

## Weekly Internet Parsha Sheet

### TERUMA 5783

#### Doing and Hearing

#### MISHPATIM

#### Rabbi Jonathan Sacks

One of the most famous phrases in the Torah makes its appearance in this week's parsha. It has often been used to characterise Jewish faith as a whole. It consists of just two words: na'aseh venishma, literally, "we will do and we will hear" (Ex. 24:7). What does this mean and why does it matter?

There are two famous interpretations, one ancient, the other modern. The first appears in the Babylonian Talmud,[1] where it is taken to describe the enthusiasm and whole-heartedness with which the Israelites accepted the covenant with God at Mount Sinai. When they said to Moses, "All that the Lord has spoken we will do and we will hear," they were saying, in effect: Whatever God asks of us, we will do – and they said this before they had heard any of the commandments. The words, "We will hear," imply that they had not yet heard – neither the Ten Commandments, nor the detailed laws that followed as set out in our parsha. So keen were they to signal their assent to God that they agreed to His demands before knowing what they were.[2]

This reading, adopted also by Rashi in his commentary to the Torah, is difficult because it depends on reading the narrative out of chronological sequence (using the principle that "there is no before and after in the Torah"). The events of chapter 24, according to this interpretation, happened before chapter 20, the account of the revelation at Mount Sinai and the Ten Commandments. Ibn Ezra, Rashbam, and Nachmanides all disagree and read the chapters in chronological sequence. For them, the words na'aseh venishma mean not, "we will do and we will hear," but simply, "we will do and we will obey."

The second interpretation – not the plain sense of the text but important nonetheless – has been given often in modern Jewish thought. On this view na'aseh venishma means, "We will do and we will understand." [3] From this they derive the conclusion that we can only understand Judaism by doing it, by performing the commands and living a Jewish life. In the beginning is the deed.[4] Only then comes the grasp, the insight, the comprehension.

This is a signal and substantive point. The modern Western mind tends to put things in the opposite

order. We seek to understand what we are committing ourselves to before making the commitment. That is fine when what is at stake is signing a contract, buying a new mobile phone, or purchasing a subscription, but not when making a deep existential commitment. The only way to understand leadership is to lead. The only way to understand marriage is to get married. The only way to understand whether a certain career path is right for you is to actually try it for an extended period. Those who hover on the edge of a commitment, reluctant to make a decision until all the facts are in, will eventually find that life has passed them by.[5] The only way to understand a way of life is to take the risk of living it.[6] So: Na'aseh venishma, "We will do and eventually, through extended practice and long exposure, we will understand."

In my Introduction to this year's Covenant and Conversation series, I suggested a quite different, third interpretation, based on the fact that the Israelites are described by the Torah as ratifying the covenant three times: once before they heard the commandments and twice afterward. There is a fascinating difference between the way the Torah describes the first two of these responses and the third:

The people all responded together, "We will do [na'aseh] everything the Lord has said." (Ex. 19:8)

When Moses went and told the people all the Lord's words and laws, they responded with one voice, "Everything the Lord has said we will do [na'aseh]." (Ex. 24:3)

Then he took the Book of the Covenant and read it to the people. They responded, "We will do and hear [na'aseh venishma] everything the Lord has said." (Ex. 24:7)

The first two responses, which refer only to action (na'aseh), are given unanimously. The people respond "together." They do so "with one voice." The third, which refers not only to doing but also to hearing (nishma), involves no unanimity. "Hearing" here means many things: listening, paying attention, understanding, absorbing, internalising, responding, and obeying. It refers, in other words, to the spiritual, inward dimension of Judaism.

From this, an important consequence follows. Judaism is a community of doing rather than of "hearing." There is an authoritative code of Jewish law. When it

comes to halachah, the way of Jewish doing, we seek consensus.

By contrast, though there are undoubtedly principles of Jewish faith, when it comes to spirituality there is no single normative Jewish approach. Judaism has had its priests and prophets, its rationalists and mystics, its philosophers and poets. Tanach, the Hebrew Bible, speaks in a multiplicity of voices. Isaiah was not Ezekiel. The book of Proverbs comes from a different mindset than the books of Amos and Hosea. The Torah contains law and narrative, history and mystic vision, ritual and prayer. There are norms about how to act as Jews. But there are few about how to think and feel as Jews.

We experience God in different ways. Some find Him in nature, in what Wordsworth called “a sense sublime / Of something far more deeply interfused, / Whose dwelling is the light of setting suns, / And the round ocean and the living air.”[7] Others find Him in interpersonal emotion, in the experience of loving and being loved – what Rabbi Akiva meant when he said that in a true marriage, “the Divine Presence is between” husband and wife.

Some find God in the prophetic call: “Let justice roll down like a river, and righteousness like a never-failing stream” (Amos 5:24). Others find Him in study, “rejoicing in the words of Your Torah...for they are our life and the length of our days; on them we will meditate day and night.”[8] Yet others find Him in prayer, discovering that God is close to all who call on Him in truth.

There are those who find God in joy, dancing and singing as did King David when he brought the Holy Ark into Jerusalem. Others – or the same people at different points in their life – find Him in the depths, in tears and remorse, and a broken heart. Einstein found God in the “fearful symmetry” and ordered complexity of the universe. Rav Kook found Him in the harmony of diversity. Rav Soloveitchik found Him in the loneliness of being as it reaches out to the soul of Being itself.

There is a normative way of performing the holy deed, but there are many ways of hearing the holy voice, encountering the sacred presence, feeling at one and the same time how small we are yet how great the universe we inhabit, how insignificant we must seem when set against the vastness of space and the myriads of stars, yet how momentously significant we are, knowing that God has set His image and likeness upon us and placed us here, in this place, at this time, with

these gifts, in these circumstances, with a task to perform if we are able to discern it. We can find God on the heights and in the depths, in loneliness and togetherness, in love and fear, in gratitude and need, in dazzling light and in the midst of deep darkness. We can find God by seeking Him, but sometimes He finds us when we least expect it.

That is the difference between na’aseh and nishma. We do the Godly deed “together.” We respond to His commands “with one voice.” But we hear God’s presence in many ways, for though God is one, we are all different, and we encounter Him each in our own way.

[1] Shabbat 88a–b.

[2] There are, of course, quite different interpretations of the Israelites’ assent. According to one, God “suspended the mountain over them,” giving them no choice but to agree or die (Shabbat 88a).

[3] The word already carries this meaning in biblical Hebrew as in the story of the Tower of Babel, where God says, “Come let us confuse their language so that people will not be able to understand their neighbour.”

[4] This is the famous phrase from Goethe’s Faust.

[5] This is similar to the point made by Bernard Williams in his famous essay, “Moral Luck,” that there are certain decisions – his example is Gauguin’s decision to leave his career and family and go to Tahiti to paint – about which we cannot know whether they are the right decision until after we have taken them and seen how they work out. All such existential decisions involve risk.

[6] This, incidentally, is the Verstehen approach to sociology and anthropology; namely that cultures cannot be fully understood from the outside. They need to be experienced from within. That is one of the key differences between the social sciences and the natural sciences.

[7] William Wordsworth, “Lines Composed a Few Miles Above Tintern Abbey, on Revisiting the Banks of the Wye during a Tour, July 13, 1798.”

[8] From the blessing before Shema said in the evening prayer.

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[Added from this evening CS]

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date: Feb 23, 2023, 7:20 PM

**In a Dark Exile, Whispering Trees  
A Father Plants Saplings 210 Years Early,  
Offering Solace to His Children**

## By: Rabbi YY Jacobson

### The Smuggler

Tony comes up to the Mexican border on his bicycle. He's got two large bags over his shoulders. Joe, the border guard, stops him and says, "What's in the bags?"

"Sand," answers Tony.

Joe says, "We'll just see about that. Get off the bike." Joe takes the bags and rips them apart; he empties them out and finds nothing in them but sand. He detains Tony overnight and has the sand analyzed, only to discover that there is nothing but pure sand in the bags.

Joe releases Tony, puts the sand into new bags, hefts them onto the man's shoulders, and lets him cross the border.

The next day, the same thing happens. Joe asks, "What have you got?"

"Sand," says Tony.

Joe does his thorough examination and discovers that the bags contain nothing but sand. He gives the sand back to Tony, and Tony crosses the border on his bicycle.

This sequence of events is repeated every day for three years. Then Joe runs across Tony one day in a cantina in Mexico.

"Hey, buddy," says Joe, "I retired. I know you are smuggling something. It's driving me crazy. It's all I think about ... I can't sleep. Just between you and me, what are you smuggling?"

Tony sips his beer and says, "bicycles."

### Cedar Trees

One of the most employed materials in the building of the Tabernacle—discussed in this week's portion, Terumah—was cedarwood ("atzei shitim.") Much of the structure and many of the vessels of the Tabernacle were fashioned from cedar.

Says Rashi, quoting the Midrash:

How did the children of Israel obtain [cedar wood for the construction of the Sanctuary] in the desert? Rabbi Tanchuma explained: Our father Jacob foresaw with his holy spirit that Israel was destined to build a Sanctuary in the desert; so he brought cedars to Egypt and planted them [there], and instructed his children to take them along when they left Egypt.[1]

This seems strange. Why carry trees from the Holy Land to plant in Egypt for use in a building to be constructed centuries later? Surely, there is no dearth of wood in wealthy Egypt, and, in any case, it could always be obtained for a price wherever their

descendants might find themselves. Even the Sinai desert was not far from populated areas from where the Jews could obtain cedarwood.[2]

From the day Jacob descended to Egypt till the Exodus, 210 years passed. In life, it is good to plan long-term. I know people who pack for a trip one week before the flight. It is not my style, but I can respect them. Yet to pack up 210 years before a journey, seems like going overboard. Did Jacob feel that he needs to prepare the cedar wood 210 years before it was needed? Could he not have told his children to obtain cedars in or around Egypt?

Imagine, a fellow by the name of Jacob Isakson (son of Isaac) is relocating from Russia to the US in 1810. He brings with him cedar saplings to plant in America. He tells his children that one day in 2020 they might leave America to go build a sanctuary in the desert and they will need cedarwood. It would be strange; we could buy the wood in America!

It is not like Jacob came to Egypt empty-handed, so he had nothing to take along, but some cedar trees. Jacob, at the age of 130, was relocating his entire life, family, livestock, and his enormous wealth, to Egypt. The last thing he needed to add to the wagons were cedar trees!

### Finding Comfort

The answer to this question I heard from the Lubavitcher Rebbe at an address on Shabbos Parshat Terumah, 6 Adar, 5747, March 7, 1987.[3] I can still vividly recall the profound emotion with which the Rebbe shared this insight—and it moves me deeply to this day.

The answer, the Lubavitcher Rebbe suggested, is intimated in the name of the Sage who transmitted this tradition: Rabbi Tanchuma. As a rule, Rashi rarely quotes the authors of the teachings in Talmud and Midrash he quotes in his commentary. Here is one of the exceptions. Because it is the name of the rabbi who shared this teaching, Tanchumam which explains why Jacob would engage in this seemingly unnecessary toil, two centuries before his descendants would need the cedar.

