

Giving the Fifth

Excerpted and adapted from a *shiur* by Dayan Yitzhak Grossman

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https://baishavaad.org/wp-content/uploads/2022/09/DEV82_008_Nitzavim_Ways_and_Means_How_Much_Must_One_Spend_or_Suffer_for_a_Mitzvah-.mp3

It is not in Heaven, that you should say, "Who will go up to Heaven for us and take it for us, to tell it to us, so that we can do it?" Nor is it beyond the sea, that you should say, "Who will cross to the other side of the sea for us and take it for us, to tell it to us, so that we can do it?"

Devarim 30:12-13

The Gemara (Eiruvim 55a) offers three *drashos* on these *psukim*. The first is that if the Torah would in fact be found only in Heaven or across the sea, one would need to travel there to acquire it. The She'iltos maintains that this *drashah* is accepted as halacha. Therefore, one whose *rebbe* is across the ocean would have to travel there to study Torah. But the Netziv in his Ha'amek She'eilah points out that the Rambam and other *Rishonim* do not cite this *drashah*. One may infer that they accept one of the other *drashos* as the halacha.[1]

How much money must one spend to fulfill a mitzvah other than talmud Torah? The Gemara (Bava Kama 9b) assumes that one must spend a third of his money on a positive mitzvah. The Ra'avad explains that we don't want a person to become poor by spending too much on a single mitzvah. This is also the *psak* of the Rama (O.C. 656:1), that one need not spend a *hon rav* (large fortune) to purchase a lulav or esrog. How much, then, must he spend? Some *Acharonim*, including the Chayei Adam, hold that one must pay up to a *chomesh* (a fifth of his money) on one mitzvah, while others, including the Aruch Hashulchan and Minchas Asher, argue that not paying a "*hon rav*" includes even a large sum less than that amount. According to the Chelkas Yo'av and Minchas Asher, one must pay the amount that the mitzvah object is worth, but not more.

Poskim also debate whether one must suffer pain to fulfill a positive mitzvah. The Rosh Yosef says no, but the Birkei Yosef says yes.

[1] The second and third *drashos* understand the *psukim* to be teaching that Torah cannot be acquired by someone who is arrogant or haughty like the heavens.