 Frankel edition pp. 9-10.

41 Rambam viewed Talmud as a work of halacha, as previously stated. The next sentence in the quote indicates that he included Talmud among the works that would no longer be needed. More evidence of this will follow.

42 Frankel edition p. 10.

was totally at peace with a Torah world that would view MT and not Talmud as its epicenter.

Furthermore, even those who raised objections to Rambam's suggestion that MT 'replace' Talmud as the main repository of halacha, implied that the substance of the proposal itself was sound. For example, the essence of Ravad's famous criticism⁴³ is Rambam's abandonment of the long-established tradition of citation of sources. If Rambam had provided footnotes, Ravad apparently would have been undisturbed by the prospect of Talmud study being largely replaced by MT.

A similar inference can be drawn from the criticism of Rav Pinchas HaDayan, the first, perhaps, to challenge the essence of Rambam's initiative. Rav Pinchas wrote the following critique of MT in an exchange with Rambam on a variety of topics.⁴⁴

ודברי חבוריך מאירין לעולם אך למי שעסק בתלמוד... וכל שכן שלומדין
ואינן יודעין מה לומדין וטועין באמרי החבור ואינן יורדין לסוף דעתך
ומאי זה מקום המעין נובע... ראוי להדרתך להורות לעולם שלא יניחו
הגמרא מלהתעסק בה.

The substance of this portion of Rav Pinchas's critique is the contention that without Talmud study, the halacha as presented in MT can not be properly understood and applied. Although he does not underscore this point, Rav Pinchas was really touching on a flaw central to Rambam's goal in writing MT,⁴⁵ i.e., aiding those who could not competently extract halachic conclusions directly from Talmud. Rav Pinchas's contention essentially was that those who could not grasp Talmud could not grasp MT either. (Later authorities such as Rosh⁴⁶ and Rivash⁴⁷ echo the concerns of Rav Pinchas, harshly criticizing those who decide halacha based solely on MT,

43 Frankel edition p. 10.

44 RS edition pp. 438–445.

45 Rambam discussed this goal many times. See *Introd. to MT* (Frankel edition p.9), *Introd. to SHM* (Frankel edition p.10), *Iggeres* to R. Yehonasan (RS edition p. 503), *Iggeres Techiyas HaMasim* (RS edition p.340, RK p.70), and his response to R. Pinchas cited below.

46 *SHuT* Rosh 31:9.

47 *SHuT* Rivash 44.

without familiarity with Talmudic sources.⁴⁸ R. Shneur Zalman MiLiadi,⁴⁹ however, asserts that, notwithstanding their objections, Rambam's explicit, clear words indicate that he advocated this practice.⁵⁰)

Rambam responds:

דע תחלה שאני חס ושלום לא אמרתי לא תתעסקו לא בגמרא ולא בהלכות הרב ר יצחק או זולתו. היודע עד שיש לי כמו שנה וחצי שלא למדו אצלי חבורי... ורוב התלמידים רצו ללמד ההלכות של הרב ולמדתי אותם כמה פעמים כל ההלכות וגם שנים שאלו ללמד הגמרא ולמדתי אותם מסכתות אשר שאלו. וכי אני צויתי או עלתה על לבי שאשרף כל הספרים שנעשו לפני מפני חבורי? והלא בפרוש אמרתי בתחלת חבורי שלא חברתי אותו אלא מפני קצר הרוח למי שאינו יכול לירד לעמק התלמוד ולא יבין ממנו האסור והמותר.

At first glance, Rambam's defense seems unresponsive to the critique of Rav Pinchas. How does he address the allegation that without Talmud study, halacha will be incorrectly applied? In one line of his response, Rambam even acknowledges as much.⁵¹

ואם מפני הלומדים שאמרת שאינן יודעין—אין ביד כל מי שחבר חבור שיהיה הולך עמו ולא יניח לקרות אלא פלוני ופלוני.

Apparently, Rambam concedes that some of those insufficiently skilled to study Talmud will, in fact, misapply halacha codified in MT. He feels, however, that they would be no better off with a perusal of Talmud as suggested by Rav Pinchas. The targeted readership of MT

48 R. Yom Tov Lipman Heller (introduction to *Maadanai Yom Tov* on Rosh) compares basing halachic decisions solely on MT to “those who decide halacha based on Mishnah,” i.e. without knowledge of Talmud, who are described by the Gemara (*Sotah* 22a) as ‘destroyers of the world.’