The name "Tanchuma" means to comfort and console. Jacob our father knew that one day the very country which has been so hospitable to him and his family, the country saved by his son Joseph, would turn its back on the Hebrew tribe and transform their lives into purgatory. Egypt would impose one of the most torturous conditions upon the young Hebrews. Jacob knew that the people of Israel would need something

to hold on to, something tangible to remind them that they don't belong here; something concrete to imprint upon their tormented hearts that they come from somewhere else, and they will one day leave this hellish concentration camp and return home.

A promise? Yes. He and Joseph promised the family that they would leave Egypt one day. But a verbal promise is insufficient. People can't live on words alone. Jacob needed to give them something tangible that could comfort them and offer a measure of relief as they walked in a valley of tears and watched their infants plunged into a river.

#### Whispering Trees

Hence, the cedar trees. Jacob transported from the Land of Canaan young, tender saplings of cedar and lovingly planted them in the soil of Egypt, instructing his children, that one day, when they depart from this country, they must take these trees with them.

Jacob dies. Joseph dies. All the siblings die. Then all the grandchildren die. The first generations of Jews who still knew Jacob and his children passed on. A new Pharaoh began to enslave the young nation. Brutal labor and the extermination of Jewish babies began to become the Jewish plight.

And throughout this entire horrific ordeal, the crushed Hebrew slaves watched these cedars grow. And with it, their hope grew. They harbored the knowledge that long before their enslavement by the Egyptians, these trees had grown in the soil of Holy Land—the land promised to them as their eternal heritage. Each generation of Jews pointed out these cedar trees to their children, transmitted to them Jacob's instructions to take these trees along when they would leave Egypt, to be fashioned into a Sanctuary for G-d.

And so, throughout their long and bitter exile, these cedars had whispered to the Jewish slaves: This is not your home. You hail from a loftier, holier place. Soon you will leave this depraved land behind, to be reclaimed by G-d as His people. Soon you will uproot us from this foreign land and carry us triumphantly to Sinai, where you will construct of us an abode for the Divine presence, which shall once again manifest itself in your midst.

These cedar trees stood as a permanent, tangible, silent but powerful, and tall symbol of courage, dignity, and hope in a bright future. They gave a nation of tormented, wretched slaves something to "hold on to" in a very concrete way, as they struggled under the yoke of their Egyptian oppressors. These

trees offered the Jews some measure of "Tanchumah," of solace and fortitude, during their darkest moments. When the Jewish people held on to Jacob's "prehistoric" cedar trees, for a brief moment, they felt free. And that's what you need in order to endure. It reminded them that in their essence they were not slaves, they did not deserve to be beaten and oppressed; they were inherently free and one day they would see that freedom.

#### Staves of Faith

"The Tzaddik shall bloom as a palm," sings the Psalmist, "as a Cedar of Lebanon, he shall flourish." [4] Jacob planted cedars in Egypt, and G-d plants exactly such cedars in our midst throughout our long and turbulent history. [5] These are the Tzaddikim, the Rebbes, the spiritual giants, defined in Psalms as "cedar trees," providing us with a link to the past and hope for the future.

The Tzaddik is a soul that towers above the transience and turbulence of exile; a soul that is rooted in Israel's sacred beginnings and pointed toward the ultimate Redemption—a soul whose two feet stand on earth, but whose head touches heaven. When our subjection to the temporal and the mundane threatens to overwhelm us, we need only look to the cedars implanted in our midst. In these timeless staves of faith, we find guidance and fortitude, comfort, and encouragement. We remember who we are and what we are capable of becoming.

#### Above Exile

This is the function of every Rebbe, every leader among our people—and in today's age, who of us is not in a position to influence one or more of our brothers and sisters. The Rebbe is the Jew who by his sheer presence and love reminds us that we are "higher," that we must never surrender to a life of quiet desperation; that we are Divine ambassadors of love, light, hope, and redemption.

When we connect to a Rebbe, a Tzaddik, we too become, at least for a moment, free. We are all exposed to challenges, obstacles, and pressures; we must face trauma, darkness, pain, addiction, depression, disappointment, filth, and degradation. We can become apathetic, cynical, and indifferent. But when we gaze at the cedars in our midst, and at the cedar inside each of our souls, we remember that we are fragments of infinity, sent to this world to transform its landscape. We remember that we are on a journey from Sinai to Moshiach; that as beautiful as America is it is not our true home; it is but a

temporary stop in our journey toward Moshiach. As comfortable as this great country is and as much as we cherish it, it is not the place we call home. A child who has been exiled from the bosom of his father, even if he is living in the Hilton, is living in exile.

That is the function of every spiritual “cedar tree” teacher in Judaism: [6] To remind all of us that even as we are in exile, our souls can soar on the wings of eternity.[7]

[1] Rashi to Exodus 25:6

[2] Indeed, this is the view of some of the commentators. See Divrei David (Taz), Ibn Ezra, Baalei HaTosfos and Chizkuni on the verse (Exodus 25:6).

[3] Part of the address was published in Likkutei Sichos vol. 31 Terumah pp. 142-148.

[4] Psalms 92:13

[5] The Hebrew word Nassi (“leader”) is an acronym of the phrase nitzotzo shel Yaakov Avinu, “a spark of Jacob our father.” The soul of every leader of Israel is an offshoot of the soul of Jacob, father of the people of Israel (Megaleh Amukot, section 84).

[6] See Sichas Shabbos Parshas Shemos 5752, 1992—explaining why the first idea Rabbi Elazar ben Azaryah said as a leader was that we are obligated to mention the Exodus of Egypt also during nighttime. This captures the role of the leader: To help people experience Exodus even when night prevails, and darkness overwhelms.

[7] My thanks to Rabbi Yanki Tauber for his rendition of this address. I used some parts from his essay: <https://www.meaningfullife.com/prehistoric-cedars/>

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## Weekly Parsha MISHPATIM

### Rabbi Wein’s Weekly Blog

The Torah prescribes that a Jewish servant who wishes to remain permanently in servitude – he loves his master’s home and his family – is given a permanent mark, a hole in his ear, as an everlasting reminder of his choice. Rashi explains, based on the Talmud, that the ear that heard on Sinai that the Jewish people are God’s servants and not to be servants to other humans is to be drilled with an awl as a stark reminder of his poor choice in life.

The Talmud taught us that a truly free person is someone whose guide in life is Torah. The choice of servitude over freedom is anti-Jewish and anti-Torah in its very makeup. In the ancient world and even in later times, slaves were branded so that all could see that they were the chattel of their owner.

The Torah’s instruction to bore a hole in the ear of the Jewish servant was to remind everyone of just the opposite idea. That this slave belonged to no other human but rather

was to be a servant of God – that was the message of the drilled ear. Freedom and independence mean that we bow to no one but to our Creator alone.

Having other masters in life is a rejection of the Jewish mission and Judaism’s true understanding of life’s purpose. Jews have often in our long history been made to serve in involuntary servitude and slavery. But voluntarily giving up one’s freedom of action and behavior is abhorrent to Jewish ideals and tradition.

The ancient world, as well as much of the later worlds, was built upon the institution of slavery, forced labor and involuntary servitude. In our time governments that preached equality and nobility enslaved others simply because they suspected them of having different ideas.

The mocking slogan at the entrance to Auschwitz “Work makes one free” symbolized the ultimate form of slavery and murder. The Gulag was the place where millions succumbed doing useless work. The great White Sea Canal of Stalin was literally a canal that led to nowhere while myriads of people died in the process of building it, often only with their bare hands.

The Jewish people were coming forth from Egypt after centuries of slavery. One would have thought that having themselves experienced that type of servitude they would not wish to inflict it upon others. However Midrash teaches us that even in Egypt there were Jews who somehow owned other Jews as slaves. It would take millennia for Jews to be completely weaned from the practice of slavery. Such is the dark side of human nature and behavior. But the process of drilling the ear of one who wishes to remain a permanent slave reminds the Jewish society of the inherent wrong in the deprivation of people’s freedom. Only God has the right to ask us to be His servants. And those who truly serve God have no interest in depriving others of their freedom. The message of freedom that was heard on Sinai should reverberate in all of our ears constantly.

Shabat shalom.

Rabbi Berel Wein

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***Ohr Somayach :: Torah Weekly :: Parsha Insights  
For the week ending 25 February 2023 / 4 Adar 5783***

***Rabbi Yaakov Asher Sinclair -  
www.seasonsofthemoon.com***

### ***Parshat Terumah***

*You shall make a table of acacia wood...” (25:23)*

They say that into every life, a little rain must fall. Sometimes, however, we might feel this “little rain” as a full-blown downpour, leaving us reeling and searching Terumah: The Jewish Spark for answers. But we should know that there is a little candle at the end of the tunnel, a light that can never go out.

In Yiddish it’s called the pintele Yid — the Jewish spark. And a spark that can never go out, never needs to be more

than a spark. For the greatest blaze can be ignited with just one spark.

After the original creation of the world, Hashem creates nothing ex nihilo; rather, every new creation has to have a pre-existing conduit from which it can flow.

In Hebrew, the word beracha (blessing) always connotes “increase.” A blessing always takes some pre-existing state and infuses it with expansion. Hashem uses a pre-existing vessel and then injects blessing to swell and amplify what is already present.

In this week’s Torah portion, the Torah describes the shulchan. The shulchan, which was an ornamental table, was the conduit through which material blessing flowed to the Jewish People.

And similarly, on our tables, when we say the blessings after a meal, Judaism teaches us to leave the bread on the table so that it should be a vessel to receive Hashem’s blessings.

Another example of this is when the prophet Elisha helped a penniless woman. He asked her what she had in her home, and she replied that all she had was a small jug of oil. Elisha told her to borrow as many jugs and pots from her neighbors as she could. Then, she was to start pouring from this tiny jug of oil into the first container. Miraculously, that little jug kept on pouring oil until all the borrowed vessels were full.

And in our own spiritual lives, we should never despair, because there will always be that pintele Yid, that eternal spark that will re-ignite our hearts even when we feel to be running on mere fumes.

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*Chief Rabbi Ephraim Mirvis*

*Terumah: The most extraordinary custom I’ve ever heard of!*

*22 February 2023*

It’s the most extraordinary custom I’ve ever heard of. I’m referring to a comment by Rabbeinu Bachaye, the great 13th Century commentator, who mentions a practice of the Chassidim of Medieval France. When someone in their family sadly passed away, they would take wood from the person’s dining room table and with it, they would make the coffin. The idea here is that the merit of everything that we do around our tables accompanies us into the world to come.

The Shulchan

Rabbeinu Bachaye mentions that this is all based on a passage in Parshat Terumah. There the Torah introduces us to the shulchan, the holy table which was used in the sanctuary and later on, in the temple, and it was upon that table that the shtei halechem, the showbread, would be brought as an offering before Hashem. That table was made of ‘atzei shittim,’ acacia wood, and Rabbeinu Bachaye quotes a midrash explaining that the four letters of

the word ‘shittim’ (שִׁטִּים) stand for the attributes of that table. The shin (ש) stands for shalom meaning peace, the tet (ט) for tova, goodness, the yud (י) for yeshua, salvation and the mem (מ) for mechila, forgiveness.

