

A Glimpse at Greatness

by Rabbi Daniel Mann

A Study in the Works of Giants of *Lomdus* (Halachic Analysis)

Including short biographies of the featured authors
and An Introduction to *Lomdus*



Did you ever want to: experience the depth of Torah study but avoid textual struggle?
become familiar with the lives and works of Torah giants?
understand what yeshiva students get excited about?
have an intellectual challenge in authentic Jewish studies?

***A Glimpse at Greatness* is your chance!**



I am sure that this book will be of great value to those who seek knowledge and are thirsty for the sweetness of Torah.

Translated from the approbation of **HaRav Asher Weiss**
Av Beit Din and Rosh Yeshiva of Darkei Torah

Rabbi Mann's lucid presentation of the novellae of four Torah giants, and his own original insights provided in the endnotes, are welcome additions to the English language Torah literature.

Rabbi Mordechai Willig
Rosh Yeshiva at Rabbi Isaac Elchanan Theological Seminary

This book, as its title indicates, truly allows the reader/student a glimpse into the greatness of in-depth Talmudic study. The presentation of four different great and renowned authors' approach to basic Talmudic issues is enlightening, informative and most instructive. Anyone who truly wishes to understand the wonder of studying Torah will find in this book an invaluable aid and learning companion.

Rabbi Berel Wein
Renowned rabbi, historian, and writer

I learned *A Glimpse at Greatness* with a group of students spanning a variety of levels. The material was great; they really enjoyed it. Overall, everyone thought the material was clear, very understandable, and super helpful (even to the more advanced learners). Some students have a very limited Torah learning background, and they were also able to access and benefit from the material.

Rabbi Jonathan Shulman
Director of OU/JLIC at Penn Hillel

Contents

Preface	xvii
Acknowledgements	xxi
An Introduction to <i>Lomdus</i>	1
The <i>Machaneh Ephrayim</i> – Rav Ephrayim Navon	
Biography of Rav Ephrayim Navon	21
Taking Another's Property With Assumed Permission	29
How to Reimburse for Damages	41
The Mechanism by Which a Guarantor Becomes Obligated	49
If One Makes a Promise to a Poor Person and the Situation Changes	61
The <i>K'tzot HaChoshen</i> – Rav Aryeh Leib HaKohen Heller	
Biography of Rav Aryeh Leib HaKohen Heller	79
The Nature of the Connection Between an Agent and his Sender	91
What are the Functions of Witnesses, and What Functions as Witnesses?	101
A Lien on Future Property	111
A Stipulation to License Overcharging or Underpaying (<i>Ona'ah</i>)	125
Rabbi Akiva Eiger	
Biography of Rabbi Akiva Eiger	141
Categorizing a Sin Done Unknowingly	153
Deadline for Late <i>Havdala</i>	161
Determining the Identity of a Brother-in-Law <i>Davar Sheyesh Lo Matirin</i> and <i>Bitul</i>	171
	183

Contents

The <i>Minchat Chinuch</i> – Rav Yosef Babad	
Biography of Rav Yosef Babad	199
Is a Father Obligated in His Adult Son's <i>Brit</i> ?	207
The Positive <i>Mitzva</i> to Eliminate <i>Chametz</i>	219
Categories of Disqualifications of a <i>Sukka</i>	233
The Prohibition of Adding on to the Torah	243
Glossary	255

Preface

The array of books of Torah scholarship in English has increased manifold over the last decades for a combination of reasons. On one hand, the number of people who dedicate a serious amount of time to Torah study has increased. On the other hand, it seems that the readiness to delve into the original texts in Rabbinic Hebrew has not kept apace. One can debate the pros and cons (there are considerations on each side) of the value of learning translations rather than texts in the original Hebrew or Aramaic. Be that as it may, the reality is that more and more translations and original works are being published and learned in English. Classic works such as *Talmud Bavli*, the Rambam's *Mishneh Torah*, and many others have been translated and elucidated in English, and many works on practical halacha, Torah commentaries, and Jewish thought have been written in English, as well. However, there is a rewarding area of Torah scholarship that has barely been made available to the Torah-thirsty, exclusively English-speaking community. I refer to the works of *lamdanut*, more popularly called *lomdus* (Ashkenazic pronunciation). This area of learning, which can be succinctly described as the analytical study of Talmud and halacha, is described in greater detail in the chapter, "An Introduction to *Lomdus*."

There is a very simple explanation for the relative shortage of such books. The audience for the advanced, intellectual Torah study of *lomdus* consists mainly of *talmidei chachamim* (Torah scholars) and accomplished learners with ample experience learning in-depth (*iyun*) *gemara* and halacha. Those with less background may not be as drawn to the material. What's more, for

Preface

many, the classical works of *lomdus* may seem to be overwhelmingly inaccessible. Experienced and accomplished learners generally have little reason not to study the works of the great scholars throughout the generations in the original Rabbinic Hebrew.