49 *Shulchan Aruch HaRav, Hilchos Talmud Torah* 2:1, *Kuntres Acharon*, p. 1671.

50 RSZ references Rambam's comment in *Introduction to SHM* (Frankel edition p. 10) that, based on the halachic principles laid out in MT, one should be able to extrapolate any question that arises without great analysis. R. Kapach (in the introduction to his edition of MT p. 17), contends that Rosh would agree that one may decide explicit halacha that requires no comparison or creativity of thought and disagreed only with Rambam's belief that the principles he laid out could be easily applied. See also *Yad Malachi (Klalai HaRambam* 20) citing *Rishon LeTzion*.

51 RS edition, p. 440.

was the group that would, despite its inability to properly extract the final halacha from the Talmud, nevertheless grasp halacha presented with clarity in MT. With this clarification, Rav Pinchas's call for Rambam to reaffirm the importance of Talmud study was silenced. The implication remains that those capable of studying Talmud could, and perhaps should, do so in conjunction with MT,⁵² provided that they do not become bogged down with "perushim."⁵³

What is striking about this exchange is the underlying premise, accepted even by Rav Pinchas, albeit theoretically, that Talmud study could be done away with if the essence of its halachic content could be distilled accurately into a code of law. Rav Pinchas's contention was merely that the weak minded won't understand MT, and Rambam's response was that the target group will. The notion, however, of a large segment of the Torah world unengaged in the 'process' of Talmud study as the intrinsic, crucial core of *limud haTorah* didn't seem to upset Rav Pinchas.

The Meiri⁵⁴ can also be added to the list of *Rishonim* who, by implication, did not object to the substance of Rambam's plan. In his introduction to *Berachos*, Meiri analyzes in detail the innovations of MT, both in style and in substance. In particular, he elaborates on Rambam's method of presenting finalized halacha without discussion and debate and the outgrowth of this approach, i.e. the virtual elimination of conventional Talmudic study. Meiri writes of history's rejection of this feature of MT:

אבל לא ראו חכמי הדורות לעזוב ספרי התלמוד בשום פנים אבל הסכימה דעת הכל להעלותם על ראש משנתם ולהיותם יסוד ועמוד וכל שאר החבורים כענפים אליהם... וזה שעל דרך ערב לאיש לפי טבעו להשיג ידיעת הדברים מצד החקירה והחפוש ובחינת עצם הדברים עם הקצה הסותר, יותר מהשיג ידיעתם דרך קבלה לבד. ולזה לא נתקרה דעת כל

52 See *Iggeres* to R. Yosef (RS edition p.312, RK p. 134) where he instructs R. Yosef to analyze sources in Talmud if contradictions are found between MT and Halachos of Rif. R. Zvi H. Chajes in *Tiferes L'Moshe (Kol Sifrei Maharatz Chajes* p. 411) understands Rambam's directive differently. See also *Kesef Mishneh* on *Introduction to MT* (Frankel edition p.9) regarding Ravad's criticism on citation of sources.

53 See footnote 30.

54 Introduction to *Berachos* pp. 25-26. See also *Introduction to the Code of Maimonides*, p. 104, footnote 14.

משכיל עד שיראה מחקר הדברים במקום יסודם ובצור מחצבתם וטעם
סתירתם ואריכות מה שיפול בו מן המשא והמתן ואחרי ראותו מקור
הדברים ושרשם ועניני חקירתם יערב להם אחר כן לדעת מה שיעלה
מהם דרך פסק ולהתבונן מתוך המחקר איזו היא דרך ישרה שיבור לו
האדם מן הענין ההוא.

However, the sages of the generations did not agree to forsake the works of Talmudic literature in any form; rather they collectively agreed to place them in the forefront of their studies as a foundational pillar from which all other works branch out... This is because a person, by nature, finds arriving at understanding through investigation and analysis to be more satisfying than by acceptance of tradition. Accordingly, a thinking person is not satisfied until he traces his investigation to its sources and only then can he appreciate the halachic conclusions that are to be drawn.