Our Tables

Indeed, this is exactly what we find with regard to our tables today. First of all, the table is a place for family togetherness. There, we have shalom – shalom bayit, serenity – our tables bond us together as families and give us many memorable experiences.

There, we have tova – so much goodness happens around the table thanks to hachnassat orchim, hospitality, and bringing needy people to have their meals with us.

All of this then contributes towards the yeshua, the salvation of our people.

Finally, mechila, atonement: it was through the shulchan, the table, in the sanctuary and later the temple, that God gave mechila, forgiveness, to our people, and so too it is thanks to the precepts we perform, the blessings we recite before and after we eat, the special mitzvot relating to food which we have at the table and the kedusha, sacred nature, of our meals, all of this will hopefully prompt God to forgive us for our sins. And all of these precepts accompany us well into the afterlife. Therefore, while we readily recognise that we cannot take any of our worldly possessions with us when we go into the world to come, one thing we can ensure – all of our good deeds around our table and wherever we are will never depart from us.

*Shabbat shalom.*

*Rabbi Mirvis is the Chief Rabbi of the United Kingdom. He was formerly Chief Rabbi of Ireland.*

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*Drasha Parshas Terumah - Give & Take*

*Rabbi Mordechai Kamenetzky*

After an entire portion filled with commandments regarding man’s obligation toward his fellow man, the Torah focuses on a very spiritual aspect of our existence. Hashem commands His nation to build a Tabernacle in which He would figuratively dwell. Thus the Torah begins this week’s portion with a mainstay of Jewish life — the appeal.

The Torah instructs the Jewish nation to contribute gold, silver, and an array of other materials to the great cause of erecting and furnishing a Mishkan (Tabernacle). However the appeal is worded very strangely. Hashem does not ask the people to give; he asks them to take. Exodus 25:2: “Speak to the children of Israel and let them take a portion for me.” The question is obvious. Why does the Torah tell the people to take a portion when in essence they are giving a portion? What is the message behind the semantic anomaly?

Max and Irving went fishing on an overcast afternoon. About two hours into their expedition a fierce storm developed. Their small rowboat tossed and tossed and finally flipped over into the middle of the lake. Max, a

strong swimmer, called to save Irving, but to no avail. Irving did not respond to any plea and unfortunately drowned. Max swam to shore to break the terrible news to Irving's poor wife.

"What happened?" she screamed. "Tell me the whole story!"

Max recounted the entire episode in full detail.

"But what did you do to try to save my Irving?" she shrieked. Max explained once again. "I kept screaming to your husband, 'Irving, give me your hand — give me your hand — Give me your hand! But Irving just gave me a blank stare and drifted away.'"

"You fool!" shouted the widow. "You said the wrong thing. You should have said, 'take my hand.' Irving never gave anything to anybody!"

We often make the same mistake that Irving made. When we hear the word "give" we recoil. In its first solicitation, the Torah is teaching us a lesson. When you give with true heart, you are not giving anything away. You are taking a share for yourself. Materialistic pleasures in which many people indulge are eventually digested and forgotten. The new cars become old ones, the glorious homes fall to disrepair, and the newest gizmos become outdated. The only items that remain are those that we give. They remain in a storehouse of merits and eventually will repay us and our descendants. The Montefiores and the Rothschilds are not forever cherished for opulence and indulgence. They are remembered for their great benevolence and charity. They not only gave for eternity. They received for eternity as well

*Dedicated In loving memory of our mother, Edith Gluck of blessed memory by the Gluck Family*

*Good Shabbos!*

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*Rabbi M. Kamenetzky is the Dean of the Yeshiva of South Shore.*

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### ***Rabbi Yissocher Frand - Parshas Terumah***

*When We Did Not Have the Kosel, We Still Had #12 Ibn Shaprut*

In the beginning of Parshas Teruma, the pasuk says, "And you shall make for Me a Sanctuary and I shall dwell in their midst." (Shemos 25:8). Rashi comments: "And you shall make for My Name a House of Holiness." That is the essence of the Beis HaMikdash – a House of Holiness!

Two years ago, Reb Yossi Goldstein sent me an e-mail relating the following incident:

Rav Yosef Buxbaum, who was the founder of Machon Yerushalayim (an institution in Yerushalayim which puts out wonderful seforim), was once walking in Yerushalayim, when he passed the house of the Tchebiner Rav. The Tchebiner Rav was Hagaon HaRav Dov Berish Weidenfeld (1881-1965). The terminology 'world class

scholar' and 'great personality' are not sufficient to describe who he was.

Going back to my youth (circa 1960), before my Bar Mitzvah, my shul Rabbi, Rav Sholom Rivkin, z"l, told me that "the Tchebiner Rav is the Gadol HaDor!" (literally 'greatest person in the generation'). That was a time when Rav Aharon Kotler was alive, Rav Moshe Feinstein was alive, Rav Eliezer Silver was alive, Rav Henkin was alive. Nevertheless, Rabbi Rivkin told me that the Tchebiner Rav was the Gadol HaDor! Now, at that time I did not know what the term "Gadol HaDor" meant! But it always remained in my mind that the Tchebiner Rav was the Gadol HaDor. He was a Rosh Yeshiva. He was a Posek. He was a Tzadik. I can go on and on describing who the Tchebiner Rav was.

Rav Buxbaum was once walking past the Tchebiner Rav's house, which was at Rechov Ibn Shaprut #12 in the Shaarei Chessed neighborhood of Yerushalayim. He saw that Rav Aryeh Levin (1885-1969), the Tzadik of Yerushalayim, was standing and crying in front of the Tchebiner Rav's house. Rav Yosef Buxbaum walked over to Rav Aryeh Levin and asked why he was crying. "Are you in pain? Why are you are standing in front of the Tchebiner Rav's house, crying?"

Rav Aryeh told him that one of his children was sick. "If I could go to the Kosel Ma'aravi (Western Wall), I would go. (This was pre-1967, when the Jews did not have access to the Old City of Yerushalayim or the Kosel Ma'aravi) Since I cannot get to the Kosel, I need to pray in another makom kadosh (holy place). The Tchebiner Rav's house is that makom kadosh."

This is what Rashi means here "You shall make for me a Sanctuary" – a House of Holiness! If someone thinks of all the Torah that was learned in the house of the Tchebiner Rav and the chessed that was done there and the tzidkus that was practiced there – the Tchebiner Rav's house was a makom kadosh. If the Kosel Ma'aravi was not available, a person could at least go to this makom kadosh to pray.

Rav Buxbaum was so impressed with what Rav Aryeh Levin told him that he went and related the conversation to the great sage Rav Shlomo Zalman Auerbach, who also lived in the Shaarei Chessed neighborhood. Rav Shlomo Zalman reacted without astonishment "Certainly that is appropriate. I, too, whenever I pass by that holy dwelling place, lift my eyes heavenward in prayer." Rav Shlomo Zalman also used the opportunity of being in the proximity of such a makom kadosh to petition the Almighty in prayer. Which person does not say a Tefilla when he goes to the Kosel. Religiously sensitive individuals considered the holy home of the Tchebiner Rav a similarly holy place.

This gives us practical insight into Rashi's comment "And you shall make Me a Sanctuary" – a House of Holiness.

*The Power of Torah to Transform a Person Such That His Inside Matches His Outside*

The Torah says to build of the Aron from atzei shitim – two and a half amos in length, one and a half amos in width, and one and a half amos in height. “And you shall cover it (the wood) with pure gold, on the inside and on the outside, it should be overlaid...” (Shemos 25:11).

Over the years, we have commented many times that each of the keylim (vessels) of the Mishkan is symbolic. The Aron, in which the Luchos (Tablets of the Covenant) are placed, is symbolic of a talmid chochom. The Torah resides within a talmid chochom, and so too the Luchos reside within the Aron. The fact that the Torah says that the Aron needs to be covered with pure gold on both the outside and the inside is symbolic of the concept of “tocho k’baro” (a person’s inside must match his outside). In short, a talmid chochom cannot be a faker. He needs to be of sterling character – as pure on the inside as he is on the outside.

There has been much discussion, dating all the way back to the time of the Talmud, as to whether someone may teach a student who is NOT “tocho k’baro“. In Avos D’Reb Nosson, this is an argument between Beis Shammai and Beis Hillel. Beis Shammai were very restrictive in who they accepted into their school. They forbade teaching a student who was not of sterling character. Beis Hillel were less discriminating. They favored an “open enrollment” policy.

The well-known Gemara in Brochos (28a) says that Rabban Gamliel, who was the Head of the Yeshiva, had a policy that any student who was not “tocho k’baro,” was not admitted into the Beis HaMedrash (Study Hall). When they changed the leadership of the Yeshiva because of an incident mentioned there, Rabbo Elazer ben Azariah became the Rosh Yeshiva. They then removed the guard from the door of the Beis HaMedrash. The Talmud notes that on that day they added 400 benches (or according to another version 700 benches) to the Beis HaMedrash in order to accommodate the influx of new students.

The Gemara relates that when Rabban Gamliel saw what transpired, he became depressed out of fear that his policy had inhibited the study of Torah in Yisroel. The Gemara says that he was shown containers full of embers in a dream. This dream appeased him, as he interpreted it to mean that the new students were like ashes, meaning that they were really not high caliber students.

The Gemara says that this was not really the case. He was merely shown this dream to appease him, but in truth the policy of Rav Elazer ben Azaria was correct and the policy of Rabban Gamliel was wrong.

Someone once told me an interpretation of this Gemara in the name of Rav Yoshe Ber Soloveitchik, zt”l. Rav Yoshe Ber asked – what is the interpretation of this Gemara? In other words, was Rav Elazar ben Azariah right or was he not right to remove the guard? Was Hashem merely fooling Rabban Gamliel by showing him this dream?

Rav Yoshe Ber explained the significance of Rabban Gamliel being shown containers of embers. When someone

views embers, it appears that the fire has been extinguished. Nothing can happen from them. But within the embers may still be little flames. If someone blows on them, he may, in fact, relight the fire. This is what Rabban Gamliel was shown in his dream. They were not trying to “fake him out.” They were showing him that these new students who showed up in the Beis HaMedrash were like embers. He took it to mean – “Aghh! They are nothing!” But the real message was just the opposite. The sparks within the embers contain great potential. If they are blown on correctly, they can in fact become blazing flames.

The Zohar relates that Rabbi Abba announced “Whoever wants to become wealthy and live a long life should come to the Beis Medrash and occupy himself with Torah study.” A fellow named Yossi heard this announcement and came in front of Rabbi Abba and told him that he would like to become rich so he came to learn. Rabbi Abba took him into the Beis Medrash.

The Zohar says that this Yossi was given the nickname “Yossi the Baal Tayvah” (as if to say “Joe the Money Grubber” or Yossi, the person who wants to become rich). Yossi learned for a long time but he did not become rich. He went back to Rav Abba and complained, “You told me that if I came to learn Torah in your Yeshiva, I would become rich. I came to learn, but I did not become rich.”

