

Reclaiming the Lost Art of Torah Study, Segment 2:

From Chaos to Order, Applied

In Segment 1 of this series, we proposed that the foundation of any serious learning needs to be creation of a bird's-eye view of the masechta of Mishnayos that one is learning. This is true whether one is learning the entire masechta, one perek of it, or even specific sugyos. It is crucial to gain footing by establishing that sense of context, and this anchoring will make an enormous difference in understanding the learning as well as in the emotional connection forged with one's learning.

Let's examine an example. Suppose you are beginning to learn Perek Eilu Metzios. It makes no difference whatsoever whether you be learning only the Mishnayos or the Gemara as well. Whether you are learning it yourself, teaching it to young children, or engaging students of any age, the following would apply, though it would obviously need to be tailored to the particular age and level of the students involved.

While the more common approach is to jump in, possibly with some basic introduction of the basic concepts of hashavas aveidah, the approach we are outlining would be to attempt to "get into the mind" of the author/redactor of the Mishnah. We're trying to get into that space.

The author of the Mishnah clearly had a mission into which he considered it important enough to invest a great deal of time and effort. The mission, of course, involves the student of the Mishnah just as much as – in fact, more than – the author. If the student is lacking a full understanding of what his mission was, or a sensitivity to the urgency of that mission, it is safe to assume that he will not be fully on board, and that the mission will not be fully accomplished. It is certainly the case that he will not be fully cognitively and emotionally engaged in the task.

What was the mission of the author of the Mishnah in writing this perek? Obviously, in the broadest sense, the mission was to elaborate upon and make clear the guidelines of the mitzvah of hashavas aveidah. But can we get more specific in our understanding of the mission?

The way to uncover the contours of the author's mission is by examining the perek and noting what issues are being dealt with. Working backwards, we understand that the author recognized that in attempting to apply the concept of hashavas aveidah to real life, there are a number of questions that present themselves and need to be addressed. We need to identify those issues, line them up, and begin to feel the problem that they present.

The more of a comprehensive view I have of this, the deeper I am inserting myself into the sugya. The more invested I become. The more on board I am on this project.

Something which will add exponentially to this is attempting to understand the order and structure of the perek. Is it just a hodge-podge of halachos, or is there a reason for its order? If so, is it a conceptual order or a more practical, pragmatic order? All of these details aid in bringing us into the world and headspace of the Mishnah, so that the questions in halachah we are set to confront become real issues that begin to actually trouble us and cry out for resolution.

The Structure of Eilu Metzios

The very first issue which needs to be addressed, before discussing the "how to" of hashavas aveidah, is whether or not a given item is even subject to this mitzvah. Do I need to return it? If not, can I keep it for myself? These questions are dealt with by the opening two Mishnayos.

The third and fourth mishnayos go into more detailed and complex cases, applying the same basic principles.

The fifth Mishnah suddenly turns to the passuk and begins to darshen it! This needs some explanation. Why this order? If the passuk upon which the perek is based is going to be engaged within the Mishnah itself (a phenomenon which is, incidentally, somewhat rare), would we not expect the perek to begin with this analysis?

Having established when and when not it is necessary to return a found item, as well as the source for this in the Torah, I am confronted by a new problem. I do not know who the owner is; how will I return it to him? The sixth Mishnah addresses this by detailing the process of proclaiming the found object in the hopes that someone will come and claim it.

If and when that happens, how will I know whether or not to believe the claimant? This is addressed by the seventh Mishnah.

What if the claiming does not show up immediately, and the item requires maintenance? Who should pay to feed it, if it is a living being? Is it permitted for me to use it? These and related issues are addressed by the eighth Mishnah.

The ninth Mishnah addresses ambiguous cases in which it is unclear whether the item is even lost. It also goes on to discuss whether one needs to give up making money for the sake of returning a lost object.

The tenth Mishnah addresses a number of issues, including whether other issurim should be transgressed for the sake of returning the object, as well as whether it is necessary to keep performing the mitzvah if it keeps becoming necessary. By way of extension, this Mishnah introduces a somewhat related mitzvah, that of perikah and te'inah.

The eleventh, final Mishnah deals with the somewhat tangential issue of whose lost object takes precedence.

What happens when we do this kind of survey is that we begin to see the perek emerging as an ongoing project with a specific goal in mind. The Torah has given a mitzvah of hashavas aveidah but many details are left undefined. The goal of this chapter of Mishnah is obviously to fill in the blanks that could arise. The author of the Mishnah obviously mentally went through the entire process and discovered the issues and uncertainties that could arise. He then proceeded to systematically address those issues and uncertainties. At this point, upon returning to the first Mishnah, the student will not see it as a random snippet of information but as the beginning of a journey through the practicalities of hashavas aveidah. He now has an itinerary, a sense of mission and purpose. He might even sense the “presence” of the author.

There is another advantage to this type of analysis. One of the most important tools in effective learning is that of curiosity. Attempting to learn without curiosity is akin to trying to eat with no appetite whatsoever. Without recognizing the questions, it is impossible to learn, and the more curiosity generated by the questions, the deeper and the more meaningful the learning process will be.

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