Meiri speaks of the ‘natural preference’ of those who find the conventional approach of Talmudic analysis more satisfying to their intellectual tendencies. This matter of preference guided the hand of history and guaranteed the primacy of Talmudic study. Just as the objections of Ravad and Rav Pinchas betray an implied acceptance of Rambam’s proposal (if not for failure to cite sources or the inability of the masses to adequately comprehend MT’s meaning), so too does Meiri’s. If the intellectual preferences of the generations had been different, history might have selected study of MT over study of the Talmud. What we observe, therefore, reading between the lines of the *Rishonim*, is comfort with—or at least tolerance of—a world without Talmud, provided that specific objections could be addressed.

“*Shlish BeTalmud*”: Rambam’s Definition of Talmud Study

Rambam’s view of Talmud study and the role of MT becomes murkier upon analysis of a seemingly contradictory halacha in MT.⁵⁵ Rambam writes of the obligation to divide one’s Torah study time into three parts, based on the Gemara in *Kiddushin*⁵⁶ that identifies the sections as “Mikrah, Mishnah and Gemara.” Rambam defines “mikra” as “*Torah SheBichsav*” and “mishnah” as “*Torah SheBeal Peh*.”

55 *Hilchos Talmud Torah* 1:11-12.

56 30a.

What is *Torah SheBeal Peh*? In the beginning of his *Introduction to MT*, Rambam writes:⁵⁷

כל המצות שניתנו למשה בסיני בפירושו ניתנו שנאמר ואתנה לך את
לוחות האבן והתורה והמצוה. תורה זו תורה שבכתב, והמצוה זו פירושה.
וצונו לעשות התורה על פי המצוה, ומצוה זו היא הנקראת תורה שבעל
פה.

Rambam goes on to expand the parameters of Oral Law to encompass the totality of halachic interpretation of *Torah SheBeal Peh* found in Mishnah, Tosefta, Sifra, Sifrei, Talmud Bavli and Talmud Yerushalmi and even post Talmudic responsa. Therefore, the second third of the Torah study curriculum includes not only the *Mishnah* proper, as the literal understanding of the Gemara in *Kiddushin* would indicate, but rather the ever expanding entirety of halacha.

What, then, is “*Shlish BeGemara*”? Rambam writes,

ושליש יבין וישכיל אחרית דבר מראשיתו ויוציא דבר מדבר וידמה דבר
לדבר וידין במדות שהתורה נדרשת בהן עד שידע היאך הוא עיקר
המצות⁵⁸ והיאך יוציא האסור והמותר וכיוצא בהן מדברים שלמד מפי
השמועה. וענין זה הוא הנקרא תלמוד.

And one third he should analyze, deduce, extrapolate, compare and derive⁵⁹ with the hermeneutic laws till he knows the fundamentals of the mitzvos and how to extrapolate the forbidden and the permitted and the like from the laws that he learned from the tradition of the Oral Law.⁶⁰ This process is called ‘Talmud.’⁶¹

Rambam goes on to write that after a person has achieved mastery⁶² of the first two realms, he should study Tanach and *Torah SheBeal Peh* periodically to prevent forgetting, and devote the entirety of his Torah-study time to Talmud.

57 Frankel edition, p. 7.

58 The text in all editions of MT reads "המדות." The *Tur* and *Shulchan Aruch* (YD 246:4) both cite Rambam's definition of Gemara verbatim but substitute the word "המצות," making the phrase much more understandable, as will be discussed later.

59 Definition of ‘derivation’ will be discussed later. See footnote 73.

60 Based on MT, *Hilchos Mamrim* 1:2.

61 Based on Frankel edition. In standard editions the text reads, “This process is called Gemara.” See R. Kapach's comment in his edition.

62 Based on *Shulchan Aruch HaRav, Hilchos Talmud Torah* 2:2-3.

An obvious question presents itself. Talmud is already included in the totality of *Torah SheBeal Peh* that comprises the second third of 'Mishnah' as defined by Rambam, so how can it be viewed as an independent section?