Rav Abba was so disgusted with the fellow’s attitude that he wanted to throw him out of the Yeshiva, but a bas kol came out from Heaven and said not to throw the student out – to have patience with him, because one day he would become a great talmid chochom.

Time went on and a wealthy man came to the Yeshiva to visit Rabbi Abba. The man had a golden chalice with him. He told Rabbi Abba that he was a wealthy man and he would like to support a young man who is involved in Torah study by giving him this valuable golden chalice. Rabbi Abba called in the Baal Tayvah and gave him the golden chalice. He said, “Okay. Now you have it. You learned Torah and you became rich.”

The Zohar continues that years later this Yossi in fact became a very big talmid chochom. Rav Abba came into the Beis Medrash one day and saw that this Rav Yossi was crying. He said, “Why are you crying now – you got your money!” Yossi said “I am crying that I was willing to give up Torah for just a gold chalice. How could I have made such a silly mistake?”

The Zohar concludes that this Yossi became none other than the Amora Rav Yossi ben Pazi (cited in Yerushalmi Shekalim 9a). Paz means fine gold (Shir HaShirim 5:11; 5:15). Yossi was “Ben Pazi” (son of fine gold). He ultimately recognized how foolish he had been for having been willing to give up a world of eternity (Torah) for a transient world (of wealth). In the end, he realized “Better for me is the Torah of Your Mouth than thousands of pieces of gold and silver” (Tehillim 119:72).

The upshot of this Zohar and the upshot of the Gemara in Brochos is the same. Why did Rabban Gamliel become depressed when so many students came to the Yeshiva after they took away the gatekeeper? He knew that he could have had an additional 400 or 700 applicants if he waived his entrance standards! He made a decision that he wanted only students who were tochom k'barom. It was a legitimate decision. Why then was he depressed when these additional students came in?

The Chidushei HaRim says a beautiful idea. Rabban Gamliel became depressed because after those 700 students came into the Beis Medrash, he saw what the Torah did for them. He saw that the Torah had the power to flip them from being people who were NOT tochom k'barom into people who WERE tochom k'barom. Just like this Yossi the Baal Tayvah, who became Yossi ben Pazi because the power of Torah changed him, so too, the same thing happened to new students who entered the Beis Medrash when the gatekeepers were removed.

This is what upset Rabban Gamliel. He knew why he rejected these people – because he did not want students who were not tochom k'barom. But now he saw that after spending time in the Yeshiva, through the power of Torah they BECAME students who were tochom k'barom.

This is what the Medrash Eicha means when it says “If only they would have abandoned Me and kept my Torah, as a result of their preoccupation with it (i.e. — with Torah), the light within it would have returned them to the proper way.” Torah has an amazing mystical power to change a person. It happened to Yossi ben Pazi and it happened to the hundreds of students in the Beis Medrash of Rav Elazar ben Azarya. The Torah flipped them from being people who were not tochom k'barom to people who indeed possessed that quality.

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**Rabbi Shmuel Rabinowitz**

**Parashat Teruma – 5783**

***Precision, Perfectionism and Goodwill***

Parashat Teruma, which we will read on Shabbat, deals with the instructions for the construction of the Mishkan, the Tabernacle – the temporary temple that accompanied the children of Israel on their journey through the desert, and continued to exist after they entered the Land of Israel until the construction of the permanent Temple in Jerusalem in the time of King Solomon. In the Tabernacle, as in the Temple built later, there were furnishings and objects that were used by the priests in their work: The Ark of the Covenant, which was placed in the hidden inner part of the Tabernacle containing the two tablets of the covenant that Moses received at Mount Sinai; a small altar

for incense that emitted a pleasant smell in the Tabernacle; the famous menorah, a relief of which is engraved on the Arch of Titus in Rome, where the priests lit seven candles daily; a table on which the ‘lechem hapanim,’ the showbread, was placed, which the priests ate every Saturday; and in the courtyard of the Tabernacle stood the large altar on which the sacrifices were offered and a sink where the priests washed their hands and feet before going to work in the Tabernacle.

G-d gave precise instructions on how to build all these tools, as well as the structure of the Tabernacle itself. These instructions relate to the materials from which the Tabernacle and its vessels were made and to the size in which they should be made. Thus, for example, the dimensions of the ark are two and a half “amot” long by one and a half “amot” wide and one and a half high (an “ama” is an ancient measure equivalent to about 45 cm). The dimensions of the table are two “amot” by one by one and a half “ama”. The Tabernacle itself is built of an exact number of wooden planks, each of which was one and a half amot wide and ten amot long.

These exact measurements are quoted in the Babylonian Talmud in connection with an interesting dispute. Sages were divided as to whether it was “possible to reduce” or “it is impossible to reduce,” that is, whether it was possible to do things accurately or at a precise time, or whether it was impossible. This is a factual dispute that has various halachic implications. The Talmud seeks to prove the correctness of the opinion that “it is possible to reduce,” meaning that there is a human ability to do things precisely, from the exact dimensions of the Tabernacle and its vessels. If G-d ordered the construction of the Tabernacle and the vessels in precise dimensions, then we can infer that humans are capable of doing so accurately. This expectation is possible only if man can do precise things. So, we have proof that this ability exists and “can be reduced.”

To this proof, the Talmud responds with the following words: “Come and hear a proof from the measurements of the vessels and from the measurements of the altar of the Temple. Since the Torah gives precise measurements for them, this indicates that it is possible to measure precisely. The Gemara rejects this proof as well: It is different there, as the Merciful One says: Do it, and to whatever extent you can fulfill His directives, this finds favor in His eyes, as the verse states: “All this in writing, as the Lord has made me wise by His hand upon me, even all the works of this pattern” (Tractate Bechorot, Page17).

That is, it is different when G-d said ‘do’ and man is obliged to do the best he can, and his actions are desirable before G-d, even if he was unable to do things accurately.

These words teach us two important principles. One: G-d does not expect man to do things that he cannot do. If there is any instruction, commandment, or prohibition, directed to humans, this is proof that this is within the scope of a

person's ability. In exceptional cases, a person really cannot do the mitzvah. The Talmudic rule states that when there is something that a person cannot do, G-d exempts him from the act. Of course, this is not a sweeping exemption. The person should carefully consider his ability, get advice, and look for solutions. However, when a person is truly prevented from fulfilling the mitzvah, he is exempt from it.

The second principle stems from the first and is equally important: even when Halacha gives us an exact instruction on a particular act, if we have tried and succeeded in it only partially – our actions are desirable before G-d. There is no perfectionist expectation in Judaism that man will always be able to do things accurately. The will and the effort are what are important, and when the person wants and tries to do something right, it is appreciated even if the results are partial. This is because G-d seeks man's heart, his will, and his willingness to make sacrifices and invest effort. Even partial results are considered sufficient when they are based on a sincere desire to do the right thing.

*The writer is rabbi of the Western Wall and Holy Sites.*

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### **Rav Kook Torah**

#### **Terumah: Betzalel's Wisdom**

##### **Rabbi Chanan Morrison**

The Torah reading of Terumah begins the section dealing with building the Mishkan (Tabernacle) and making the priestly clothes. These chapters are among the few in which the Torah places great emphasis on external beauty — art, craftsmanship, and aesthetics.

Of particular interest is the protagonist of this unique construction: the master craftsman, Betzalel. The Midrash weaves many stories about Betzalel's wisdom and skill. In particular, the Sages noted the significance of his name, which means, "in God's shadow":

"Betzalel's name reflected his wisdom. God told Moses, 'Tell Betzalel to make the tabernacle, the ark, and the vessels.'

When Moses relayed the message to Betzalel, however, Moses changed the order, mentioning first the ark, then the vessels, and lastly, the tabernacle.

Betzalel turned to Moses. 'Moses, our teacher, usually one first builds the house, and then places the furniture inside. Yet you said to make the vessels and then the tabernacle. These vessels that I will make — where shall I put them? Perhaps God told you, "tabernacle, ark and vessels"?'"

Moses replied in amazement, 'You must have been in God's shadow and overheard!' (Berachot 55a)

Betzalel was certainly sharp to be able to reconstruct the original divine message. Why did Moses change the order that God had told him?

#### **The Scholar and the Artist**

One way in which we can distinguish between the scribbles of a five-year-old and a masterpiece by Rembrandt is the degree to which the work of art reflects reality. A true artist

is acutely sensitive to the finest details of nature. He must be an expert in shading, color, texture, and composition. A great artist will be disturbed by the smallest deviations, just as a great musician is perturbed by a note that is not exactly right in pitch, length, and emphasis.

There is a difference between the natural order of the world as perceived through the trained eye of an artist, and the proper order as understood through the wisdom of a scholar. The artist always compares the subject at hand to reality. The scholar, on the other hand, organizes topics according to their ethical and spiritual significance.

When Moses heard God command that Betzalel build the "tabernacle, ark, and vessels," he did not know whether the order was significant. Since the tabernacle was in effect just the outer building containing the ark and the other vessels, Moses knew that the ark and vessels were holier. Therefore, when relaying the command to Betzalel, he mentioned them in order of importance, starting with the most sacred.

Why then did God put the tabernacle first? Moses decided that the original command started with the general description — the Tabernacle, the overall goal — and then continued with the details, the ark and vessels.

Betzalel, an artist with a finely tuned sensitivity to physical reality, noticed the slight discrepancy in Moses' description. He realized that the word tabernacle did not refer to the overall construction, but to the outer building. As such, it should have come first, just as in the building of any home. The order was not from the general to the detailed, nor from the less holy to the holier, but from the outside to the inside.

It was then that Moses grasped the significance of Betzalel's name, "in God's shade." Why shade? Wisdom may be compared to light, while artistic talent is like shade. Light is certainly greater and brighter than shade; but if we want to perceive an object completely, we need to see all of its aspects, both light and shade. In order that the Tabernacle could achieve its purpose, it required the special artistic insight of Betzalel.

*(Gold from the Land of Israel, pp. 144-146. Adapted from Ein Eyah vol. II, p. 262.)*

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### **Shema Yisrael Torah Network**

#### **Peninim on the Torah - Parashas Terumah**

**פרשת תרומה תשפ"ג**

**וצפית אותו זהב טהור מבית ומבחוץ תצפנו**

**You shall cover it with pure gold, from within and from without shall you cover it. (25:11)**

Chazal (Yoma 72b) derive from here that a *talmid chacham*, Torah scholar, should be consistent; in other words, his inner character must correspond with his public demeanor: *Tocho k'baro*; his internal rectitude should coincide with his outward conduct. The Torah does not brook hypocrisy. The *Aron HaKodesh*, which is the

repository of the Torah scroll, symbolizes the crown of Torah. As it is covered with gold both within and without, it alludes to the requisite character of a Torah scholar.