In light of the above, I decided to write and present *A Glimpse at Greatness*, a unique study in the field of *lomdus* in English. Allow me to explain why I embarked on this project. The root of the matter may date back to the summer when I was nineteen, when I read Rav Shlomo Yosef Zevin's (Hebrew) book *Ishim V'Shitot*. *Ishim V'Shitot*, whose title might be translated as *Personalities and Approaches*, is a look at several of the greatest Torah giants of the previous century (when the book was written some fifty years ago). While less detailed than a proper biography, it presents a picture of these giants from a historical point of view. At the same time, it provides a bibliographical review of their works, examples of their Torah ideas, and a perspective on their analytical methods in Torah learning. The Torah giants it featured were personalities of whom I had heard, but I had not really come to "know them" or to seriously "taste" their scholarship. The book gave me a glimpse of their world. It gave me a thirst, from that point forward, to learn their works and those of other Torah giants. It challenged me to try to learn from their analytical methods and to develop my own style. In addition, significantly, it helped me develop a "relationship" with the rabbis with whom I have come to spend the greater part of my life, those who were included in the book and those who were not.

A Glimpse at Greatness is my attempt to give readers that delightful experience of understanding and connecting to an area of learning to which they have not had (enough) exposure. I hope it will prove to be the kind of learning that is formative for an intelligent Jew who cares about his nation's great spiritual and intellectual legacy – the Torah. Much effort has gone into making this book accessible and meaningful to as broad a readership as possible. It is appropriate for those who have had years of learning

experience but are not yet experts in Torah or confident in the study of its high-level texts in Hebrew. It is also for those who have little experience in serious Torah learning but are bright, curious, and willing to challenge and apply themselves. It is for those who are not yet deep into the “yeshiva world” or the “world of *lomdus*” but want to appreciate it and learn its intellectual style. It is a glimpse – a taste. I do not believe in false promises. This book will **not** transform someone into a *lamdan* (one who is proficient in *lomdus*) any more than a college class on great composers will teach one how to compose symphonies. However, it can give someone an appreciation for what great *lomdus* is and for what a special spiritual-intellectual endeavor both the masters and students of *lomdus* take part in. I hope that it will give a feeling of understanding of what it is that excites yeshiva students, and more importantly, a glimpse that inspires and a taste that makes one want to come back for more.

A Glimpse at Greatness contains sixteen studies of a variety of instructive practical and theoretical halachic topics from four *gedolim* (Torah giants) whose careers ranged from the early 18th century to the mid-19th century. Each of the four sections begins with a short biography of the *gadol*, some of whose lives are known in greater detail than others. The *gedolim* in chronological order are Rav Ephrayim Navon of Turkey, author of *Ma-chaneh Ephrayim*; Rav Aryeh Leib HaKohen Heller of Galicia, best known as author of *K'tzot HaChoshen*; Rabbi Akiva Eiger of Poland/Prussia, author of a renowned collection of responsa, among other works; and Rav Yosef Babad of Galicia, author of *Minchat Chinuch*.

The underlying premise of this endeavor is that one cannot properly taste without chewing. This is not a book to read for five minutes before one goes to sleep or in between *aliyot* in *shul* (except for the biographies and the introduction). It is recommended for study of at least an hour at a time, uninterrupted by

Preface

intermittent breaks. It can be studied alone but perhaps particularly well by two compatible *chavrutot* (study partners), working through new concepts together. Although I did not choose the most difficult works in rabbinic literature or the most difficult pieces in these works, grasping them will still require time and concentration, even for learners with some experience.

If one has sharp analytical ability, has at least a minimal background, and puts time and effort into the study, he should understand the pieces. It is suggested that, after studying a chapter, one return to study it again at some point, as he will understand it better and deeper. Many of the endnotes, in which I discuss the masters' logic, analyze their assumptions, raise questions, and suggest answers, are best suited for advanced readers. They are intended for those with above-average experience, those who are bothered by isolated points and want to see them discussed further, and those who really want to be challenged.

A note for use of this book: *The body of the work is my adaptation of parts of the original works themselves. The introductory sections of each chapter and the bracketed segments within the body of the texts are my understanding of points that are not in the originals. They provide important background that I am convinced the authors 1) would agree with and 2) assumed as bases for their presentations. The footnotes are primarily for references and definitions. The endnotes are my ideas, except where I mention the name of the author of a particular work. The endnotes are meant for a deepening of the discussion and for putting certain matters in perspective but are not necessary for the understanding of a piece itself. Basic Hebrew words that were not translated in the text or in the footnotes can be found in the glossary.*

Enjoy the challenge ... and then lend the book to someone else who may enjoy it!!

Daniel Mann
Tamuz 5773 (June 2013)