One could answer that '*Mishnah*' refers to the finalized conclusions found in all of *Torah SheBeal Peh* (*halacha lemaaseh*) and 'Talmud' refers to the analytical process of Gemara from which these conclusions stem. However, this raises the following question: how can a 'beginner' devote one third of his time to Talmud study if Rambam advocates the exclusive study of MT, specifically for those who cannot master the intricacies of Talmud?⁶³ Even those who have achieved mastery were instructed by Rambam in correspondence to delve into Talmudic sources only when necessary,⁶⁴ yet Rambam writes here that they should devote themselves exclusively to Talmud study?

This contradiction is even more perplexing in light of his aforementioned response to Rav Pinchas. Rav Pinchas had urged Rambam to publicly declare Talmud study essential as a prerequisite to the study of MT. Rambam responds somewhat defensively by: a- stating that he never "commanded" that Talmud be burned; b- citing a handful of incidents where he personally taught Talmud and RIF; c- explaining that he wrote MT for those incapable of understanding Talmud; d- conceding that ignoramuses would distort the halacha contained in MT. Why didn't Rambam forcefully respond to Rav Pinchas that in *Hilchos Talmud Torah*, he explicitly stated that Talmud must be studied as part of a beginner's daily curriculum and as the entirety of a master's?⁶⁵

Rav Zvi H. Chajes⁶⁶ cites Rambam's halachic decision in MT as an indication that, notwithstanding his statements in the Introductions to MT and SHM, Rambam never intended MT as a replacement for Talmud study. Rav Yaakov Weinberg⁶⁷ offers a similar approach.

63 See his response to Rav Pinchas discussed earlier.

64 See footnote 52.

65 Rambam employed the technique of citing himself in his own defense. See *Iggeres Techiyas HaMaisim*, RS edition p. 343, p. 352 and RK edition p. 74, p. 81.

66 Ateres Zvi, *Tiferes LeMoshe* pp.408-409.

67 *Meoros HaRambam* pp. 228-229.

As stated earlier, however, Rambam's intent seems undeniable.⁶⁸ Additionally, his response to Rav Pinchas would still be baffling.

As an introductory premise to answer these questions, we must understand that Rambam viewed MT not as a replacement of Talmud, but rather as a reconstituted form of it, one that broke down its labyrinthian intricacies to their essential, final principles and conclusions, combining them with relevant decisions from Tosefta, Sifra and Sifrei, as well as post-Talmudic halacha, to form a repository of the totality of *Torah SheBeal Peh*. One who studied MT was, in fact, 'studying Talmud' performing its role as a critical component of the explanation of *Mishnah*: the foundation of *Torah SheBeal Peh*. He described MT as follows in his *Introduction to SHM*:⁶⁹

עד שימצא בו כל מה שימצא במשנה ובתלמוד וספרא וספרי ותוספתא
וכל מה שהוציאו הגאונים המתאחרים ובארו ופרשו מאסור ומותר טמא
וטהור פסול וכשר חייב ופטור משלם ואינו משלם נשבע ופטור מלשבע.

The conclusion one must therefore draw⁷⁰ is that, although one who studies MT is, in fact, 'studying Talmud' (*Mishnah*, Sifra, Sifrei and the entirety of *Torah SheBeal Peh* also, for that matter), he is not necessarily engaged in 'Talmud study'.⁷¹

68 See footnotes 49-50.

69 Frankel edition p. 10.

70 Subsequent to offering this approach, I came across an article entitled "Some Non-Halachic Aspects of the *Mishneh Torah*" by Dr. Isadore Twerski and found that my understanding of Rambam was basically in line with his. See pp. 106–111. If my understanding of his last paragraph and particularly footnote 70 are correct, our approaches are not identical.

71 Rav Shneur Zalman MiLiadi (*Shulchan Aruch HaRav*, cited in footnote 49) points out that Rambam understands the word (and the concept of) 'Talmud' differently from Rashi. Rashi (*Berachos* 47b and *Sotah* 22a. See also *Bava Metz'ia* 33a) understands "Talmud" to mean the logic behind the halachos of the Mishnayos, the resolutions of contradictory Mishnayos, and the establishment of authorship of the Mishnayos for the purpose of deciding the halacha. Rambam considers all this to be part of 'Mishnah' or *Torah SheBeal Peh*, in that it is the basic clarification and rendering of halachic traditions till the end of the time of the *Amoraim*.