*Horav Yitzchak Zilberstein, Shlita*, relates a *shailah, halachic* query, that was posed to him by an individual who thought that he had crossed the line of personal integrity, feeling that how he had presented himself did not exactly give a clear picture of him. A *meshulach*, fundraiser, visited London for the purpose of soliciting the Jewish community for the organization that he represented. When he reached the home of a distinguished philanthropist, the man, who had been in the middle of studying *Gemorah*, said to him, “I am having difficulty understanding a *Tosfos*. If you can explain this *Tosfos* to me, I will give you a very large donation.” The *meshulach* was a learned man, but was unprepared to explain the *Tosfos* to the man’s satisfaction. He walked out with the usual check – nothing extra. He walked outside and met another *meshulach* who was about to try his luck. He related to him what had occurred and suggested that, prior to soliciting this man, he should carefully review the *Tosfos* (he showed him which one) and be prepared to present a satisfying explanation. The second *meshulach* stopped by the nearest *bais medrash* and reviewed the *Tosfos* with all of its super commentaries. He was now certain that he could answer any question concerning the *Tosfos*.

The second *meshulach* knocked on the door of the man’s home and was invited in. The host was poring over a tome of *Talmud*, and when he looked up at the *meshulach*, he said, “Let me ask you a question. For some time, I have been stumped by a question that continues to bother me concerning a *Tosfos* I am studying. If you can explain it to me, I will contribute a large donation to your organization. The *meshulach*, of course, now being proficient in that particular *Tosfos*, immediately explained it to the shocked – but very happy – man. He immediately wrote out a check for a considerable amount of money. The *meshulach* could not believe his good fortune.

A week later, however, when the *meshulach* had returned home, he was troubled by his actions. Did he transgress the prohibition of *geneivas daas*, stealing one’s mind, misrepresentation, deception? After all, the wealthy contributor had no idea that the man who stood before him had spent time preparing the *Tosfos*. Had he gone in “cold” as his predecessor had, he too, would have walked out with a less-than-considerable donation. The *meshulach* was a man of integrity. He did not want to do anything that might have a taint of unacceptable behavior. He turned to *Rav Zilberstein* to clarify the *halachah*. The *Rav* brought the question to *Horav Chaim Kanievsky, zl*, who ruled that it was not a question of *geneivas daas*. On the contrary, it was a clear example of *siyata d’Shmaya*, Divine assistance. Hashem provided the second *meshulach* with an opportunity through which he could receive a large donation.

*Rav Chaim* cited an instance which occurred concerning *Horav Yitzchak Elchanan Spektor, zl*, which was closely related to the incident that occurred with the *meshulach*. As a young man, *Rav Yitzchak Elchanan* became *Rav* in a small town. As he traveled to accept his position, he stopped in an inn (owned by a Jew) to spend the night. He asked the innkeeper if he had any *sefarim* from which he could learn. The innkeeper said that all he had was a *Derech Chaim Siddur* with a *halachic* commentary authored by *Horav Yaakov Lorberbaum, zl* (author of *Nesivos HaMishpat* and *Chavas Daas*, both classics). *Rav Yitzchak Elchanan* spent part of the night studying the laws pertaining to *Krias HaTorah* and the *kashrus* of a Torah scroll. The day he arrived in the town, a question was raised concerning the community *Sefer Torah’s* suitability. It “just so happened” that he had learned the *halachah* that addressed this question the night before. This was a clear instance of *siyata d’Shmaya*. If we would only open our eyes, we would see how often Hashem provides us with opportunities for success.

ונתת את הכפרת על הארון מלמעלה ואל הארון תתן את העדת

**You shall place the lid on the Aron from above, and into the Aron you shall put the Testimony. (25:21)**

*Rashi* notes that the Torah previously mentioned (Ibid. 25:16), “And you shall put into the *Aron* the Testimony.” He explains that it is teaching us that, while it is an *Aron* alone without the *Kapores*, lid, on it, he shall place the *Eidus*, Testimony (Torah) into it, and afterwards he should place the lid on it. *Ramban* argues, claiming that the *pasuk* indicates the sequence to be *Kapores* – then *Eidus*. *Rashi* clearly is of the opinion that when the *Aron* was brought into the *Mishkan*, the *Eidus* was already inside of it, and the *Kapores* was above. Once it was inside the *Kodesh HaKodoshim*, Holy of Holies, the *Paroches*, Curtain, was hung. The Torah/*Eidus* was to be placed inside the *Aron* even before the *Aron* was complete (with the *Kapores* above). Why is this? Why should the Torah be placed inside the *Aron* before it has been completed, with the *Kapores* above it?

*Horav Aryeh Leib Heyman, zl*, explains that it is done to demonstrate that the *Aron* is unlike any of the other *keilim*, vessels, which are completed in the *Mishkan* (i.e. The *Lechem HaPanim* was placed upon the *Shulchan* once the *Shulchan* was within the *Mishkan’s* environs). The reason for this disparity is that their functions are different. The *klei ha’Mishkan* are present to minister to the *Mishkan*. It is a holy site in which the *Shechinah* reposes – almost as if it were Hashem’s earthly abode. This is unlike the Torah, which is the focus of the *Mishkan*. Hashem designated the *Mishkan* as His “home,” so that He could be close to His Torah. *Chazal (Shemos Rabbah)* compare this to a king who gave his only daughter in marriage to another monarch who lived in a distant land. The father of the bride said, “I gave my daughter to this man as a wife. I am happy as a father, but it is impossible for me to remain separated from

my child. I ask that you build a small apartment on the palace grounds, so that I will be able to visit as often as I want.”

Likewise, Hashem gave us His Torah, from which He cannot separate. He asked that we build a Sanctuary, so that the Torah will be there. Wherever the Jewish people move, the *Mishkan* will follow – and so will Hashem. Thus, the *Mishkan* serves the Torah, unlike the other vessels which serve the *Mishkan*. Since the *Mishkan* is present for the *Aron*, the *Aron* “enters” it *bi’shleimus*, in complete perfection – with the Torah within it. We should never err in thinking that the focal point is the *Mishkan*. It is the Torah – as is everything in our *avodas hakodesh*, holy service. The Torah is our guide; it is our life; indeed, it is life itself.

This is the approach one should take upon learning Torah. It is not merely an attempt at mental gymnastics. It is life itself. When we study Torah, we come alive. Whoever does not understand this has not yet learned.

The following story took place about forty-years ago. Two brothers, twins, Yair and Ariel, changed schools. They had originally been in a *mamlachti*, secular, school, in Kiryat Ono, and now transferred to She’eris Yisrael in Petach Tikvah. A tragedy that had taken the life of their father precipitated this change. During a visit to the United States, they were all – two brothers, a young sister, and the parents – taking a road trip when it began to snow. It does not snow often in *Eretz Yisrael*. As a result, the father was unprepared for the icy roads which caused him to skid off the highway and fall hundreds of feet off a cliff. Miraculously, the mother and three children survived the accident, but the father did not. Having witnessed such a revealed miracle, the mother decided to change her spiritual leanings. The first step was to enroll her sons in a *frum*, observant, school.

The story does not end here. This is only the beginning. Yair and Ariel traveled daily from Kiryat Ono to Petach Tikvah. It was not an easy trip, but the boys did not complain, as they slowly acclimated to their new, observant lifestyle. They learned quickly and were receiving excellent grades until they started learning *Gemorah*. Ariel experienced great difficulty. He listened; he studied; but he could not pass the test. Finally, he informed his mother that he was not returning to school due to the difficulty he had with *Gemorah*. This was not acceptable to his mother. She decided to let him sleep on it. The next day, Ariel presented himself with his backpack on his shoulders, prepared to leave for school. “Ariel, what changed your mind?” his mother asked. “I cannot explain it, but last night *Abba* appeared to me in a dream. He was sporting a beard and *payos*, and he told me, ‘I will learn the *Gemorah* with you.’ I asked him how he knew *Gemorah*. We were not yet observant when he was so tragically taken from us. He explained, ‘Because of my two sons learning, my *neshamah* has been allowed entrance into *Gan Eden*. I

am able to listen to your learning (the *rebbe’s* teaching), and I understand the lesson. Therefore, I am able to teach it to you.’ This is what happened. *Abba* studied with me all night. I now feel that I understand the *Gemorah*.”

Ariel told his mother, “*Abba* asked me to convey a message to you that your decision to have the family become observant is excellent, and you should continue to have us grow in Torah.” The mother broke down, weeping profusely. She feared that her son was suffering from an overactive subconscious, convincing himself that his dream was real. What would happen when he arrived in school and failed the test because he did not know the material?

Her fears were unfounded. Ariel negotiated the test and came out at the top of his class. The *rebbe* was so impressed that he called the mother and told her so. She wept into the phone. “You will not believe who taught him the *Gemorah*,” she said. When she shared with him what had occurred, he did not know if he should laugh or cry. He thought that both Ariel and his mother had become unhinged. Fathers do not appear in dreams to teach their children. On the other hand, the day before, Ariel had been totally clueless concerning the *Gemorah*. The *rebbe* asked Ariel to repeat the dream, which he did. The words expressed by his father, “I am learning here exactly what you are learning,” made the *rebbe* think twice. It was a concept which he may have heard, but he had never known anyone who had experienced it.

This story allows us a glimpse into the relationship between this world and *Olam Habba*, and how children can, with the power of Torah, catalyze extraordinary *nachas* and *illuy neshamah* for their parents. *Ki heim chayeinu*, “For they are our life”: Torah is our life in this world and in the World-of-Truth.

**ועשית את הקרשים למשכן עצי שטים**

**You shall make the planks of the *Mishkan* of *shittim* (acacia) wood. (26:15)**

*Rashi* comments that Yaakov *Avinu* anticipated the need for lumber for the building of the *Mishkan*. Aware that wood was not a commodity one found in the barren wilderness, he planted these trees in Egypt upon his arrival. He instructed his children that when they would eventually leave Egypt – at the end of their exile – they should take the wood with them. *Horav Doniel Alter, Shlita* (son of the *Pinchas Menachem*), adds that immediately upon his arrival in what was to be *galus Mitzrayim*, the Egyptian exile, Yaakov sought to imbue his children and all his future descendants with belief in the *Geulah*, Redemption. Throughout our tumultuous history of persecution, pogroms and Holocaust, what kept us going was the belief and hope that one day it would all end.

Imagine a young child walks by the home of his aged grandfather, Yaakov, and he notices the tall trees growing in the backyard. He asks for an explanation, since he has not seen such trees anywhere else. His grandfather tells him that one day Hashem will liberate us from the land of

Egypt, and we will be commanded to make a Sanctuary for Him. These trees will be used as part of the structure. Furthermore, these tall trees could be noticed from distant places such as Ramses, where the Jews were struggling under the watchful eyes of their Egyptian taskmasters. When they saw the trees, they were infused with a sense of hope for better days, when they would leave this accursed land. Yaakov showed us the way to inculcate our children and future descendants with *emunah*, faith in Hashem, and hope for an end to our *galus*. Providing our children with tangible, concrete symbols of *Yiddishkeit*, in addition to including them in every aspect of the tradition, helps them to maintain a strong identity and bond with *Yiddishkeit*. Our problems emerge when we eschew tradition: turn our backs on the past; lose our sense of pride and identity; encounter breaches in our legacy and rifts with our children.