'Talmud study' is the process of analysis of the existing halachos of *Torah SheBeal Peh*.⁷² This analysis includes the components set forth in Hilchos Talmud Torah, such as deduction, comparison, extrapolation and understanding the source of the halacha based on the hermeneutic laws.⁷³ This process is not limited to, or defined by, the texts of either Bavli or Yerushalmi. Nor is it limited to the subject matter of Bavli or Yerushalmi. One could, for example, engage in 'Talmud study' by analysis of Geonic decisions.

To fulfill one's obligation to engage in 'Talmud study' in Rambam's world, one could apply the process to the concentrated version of the entirety of *Torah SheBeal Peh*, i.e. MT. In other words, one studies the halachos found in MT to fulfill "*sblish beMishnah*" and one analyzes them with the 'Talmudic' system of analysis to fulfill "*sblish beTalmud*." This subtle distinction yields the following critical result: one may engage in 'Talmud study' without ever opening an actual 'Talmud'.⁷⁴

As such, no contradiction at all exists in the writings of Rambam, since his vision of MT 'replacing' Talmud does not preclude the obligation of 'Talmud study' applied to MT itself. His response to Rav Pinchas is understandable because, in fact, Rambam was advocating study of MT without study of Talmud.

Rambam's concept of 'Talmud study' differs greatly from the one that he criticized in his letter to R. Yosef. To Rambam, the analytical

72 This raises the interesting paradox that the main purpose of the actual Talmud Bavli, as defined by Rambam himself in *Introduction to Mishnah*, see footnote 27, i.e., the clarification of the meaning of the Mishna, is itself not the process of 'Talmud study.' The third purpose described there, post Mishnaic halacha, would fall into Rambam's definition in that it involves the extrapolation of new halacha, as will be explained.

73 RSZ and RZH Chajes both understood Rambam to mean that 'Talmud' includes knowing the source of derivation, not to actually employ the technique. See our comments later on the phrase עיקר המדות, especially footnote 86.

74 A careful reading of R.Z.H. Chajes in Ateres Zvi, *Tiferes LeMoshe* p. 409 indicates that he considered, and ultimately rejected, the possibility that Rambam's description of 'Talmud study' in *Hilchos Talmud Torah* might have been intended for MT rather than actual Talmud. RSZ in *Hilchos Talmud Torah* 2:1 also understands *sblish beTalmud* to mean study of actual Talmudic texts.

process of 'Talmud study' has the identical, ultimate objective to that of 'studying Talmud,' i.e. "knowing the forbidden and the permitted." 'Talmud study,' though, is the process whereby one enhances that knowledge and understanding to the extent that he can apply the knowledge of "the forbidden and the permitted" to new situations that arise. This is why Rambam's formula for Talmudic analysis, which includes deduction, comparison and extrapolation, ends with the phrase "and how to extrapolate (or perhaps 'apply') the forbidden and the permitted and the like from the laws that he learned from the tradition of the Oral Law." The 'Talmud study' that was the subject of Rambam's criticism, however, was not the analysis of the halachos and principles of Torah *SheBeal Peb*, but the study of the analysis, i.e., "*perushim*."⁷⁵ This frequently yielded no extra insight into "the forbidden and the permitted," and as such, was of little value, as discussed earlier.

One of the components of the actual process of 'Talmud study' described by Rambam requires further clarification. What did he mean by the phrase:

וידין במדות שהתורה נדרשת בהן עד שידע היאך הוא עיקר המצות.⁷⁶

All editions of Rambam have the text "עיקר המדות." How can one employ⁷⁷ the hermeneutic laws until he knows their essence? Furthermore, was Rambam giving license to "beginner" students to extract new laws using the hermeneutic laws?⁷⁸

The importance of establishing עיקרים or principles may shed some light on this part of the process of 'Talmud study.' There are references in Rambam's writings that indicate that he felt he had encapsulated in MT not only the final halacha on a given topic, but the underlying principles and fundamentals of that topic that would enable one to extrapolate the correct halacha for any question that would arise.⁷⁹ For example, in *Introduction to SHM*,⁸⁰ Rambam writes:

75 See footnote 30.

76 See footnotes 58 and 73.

77 "וידין."