Parenting entails responsibility: the responsibility to imbue each of our children with a clear, untarnished Jewish religious identity. He should know who he is, from whom he has descended, and which direction we would like (expect) to see him follow. We must invest him with a strong, vibrant *emunah*, faith, so that he has the strength and ability to withstand and overcome the challenges he will confront in life. The greatest tool which we possess to teach our children is our example. When he sees our positive actions, how we live authentically, maintaining spiritual integrity and adhering to our core values, he respects us and views our lifestyle as one he, too, would want to live. When *Klal Yisrael* saw the trees growing in Yaakov's yard, they were infused with hope – hope for a better day – a day on which the exile and its suffering would end.

Years ago, this story saw light in *Peninim*. It impacts an inspiring lesson. A young boy was sent with his family to the dread Auschwitz death camp. For a short while, father and son shared a barrack. Despite the unspeakable, debasing horrors to which the Jewish captives were subjected, many of them held on tightly to whatever vestiges of Jewish religious observance they were able. One winter, every one of the internees reminded his fellow prisoners that the festival of *Chanukah* was approaching. In two days, the first *Chanukah* light would be kindled in Jewish homes throughout the world. The Nazi murderers wanted to destroy the Jewish people and their laws and rituals with them. This was all the more reason to defy them – even at the risk of their lives.

They quickly devised a plan for enabling the lighting of the first candle. One of the men was able to fashion a makeshift menorah from metal scraps that he found. For a wick, he took some threads from his prison uniform. For oil, they used some butter he was able to “purchase” from a guard. Understandably, such observances were strictly prohibited. To be caught meant almost certain death. Yet, these men felt that it was important. The Nazis could take

their bodies, but they could not sever their bond with Hashem.

When the young boy took all this in, he wondered to his father, “I can understand the scrap metal – it has no value. What are a few threads from a uniform? The butter, however, was food and could be used for nourishment. Why ‘waste’ something from which they could benefit?”

His father replied, “My dear son, both you and I know that a person can live a long time without food. I want you to know a person cannot live a single day without hope. This is the fire of hope. Never let it be extinguished – not here – not anywhere.

With this in mind, we have a new perspective on the *Karshei ha'Mishkan*. These planks were no ordinary construction-grade wood. These planks were derived from Yaakov *Avinu's* “trees of hope.” They held up the *Mishkan* either in our midst or in our hearts. We have hope, because we have a connection with the Torah, with Hashem. If we lose hope, we are lost.

In winter of 2004, a tsunami crashed down on eleven countries in Southern Asia, killing over 170,000 people. One minute, they were sitting comfortably on the beach, staring at the calm waters and enjoying the warm sun; the next minute, they saw to their horror, forty-foot waves come crashing down on them. Some people survived the calamity. Those who tried to outrun the raging waters that crashed down on the beach were not successful. One man (there were also others) did not run from the water. Instead, he climbed a tree and held on for dear life. The water swept by beneath while he was wrapped tightly on top of the tree. Rabbi Paysach Krohn cites *Horav Chaim Volozhiner, zl (Ruach Chaim Pirkei Avos 6:7)*, who comments on the *pasuk, Eitz Chaim hee la'machazikim bah*, “It is a tree of life to those who grasp it” (*Mishlei 3:18*): “The world is like a raging sea, with its waves storming to sink/drown someone in the depths of his desires and ambitions. One who wishes to be spared from the effects of the outside world should grasp and cling to the Tree of Life – the Torah.”

A powerful lesson. We have survived because we have held onto the Torah. It has given us hope and has comforted us during the vicissitudes of life. It has kept us strong and encouraged us when the *yetzer hora*, evil inclination, has attempted to sink us in a sea of desire and immorality. We have held on for thousands of years, and we will continue to do so until that glorious day when *Moshiach Tzidkeinu* will issue the clarion call for our redemption.

#### ***Va'ani Tefillah***

**ימלא ד' כל משאלותך – *Yimalei Hashem kol mishalosecha.***  
**May Hashem fulfill all your requests.**

The Torah (*Shemos 17:16*) states, *Ki yad al Keis Kah milchamah la'Hashem ba'Amalek*, “For the hand is on the Throne of Hashem; Hashem maintains a war with Amalek.” Instead of writing *Kisei*, Throne, the Torah

writes *keis*, which is part of the word. Likewise, Hashem's Name is spelled *Kah*, rather the full name, *Yud, Kay, Vov, Kay*. Chazal (*Tanchuma, Ki Seitzei*) teach, "Hashem swore that His Name is not whole, nor is His Throne whole until Amalek's name is obliterated."

A Jew's goal/mission should be to see to it that Hashem's Name/Glory fills the world. Hashem's eminence should take precedence over his personal needs/wants. Thus, the *Baal Shem Tov HaKadosh* explains the words, *Yimalei Hashem kol mishalosecha*; "All of man's requests should be that Hashem's glory – that the *Shem Havaya, Name Yud, Kay, Vov, Kay*, shall fill the world." His Name will then be complete. As long as the world does not recognize and acknowledge the Name of Hashem, as long as Amalek and his minions continue to spew hatred and battle against Hashem, our personal requests pale in comparison.

*In memory of our parents, grandparents and great-grandparents*

ר' נפתלי מכאל בן נתנאל ז"ל

מרת שרה ריבע בת ר' יעקב מאיר הכהן ע"ה

*The Rothner Family*

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*prepared and edited by Rabbi L. Scheinbaum*

### **Insights Parshas Terumah**

**Yeshiva Beis Moshe Chaim/Talmudic University**

**Parshas Terumah.....Adar 5783**

**Based on the Torah of our Rosh HaYeshiva HaRav Yochanan Zweig**

*This week's Insights is dedicated in loving memory of R' Nosson Meir ben R' Yosef Yehoshua, Rabbi Nussie Zemel. "May his Neshama have an Aliya!"*

Giving Without Getting

Speak to Bnei Yisroel, that they bring me a terumah (an offering); from every man that gives it willingly with his heart you shall take my terumah. And this is the terumah which you shall take from them [...] (25:2-3).

This eponymously named parsha describes all the gifts that were received from Bnei Yisroel in order to build and operate the Mishkan. Rashi (ad loc) describes why the Torah uses the word terumah three times; "The word terumah refers to three offerings that are mentioned here, one is the offering of a [half-shekel] per head, from which they made the sockets, as is described in [Parshas] Pekudei. Another is the offering of a [half-shekel] per head for the [community] coffers, which purchased the communal sacrifices, and [the third] is the offering for the building of the Mishkan and the priestly garments, which came from each individual's donation."

Essentially, this parsha describes the first fundraising effort of the Jewish people. There is much discussion among the commentaries for the seemingly odd language the Torah uses for receiving these gifts: The verse uses the word "veyikchu," which literally means "to take." Why doesn't the Torah use the word "veyitnu," which means "to give"?

In addition, why when describing receiving the gift does the Torah again use the word "take from them" instead of "receive from them"?

Perhaps even more perplexing is the description of the generosity of the donor: The phrase he must "give it willingly from his heart" accompanies the second offering – the cash reserve to purchase communal sacrifices. Let's examine what this "generosity" entails. The second offering consisted of a "generous" gift of a half-shekel. This would equal roughly .35 ounces of silver, which in today's market would be about \$8.

Bnei Yisroel, having just left Egypt and the Red Sea were fabulously wealthy. In addition, they had very little expenses; they received food and water from Hashem and Chazal say that even their clothes didn't wear out during their time in the desert. Seemingly, only an antisemite would cynically describe this half-shekel gift as coming from a "willing heart"!

Often, when people make a significant gift to their shul or community organization they do so by dedicating something. In addition, when giving a bar mitzvah or wedding gift many people choose to give something other than cash. Worse yet, they often inscribe their name on the kiddush cup or book as a reminder of who gave it. Why? What motivates people to try and stay connected to their gift?

People like to give on their own terms. In other words, they want to receive something, anything, in return for their generosity. This lessens the sense of loss and having less. When they go to their shul they can look at the window they dedicated and feel that at some level their money isn't totally gone. In essence, contained within the act of giving is also a semblance of receiving. This is why Maimonides (Matnos Aniyim 10:7-14) describes that one of the highest levels of giving as being a situation where neither giver nor receiver are aware of each other.

Rashi and the Targum (ad loc) translate the word terumah as "hafrasha," which means to separate. The Torah is giving us the ultimate guide on how we should approach giving: we must separate the gift from our other possessions to the point where it is as if it is being taken from us. Rashi (Vayikra 23:22) cites the Midrash "that whoever gives to the poor leket, shickcha, and pe'ah, it is as though he built the Beis Hamikdosh and sacrificed korbanos." Why is this only true by those three types of giving to the poor?

Because every other charity a person gives what they want to part with but with those three the poor come into your fields and take it. You have no control over who gets or how much they get. This is the reason why a "generous willing heart" is required by giving the half-shekel. That specific offering went towards buying korbanos. Once the korbanos are brought on the altar all the money given is gone. This is very different from the two other offerings that went to concrete objects where one could point to

something to which they had contributed. Internalizing that the money being given will be gone forever requires “a willing heart,” one of generosity.

What is a Torah Life?

And they shall make an ark [...] and make upon it a rim of gold around it (25:10-11).

The Talmud (Yoma 72b) explains what this crown represents; “R’ Yochanan said, There were three crowns: that of the altar, that of the ark, and that of the table. The one of the altar Aharon merited it and he took it. The one of the table, Dovid merited it and he took it. The one of the ark is still lying available and whosoever wants to take it, may come and take it.” Clearly, from here we see that the Torah is available to anyone who wants to acquire it, but what does the Gemara mean by a crown?

A crown represents the very definition of that ideal: Aharon merited to be kohen gadol over Moshe and it is only his children who are kohanim. Dovid merited being king over Shaul and it is only his children who represent the true royal lineage.

At Mount Sinai the Jewish people merited receiving the Torah over all the nations of the world. In fact, the Torah was given to each individual at Mount Sinai and each person received a crown of their own at Mount Sinai (though they were removed after the sin of the Golden Calf). The Gemara is teaching us that it is the sacred duty of each and every one of the Jewish people to become a definition of the Torah ideal and to acquire the crown of Torah. What does this mean?

All too often we perceive living a Torah life as keeping all the mitzvos. But in reality this is not enough. When Hashem created the world He used the Torah as a blueprint. This means the very structure of the world is the physical manifestation of the Torah’s ideals. So too, in our lives, we must become a living manifestation of the ideals of the Torah. We don’t just do acts of kindness, we become compassionate people; we don’t merely daven, we must actually become servants of Hashem; we don’t merely refrain from injuring or causing damage to another living creature, we must be deeply pained when we see injustice or suffering of one of Hashem’s creations and do whatever is in our power to rectify it. In other words, it isn’t enough to keep the mitzvos by rote we must achieve a level where we instinctively embody all of the Torah’s ideals. Only then will we both merit and receive the crown of Torah.

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## **Blessings over Enjoyment and Gratitude**

### **Revivim**

#### **Rabbi Eliezer Melamed**

Birkot ha-nehenin (blessings recited over enjoyment) determines the moral value of gratitude a person has, and from this, learns to appreciate those around him, and to

thank the Creator of the world \* A person full of gratitude is a happy person whose gaze is focused on the good in his life; on contrary to him, one who is ungrateful is never happy because he always feels he has not been served properly \* Our Sages enacted a separate blessing for fruits of the tree and fruits of the ground in order to increase the praise of God \* The determining factor regarding the blessing of the fruit of a tree or a vegetable, is the withering of the stem from year to year

The Value of Gratitude between a Person and His Friend

Above all, brachot (blessings) express the important moral value of hakarat ha-tov (gratitude). To understand this value properly, we will first express the importance of hakarat ha-tov between a person and his friend. A person who knows how to be thankful is one who is able to exit his egoistic bubble and connect to his surrounding world, and see it positively. As a result, he is able to relate to those around him with humility, and appreciate them for all the good they grant him. He does not think that everyone must serve him, and therefore, recognizes the value of all the favors and gifts his family members and friends provide him.

However, it is not enough for one to be grateful in his heart; he must also express it with words of thanks, thereby making those around him happy. The love between them will strengthen, the desire of both to perform good deeds will intensify, and kindness will spread from them to all those around them.

On the other hand, one who is ungrateful sins in pride, thinking that everyone else must serve him, and therefore, does not feel the need to thank anyone for the good they have done for him. He will not be happy either, because he will always feel that he was not served properly, and was not treated adequately. He is also harmful to those around him, by causing his family members and friends to be disappointed in their good deeds.

Gratitude to God, and the Gifts It Contains

The greatest thanks is due to the Creator of the world, who created the entire world with His goodness, grace, kindness and mercy. ‘Praise the LORD; for He is good, His steadfast love is eternal’. Indeed, God, blessed be He, does not need our praises. Rather, the Almighty wanted to bestow good upon us, and gave us the opportunity to thank Him, and bless Him, as it is written: “When you have eaten your fill, give thanks to your God” (Deuteronomy 8:10). By way of this, the natural emunah (faith) that exists in the hearts of man is expressed, and from this, a person becomes accustomed to seeing the Divine grace that accompanies him at all times, and to rejoice in it. How many special gifts are hidden in this!

The first gift: a deep joy of life. One of man’s difficult problems is that he tends to take all the good things in his life for granted. His thoughts are focused on what he lacks, and thus, his life is full of sorrow and frustration. However, if one pays attention to all the good things in his life, he

will merit to enjoy and rejoice in it. The brachot focus a person's gaze on the goodness and joy in his life. Even when one does not have the proper kavana (intention) while saying the blessings, in a gradual process, the brachot deepen the view of all the good in life, and the more kavana one has – the stronger one's ability to see the good becomes, and with it, the joy of life.

The second gift: spiritual value. By means of the brachot we merit perceiving the Divine spark that invigorates each and every food, and thus, our enjoyment of the food gains depth and meaning. "To teach you that man does not live on bread alone but on every word that comes from the mouth of the Lord." In other words, the food itself nourishes the body, and paying attention to God who created the world and invigorates the food, nourishes the mind, spirit, and soul. In this way, eating also takes on a meaning of value, by which man merits to connect with his Creator, and give thanks to Him.

The third gift: out of observing and thanking God for the goodness He has given man, he strengthens his desire to cleave to God and follow His ways, and obtains from the food he eats strength and vitality to add good and blessing to the world, and to work for its perfection, with righteousness and justice, kindness and mercy.

It is likely that saying blessings with kavana will also benefit those who wish to diet but find it difficult. The more kavana one has in saying the blessing, the deeper the pleasure he will get from his eating, thus tempering his desire to overeat.

The Divine Blessing that is drawn by the Brachot Moreover, by way of the blessings life is added to the world, because life depends on the world's connection to the Creator, the Source of life. Accordingly, with every bracha we recite, a conduit of abundance is created through which 'dews of blessing' and life, descend into the world. This is the meaning of the word 'bracha' – to increase, and multiplicity, as written: "You shall serve your God, who will bless your bread and your water" (Exodus 23:25) – i.e., God will increase and multiply bread and water. Similarly, it is written: "God will favor you and bless you and multiply you—blessing your issue from the womb and your produce from the soil, your new grain and wine and oil, the calving of your herd and the lambing of your flock, in the land sworn to your fathers to be assigned to you" (Deuteronomy 7:13), and the meaning is that God will multiply and add to the fruit of our womb and our land. God Himself is complete and infinite, and does not need any addition. The bracha is that by our acknowledgment of the good that He has showered upon us, God will multiply and add more abundance, so that we will be able to adhere to His ways, and add more good and blessing to the world.

#### Everything Good Requires Effort

In order to acquire anything that has real value, one must make an effort and be diligent, as Rabbi Yitzchak said: "If a person says to you: I have labored and not found success,

do not believe him. Similarly, if he says to you: I have not labored but nevertheless I have found success, do not believe him. If, however, he says to you: I have labored and I have found success, believe him" (Megillah 6b).

The same goes for becoming accustomed to seeing the good in the world and the ability to be thankful for it, and as a result, experiencing a feeling of deep satisfaction that motivates a person to add good and blessings to all those around him. For this purpose, one must study thoroughly the subject of brachot and their halachot, become accustomed fulfilling them, and thus, merit all the goodness and blessing in them.

Because of the great value of saying brachot, our Sages said that one who wishes to be a hasid (a pious person), should be diligent in matters of brachot (Baba Kamma 30a), because by way of his brachot, he adds kindness and blessing to the world.

#### Good toward Heaven, and Good toward People

By becoming accustomed to thanking God for all the good things He has given us, a person learns to pay attention to all the good things in his life. He does not take them for granted, and as a result, is able to thank people from whom he benefits in a deeper way.

And so throughout the Torah – the mitzvot between man and God, and the interpersonal mitzvot are connected to each other, and reinforce one another. The better it is towards Heaven, the better it is for humanity; and the better it is for humanity, the better it will be for Heaven. Thus our Sages said, that a good righteous man is "good for Heaven, and mankind" (Kiddushin 40a).

#### Between Fruits of the Ground and Fruits of Trees

Q: Why did the Sages make a distinction between a bracha for fruits of the ground and for fruits of the tree, and not determine one blessing for both?

A: In general, it is preferable to say a special blessing for each type of food, because each type of food gives a person a unique benefit and pleasure, and if he were to bless all types uniformly and indifferently, he would not give expression to the abundance of the blessing that God has given to the world. On the other hand, if he were to recite his own blessing on a peach, and his own blessing on an orange, and so forth on each and every species, he would not comprehend the overall objective of God in His world, but would sink into the minute details of the cumbersome world. By way of fixing blessings for the different types of foods, on the one hand, there is an expression of the classification of the Divine blessing, and on the other hand, an expression of the overall objective.

Therefore, the division is between the fruits of the ground, and the fruits of the tree. Pri ha-adamah (fruits of the ground) grow rapidly. Within a few months from the time of its sowing or planting, it bears fruit, and the simple power of the ground is more evident in it. In contrast, pri ha-etz (fruit of the tree) goes through a complex process: in the first years, the tree needs to grow and take shape, and

afterwards, in a relatively long process, it absorbs food from the soil, digests it, and gives off its fruits. It can be said that *pri adamah* expresses centrality and simplicity, while *pri ha-etz* expresses refinement and complexity, and usually also has a deeper and richer taste.

**Banana – A Fruit of the Ground without the Prohibition of Orlah**

The definition of a tree is also important for the mitzvah of orlah, according to which the fruits are forbidden to eat or receive enjoyment for the first three years, because the law of orlah exists only in the fruits of the tree.

The main difference between a tree and an annual vegetable is that the trunk of an annual plant withers every year, and grows back the next year from its roots, while the trunk of a tree, with its roots, remains and strengthens year after year, from which branches and fruits continue to grow each year. According to this, the bracha for eating the fruit, “*etz*” or “*adamah*” is also determined. That’s why the bracha made on a banana is “*adamah*” – even though it grows to a height of about four meters and looks like a tree, since every year its trunk and roots wither and it returns and grows from its pseudostem, it is considered a vegetable (Peninei Halakha: Berachot 8:2; Kashrut 2:8).

**Eggplants**

A question arose about eggplants, since their root remains from year to year. The author of the Chida (Birkei Yosef, YD 294: 4) in the name of his grandfather, Mahara Azulai, wrote that there were tzaddikim who were customary to act stringently and not to eat it, lest there be a prohibition of orlah. However, in practice, eggplants do not have the law of orlah, because they are completely different from a tree, for they bear fruit already in the first year, and in the second year their fruits decrease in quantity and quality, and they do not bear fruit for more than three years. And as we have learned in the Torah, a tree bears fruit for at least five years, and its fruit multiplies and improves in the fifth year (Leviticus 19:23-25). Furthermore, if we say that eggplants are considered a fruit of a tree, there will forever be a prohibition of orlah on them, since after three years they no longer bear fruit, and it is impossible for the Torah to prohibit a certain fruit entirely (Penei Moshe YD 294, 4; Igrot Haraya 468).

**Papaya and Passion Fruit**

According to this, there is also no law of orlah in papaya and passion fruit, since they bear fruit already in the first year, and by the fifth year their fruits dwindle, and many of them do not even last five years. True, some poskim are machmir (rule stringently) about this, but the primary opinion goes according to the opinion of the matirim (poskim who rule leniently) (Peninei Halakha: Kashrut 2, 8).

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## How Does a Heter Iska Work?

**Rabbi Yirmiyohu Kaganoff**

Andy Gross, a businessman who is proud that he is now observing mitzvos, is on time for his appointment. After a brief greeting, I ask him what brings him to my office on this beautiful morning.

“I recently learned that even though the Torah prohibits paying or receiving interest, there is something called a heter iska that legalizes it. How can we legitimize something that the Torah expressly prohibits?”

Indeed, Andy’s question is both insightful and important, and deserves a thorough explanation. Why don’t you join us!

I note that this week’s parsha discusses the prohibition of interest:

Do not collect interest from him, for you shall fear Hashem and allow your brother to live. Therefore, do not provide him money with interest (Chapter 25:36-37).

This verse teaches three different mitzvos:

1. Do not collect interest from him. This entails a prohibition on the lender against collecting interest (Bava Metzia 75b).
2. Allow your brother to live. From the words allow your brother to live we derive a positive commandment that one who did collect interest is required to return it (Bava Metzia 62a).
3. Do not provide him money with interest. This prohibits creating a loan that involves interest, even if the lender never collects it (Bava Metzia 62a). A lender who later collects the interest also violates the first prohibition, and if he subsequently does not return it, he violates the positive commandment.

Not only does the lender violate the prohibition against ribbis, but also the borrower, the witnesses, the broker, the co-signer, the scribe who writes up the loan document (Mishnah Bava Metzia 75b), the notary public who notarizes it, and possibly even the attorney who drafts a document that includes provisions for ribbis, all violate the laws of ribbis (Bris Yehudah 1:6). Thus, anyone causing the loan to be either finalized or collected violates the Torah’s law.