78 See footnote 73. However, Rambam's use of "וידין" indicates derivation rather than tracing the halacha to its source.

79 See footnote 50.

80 Frankel edition p. 10.

ואשלים בו כל מה שהתאמת והתברר ממאמרי התורה עד שלא יחסר שום
שאלה שלא אזכרה או אזכור שרש תצא ממנו השאלה ההיא מהר מבלתי
עיון דק. כי כוונתי בו גם כן הקצור עם הכללות.

And I included in it every clarified halacha so that no question, or principle from which the question can be quickly derived without fine analysis, is omitted. My intention was both brevity and the establishment of the principles.

Similarly, in *Iggeres Techiyas HaMaisim*⁸¹ he writes:

וזכרנו בו גם כן העקרims התוריים והתלמודיים וכונו בזה שיהיו...בונים
סעיפיהם על שרשים תלמודיים ותהיה תורתם סדורה על פיהם ותלמודם
כולו עולה על ידם.

And we also mentioned in it (MT) the fundamental principles of the halacha, and our intent with this was that they⁸² should build the details⁸³ of the halacha⁸⁴ on Talmudic fundamentals and their Torah should be properly applied.

A vivid illustration of the establishment of halachic principles that serve as the basis for further extrapolation can be found in Rambam's approach to *Seder Taharos*. In the absence of formal Talmudic tractates to use as a guidepost, Rambam formulated the principles of *Taharos* with the help of the Baraisos and the relevant Gemaras scattered throughout Shas. He considered these fundamentals the keys to understanding *Taharos* and deriving future halacha.

81 Based on RS edition pp. 342-343. See also RK edition p. 73, footnote 51.

82 Rambam refers here to Torah scholars. This seems to be a departure from the stated purpose of writing MT for the less advanced, but as mentioned above he was targeting all audiences on some level. (See *Ke-sef Mishneh* quoted in footnote 52.) The context in *Iggeres THM* is a rebuke of supposed Torah scholars who are ignorant of the fundamentals of true Torah *hashkafah*, so it was for this reason that Rambam referred only to scholars applying the halachic rules laid out in MT.

83 R. Sheilat, in a footnote to p. 342, line 9, refers to a similar expression used by Rambam describing his Introduction to *Seder Taharos*. See also *Introduction to Mishnah*, Mosad HaRav Kook edition pp. 84-85 where Rambam describes his analysis of *Taharos*.

84 R. Kapach, in footnote 50, understands this to mean resolving contemporary halachic inquiries, previously unaddressed.

Tur and *Shulchan Aruch*⁸⁵ both cite Rambam's definition of "shlish beTalmud" verbatim but substitute the word "המצות",⁸⁶ making the phrase much more understandable in the following way: The 'Talmud study' process has four components:

- א- יבין וישכיל אחרית דבר מראשיתו
- ב- יוציא דבר מדבר
- ג- ידמה דבר לדבר
- ד- ידין במדות שהתורה נדרשת בהן

The goal of all four is:

שידע היאך הוא עיקר המצות והיאך יוציא האסור והמותר וכיוצא בהן מדברים שלמד מפי השמועה.

In other words, after applying the complete 'Talmud study' process, including employing logical hermeneutic laws such as *Kal Va-Chomer* and *Binyan Av*, he will be able to establish fundamental principles that will allow him to יוציא האסור והמותר.

Conclusion

The exclusive purpose of this article is to analyze Rambam's view of Talmud study. If, in fact, our evaluation is correct and Rambam's view is incompatible with currently held beliefs and practices, the only conclusion that one would seemingly have the right to draw is that Rambam would not approve of our *derech*, not that it is wrong and misguided. After all, many opinions, although passionately espoused by Rambam, are not part of normative Torah *hashkafa*.

However, what makes this particular *hashkafa* intriguing is that it is unclear as to who (among the Rishonim and great codifiers of halacha) disagrees with it?⁸⁷ As mentioned earlier, Rambam's vision of

85 Yoreh Deah 246:4.

86 The Chinuch, mitzvah 419, paraphrases Rambam's formula by writing: ושליש להבין הענינים משרש. This understanding seems to stress the role of tracking halacha back to the מדות שהתורה נדרשת בהן rather than the extrapolation of new halacha. As such, it is likely that his understanding of Rambam differed from that of *Tur* and *Shulchan Aruch*.

87 Perhaps it can be argued that the very approach of concentrating on "perushim," of which Rambam was critical, is the dissenting basis in the *Rishonim*. See footnote 90.