“The halachos of ribbis are quite complex,” I told Andy. “From my experience, even seasoned Torah scholars sometimes mistakenly violate the prohibition of ribbis. For example, having a margin account at a Jewish-owned brokerage, charging a Jewish customer for late payment, or borrowing off someone else’s credit line usually entail violations of ribbis. I even know of Torah institutions that ‘borrow’ the use of someone’s credit card in order to meet their payroll, intending to gradually pay back the interest charges.”

“Why does the last case involve ribbis?” inquired an inquisitive Andy.

“Let me present a case where I was involved. A Torah institution was behind on payroll, and had no one available from whom to borrow. The director asked a backer if the institution could borrow money through his bank credit

line.” “I still do not see any ribbis problem here” replied Andy, “just a chesed that costs him nothing.”

“To whom did the bank lend money?” I asked Andy.

“As far as they are concerned, they are lending money to the backer, since it was his credit line.”

“So from whom did the institution borrow? The bank did not lend to them. Doesn’t this mean that really two loans have taken place: one from the bank to Mr. Chesed, and another from him to the institution? The loan from the bank incurs interest charges that Mr. Chesed is obligated to pay. Who is paying those charges?”

“It would only be fair for the institution to pay them,” responded Andy.

“However, if the institution pays those charges, they are in effect paying more money to Mr. Chesed than they borrowed from him, since they are also paying his debt to the bank. This violates ribbis. The fact that the institution pays the bank directly does not mitigate the problem (see Bava Metzia 71b).”

Andy was noticeably stunned. “I have always thought of interest as a prohibition against usury – or taking advantage of a desperate borrower. Here the ‘usurer’ did not even lend any money, and thought he was doing a tremendous chesed for tzedakah; he did not realize that his assistance caused both of them to violate a serious prohibition!”

“What is even more unfortunate,” I continued, “is that one can convert most of these prohibited transactions into a heter iska that is perfectly permitted.

WHAT IS A HETER ISKA?

“A heter iska is a halachically approved way of restructuring a loan or debt so that it becomes an investment instead of a loan. This presumes that the investor assumes some element of risk should the business fail, which is one basic difference between an investment and a loan. An investor could potentially lose money, whereas a lender does not lose because the borrower always remains responsible to pay.

“One is permitted to create a heter iska even when the goal of both parties is only to find a kosher way of creating a transaction that is very similar to an interest-bearing loan (Terumas Ha’deshen #302). The words heter iska mean exactly that: performing an allowable business deal that is similar to a prohibited transaction. As we will see, the structure must still allow for an element of risk and loss as accepted by halacha, otherwise it fails the test of being an investment.

“There are several ways of structuring a heter iska, and, indeed, different situations may call for different types of heter iska. In order to explain how a basic heter iska operates, I must first explain an investment that involve no ribbis, so that we can understand how a heter iska was developed. For the balance of this article, we will no longer refer to “borrowers” and “lenders.” Instead, I will refer to a “managing partner” or “manager” and an “investor.”

Andy interrupts my monologue. “Was heter iska used in earlier generations?”

THE EARLIEST HETER ISKA

“The concept of heter iska is many hundreds of years old. The earliest heter iska of which I am aware is suggested by the Terumas Ha’deshen (1390-1460). His case involves Reuven, who wishes to invest in interest-bearing loans to gentile customers, but does not want to take any risk. Shimon, who is an experienced broker of such loans, is willing to take the risk in return for some of the profit on Reuven’s money.

“Reuven wants a guarantee that he will receive back all his capital regardless of what actually happens in the business venture. Essentially, this means that Shimon is borrowing money from Reuven and lending it to gentiles; this would result in a straightforward Torah prohibition of ribbis, since Shimon is paying Reuven a return on the loan. Is there any way that Reuven and Shimon can structure the deal without violating the Torah’s prohibitions against paying and receiving interest?”

At this point, Andy exclaims: “Either this is a loan, and Reuven’s money is protected, or it is an investment, and it is not. How can Reuven have his cake and eat it too!”

“Actually, all the attempts at creating heter iska are attempts to find a balance whereby the investor is fairly secure that his assets are safe, and yet can generate profit. In your words, to try to have his cake and eat it.

PIKADON – INVESTING

“Let me explain how a heter iska accomplishes both these goals, by developing a case: Mr. Sweat has a business idea, but he lacks the capital to implement it. He approaches Mr. Bucks for investment capital. If Bucks has sufficient confidence in Sweat’s acumen to build a business, he might decide to invest even without knowing any details about it, since Sweat knows how to provide handsome profits. None of this involves any ribbis issues since there is no loan and no one is paying to use the other person’s capital. This business venture is called a pikadon.

GUARANTEEING THE INVESTMENT

“Your model is highly theoretical,” Andy points out, “since it assumes that Mr. Bucks invests without much assurance. Few people I know would entrust someone with their money without some type of guarantee.”

“You have hit on a key point – let us see how halacha deals with this. Whenever an investor entrusts someone with funds, the Torah permits him to demand an oath afterwards that the manager was not negligent. Therefore, Bucks may insist that Sweat swears an oath that he was not negligent with the money, and also that he reported accurately how much profit Bucks receives. An agreement may even require that Sweat swears this oath by using G-d’s name and while holding a Sefer Torah in front of the entire congregation.”

“That should certainly get Sweat to sweat,” quipped Andy. “But then again, assuming Mr. Sweat is a frum Jew, is he going to want to swear any oath at all?”

“That is exactly the point that secures Bucks’ bucks, since observant people would pay a substantial sum of money to avoid swearing an oath. The heter iska specifies that the manager has the option of swearing the oath and paying only what the investor is entitled. However, the manager also has the option of substituting an agreed-upon payment for the oath. Since observant Jews would rather pay the fixed return rather than swear an oath, we accomplish that the investor is reasonably secure, although no loan and no ribbis transpired. The result is not a loan, but a cleverly structured investment.”

After waiting a few seconds and absorbing what he just learned, Andy continued:

“Is there anything else I need to know about a heter iska before I use one?”

“I need to explain one other very important detail that, unfortunately, people often overlook. Most forms of heter iska state that the investor paid the manager a specific sum of money, say one dollar, for his time involved in the business venture. It is vitally important that this dollar be actually paid; otherwise there is a ribbis prohibition involved. Yet I know that many people overlook this requirement and do not understand its importance.”

“Why is this important?”

#### STANDARD ISKA – A SILENT PARTNERSHIP

“The standard heter iska assumes that the arrangement is half loan and half pikadon. This means that if Mr. Bucks invests \$100,000 with Mr. Sweat to open a business, Mr. Bucks and Mr. Sweat become partners in the business because half of the amount is a \$50,000 loan that Mr. Sweat must eventually repay, and the other half is a \$50,000 outlay that Mr. Bucks has invested in a business that Mr. Sweat owns or intends to open. Bucks may receive no profit on the \$50,000 loan he extended -- if he does, it is prohibited ribbis. However, he may receive as much profit on the investment part of the portfolio as is generated by half the business. As a result, Mr. Bucks and Mr. Sweat are both 50% partners in the business.

#### RECEIVING PROFIT FROM THE LOAN

“However, there is an interesting problem that we must resolve. Bucks invested a sum with Sweat, for which he received a profit, and he also loaned Sweat money, for which he may not receive any profit. However, the return on the investment was realized only because Mr. Sweat is investing his know-how and labor to generate profit for the partnership – know-how and labor for which Bucks did not pay. Why is this not payment for Mr. Bucks’ loan, and therefore ribbis?”

“This concern is raised by the Gemara, which presents two methods to resolve the problem.

“One approach is that the investor pays the manager a certain amount for his expertise and effort. As long as both

parties agree in advance, we are unconcerned how little (or much) this amount is (Bava Metzia 68b). However, there must be an amount, and it must actually be paid. Even if they agree to a sum as paltry as one dollar, this is an acceptable arrangement, similar to Michael Bloomberg’s accepting one dollar as salary to be mayor of New York.”

“I now understand,” interjected Andy, “why it is so important that this amount be actually paid. If Mr. Sweat receives no compensation for his hard work on behalf of Mr. Bucks’ investment, it demonstrates that he was working because he received a loan, which is prohibited ribbis.”

“Precisely. However, there is another way to structure the heter iska to avoid the problem; have the profit and loss percentages vary. This means that if the business profits, the managing partner makes a larger part of the profit than he loses if there is a loss. For example, our silent and managing partners divide the profits evenly, but in case of loss, our manager is responsible to pay only 30% of the loss, which means that he owns only 30% of the business. The extra 20% of the profits he receives is his salary for managing the business. He is therefore being paid a percentage of Bucks’ profits for his efforts, similar to the way a money manager or financial consultant is often compensated by receiving a percentage of the profits on the funds he manages. Personally, I prefer this type of heter iska, but the type I described previously is perfectly acceptable as long as Mr. Sweat receives some compensation for his effort and know-how.

“The heter iska I have seen used by the Jewish owned banks in Israel includes this method. The bank invests 45% in a “business” managed by the mortgage borrower, but the borrower is entitled to 50% of the profits. Thus, he is ‘paid’ five per cent of the profits to manage the investment.”

“Can you explain to me how the Terumas Ha’deshen’s money lender would use a heter iska?” inquired Andy.

“Actually, his heter iska varied slightly from what we use today. Using today’s accepted heter iska, Shimon, the manager, accepts the money with the understanding that he is borrowing part and managing the balance for Reuven. He is compensated for his efforts according to one of the approaches mentioned above, and agrees in advance to divide the profits. He also agrees that he will swear an oath guaranteeing that he was not negligent in his responsibilities, and the two parties agree that if he subsequently chooses to pay Reuven a certain amount he is absolved of swearing the oath. Thus, Reuven’s return is not interest on a loan, but the amount Shimon had agreed to pay rather than swear how much he actually owes Reuven.

“This approach has been accepted by thousands of halachic authorities as a valid method of receiving a return on one’s investment that looks like interest but is not. The Chofetz Chayim notes that if someone can lend money without compensation, he should certainly do so and not utilize a heter iska, because he is performing chesed (Ahavas

Chesed 2:15). Heter iska is meant for investment situations, and should ideally be limited to them.

“I would like to close by sharing with you a thought from Rav Samson Raphael Hirsch about the reason why the Torah prohibited interest. He notes that if the Torah considered charging interest to be inherently immoral, it would have banned charging interest from non-Jews, and

also would have prohibited only the lender and not the borrower. Rather, Rav Hirsch notes, the Torah’s prohibition is so that the capital we receive from Hashem is used for tzedakah and loans, thereby building and maintaining a Torah community. The Torah’s goal in banning the use of capital for interest-paying loans is to direct excess funds to chesed and tzedakah.”

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לע"נ

שרה משא בת ר' יעקב אליעזר ע"ה  
ביילא בת (אריה) לייב ע"ה  
אנא מלכה בת ישראל ע"ה