MT 'replacing' Talmud was criticized and ultimately rejected, but the foundation on which that vision was built, i.e. that the primary purpose of Talmud study is to know 'the forbidden and the permitted,' was never challenged.⁸⁸

Shulchan Aruch quotes verbatim Rambam's formula for the division of Torah-study time. He does not even bring the dissenting view of Rabbeinu Tam⁸⁹—that one can fulfill the obligation to divide Talmud study into the three parts by studying only Talmud Bavli—which might possibly be seen as philosophically at odds with Rambam's view.⁹⁰ *Tur* quotes Rambam verbatim, and although he does quote the opinion of Rabbeinu Tam, nowhere does he indicate that holding of Rabbeinu Tam would cause a seismic shift in the purpose of learning Talmud.⁹¹ The most reasonable conclusion would seem to be that Rambam's view is axiomatic and universally accepted. This is

88 See earlier discussion regarding the criticism of MT by the *Rishonim*.

89 *Kiddushin* 30a DH: *Lo*.

90 See footnote 30 and 87 for a possible connection in the *derech* of the Tosafists.

91 *Shach* and *Taz* on YD 246:4, commenting on Rema who rules like Rabbeinu Tam, discuss the issue, first raised in *Drisha*, if the practice of *baalei batim*—learning three to four hours a day of Talmud and Tosafos only—is in consonance with Rabbeinu Tam. They all agree that it is unacceptable because of the insufficient emphasis on halacha.

אבל לי נראה שיש ללמוד ספרי הפוסקים דיני התורה כמו הרי"ף ומרדכי והרא"ש ודומיהן דזהו שורש ועיקר לתורתנו ואינם יוצאים כלל בלימוד גמרא פירוש רש"י ותוספות.

See also Introduction to *Mishna Berura*, quoted in footnote 97, citing *Drisha*. See also Introduction to אדם:

ידוע שעיקר לימוד התורה הוא לידע מצוותיה בכל פרטיה כי אמת שהקב"ה שמח בפלפולא אבל אין זה רק כמו שהאב משתעשע ושמח כשמדבר בנו איזה דבר חכמה אבל אין זה תכלית אהבתו לבנו. רק כשרואה שבנו הולך בדרך הישר ומקיים כל מצוות אביו. כן רצונו ית"ש כשמפלפל האדם בדברי תורה בדברי השכל. אבל בודאי העיקר הוא רצונו ית"ש שידע מצות התורה. וז"ל הש"ך...כתב הדרישה...כי התורה כלולה שני מצות, חלק א' ללמוד תורה כמו שכתוב ולמדתם את בניכם ובזה אין חילוק אם ילמוד מס' ברכות ומועד או סדר קדשים כי הכל הוא דברי אלקים חיים. והחלק הב' הוא שיהיה הלימוד ע"מ לעשות כמה שכתוב ושמרתם לעשותם...והנה אין ספק שהחלק למוד ע"מ לעשות הוא קודם לחלק הא'. כי בזה מקיים שניהם כי אם לא ילמוד לא ידע מה לעשות וע"ז אמרו נמנו שהלימוד קודם שהלימוד מביא לידי מעשה ר"ל שידע מה לעשות.

given to commonly practiced halacha, it would seem reasonable that the obligation to know 'the forbidden and the permitted,' while extending to the most minute, 'impractical' and esoteric areas of halacha, is more urgent in areas that are commonly practiced.

It appears fairly obvious that our 'learning' is not at all in the spirit of Rambam's goal of knowing the "forbidden and the permitted." There is undeniable irony in the fact that Rambam's MT, his epic halachic work whose underlying foundation is that very goal, has been replaced by later works as the final say on the "forbidden and the permitted," and MT has instead taken its place in the world of Torah scholarship as the symbol of a Talmudic approach alien to its author and to its very *raison d'être*. ❧

והנה אף שלימוד התורה הוא שכל מה שהאדם לומד אפילו בקדשים ובטהרות הוא מקיים מצות עשה דת"ת, מ"מ עיקר לימוד האדם צריך להיות בלימוד המביא לידי מעשה.

See also similar sentiments found in *Sefer Karyana D'Igrasa* by the Steipler (beginning of volume 2).