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GAIN/LOSS – IT'S NOT ABOUT THE MONEY

by *Rabbi Ezra Wiener*

The prohibition of taking interest is discussed in several locations throughout the Torah, including in Parashat Ki Teitzei. The Gemara (Bava Metzia 75b) relays the severity of this prohibition by stating Rabi Shimon's opinion that those who lend with interest are indirectly ridiculing Moshe Rabbeinu and saying: "Ilu Hayah Yodei'a Moshe Rabbeinu SheYihyeh Revach BaDavar, Lo Hayah Kotevo," "If Moshe Rabbeinu would have known that there is profit in the matter of lending interest, he never would have written that it is forbidden." Rabi Shimon makes another statement about those who lend with interest: "Malvei Ribbit, Yoteir MiMah SheMarvichim, Mafsidim," "Those who lend with interest lose more than they gain." Rashi explains what the word "Mafsidim" means based on the Gemara earlier (71a). The Gemara quotes a Pasuk from Tehillim (15:5) praising one who lends money without taking interest and stating that such a person shall not falter forever - "Kaspo Lo Natan BeNeshech... Oseih Eileh Lo Yimot LeOlam." The Gemara then infers: "Ha Lamadta SheKol HaMalveh BeRibbit Nechasav Mitmotetin," "Anyone who lends with interest will have his possessions eventually falter." Those who do not comply with this injunction will suffer a permanent downfall, and that, writes Rashi, is what "Mafsidim" means.

Ben Yehoyada questions Rashi's interpretation of "Yoteir MiMah SheMarvichin Mafsidim" - "They lose more than they gain." Such a prognostication implies not necessarily as Rashi writes, based on the Gemara on 71a, that he will lose the interest he has gained, but rather that he may profit in this endeavor but will surely lose in *another* business venture. "More than what they stand to gain *here*, they will lose elsewhere." Additionally, the language of the other Gemara of "Mitmotetin" connotes that gradually his profits will falter and be lost. This may happen throughout the generations, even if the original sinner profited. It is thus difficult to assume that our Gemara's statement that the one who lends with interest loses more than he gains refers to such a person. He indeed gains more than he loses, at least during his own lifetime. How could it be that such a person who takes interest can prosper, and only generations later have his family be punished for his actions?

Therefore, Ben Yehoyada offers a different interpretation of the phrase, "Malvei BeRibbit, Yoteir MiMah SheMarvichin, Mafsidin." It indeed refers to the lender himself, and it also refers to the specific endeavor, business transaction, loan, etc. in which the interest is taken. He explains his opinion by relating a story of an exchange between two Jews: Reuven tells Shimon how profitable his carpentry business has been: "It's due, by and large, to my ambitious, compulsive work ethic as I have a 'no rest for the weary' business philosophy. 'MiMizrach Shemesh Ad Mevo'ot I am working. I work through the night on various projects, not allowing myself to fall asleep, and I am even working with my

hands as I chew my food during meals." His friend Shimon responds: "I am also unceasingly profiting from my business but I have plenty of leisure time to sleep and to relax for recreation. I even have extra time to pray and study Torah. You can't profit on Shabbat and Yom Tov or when you are in the bathroom, but I profit even at these times. In fact, when we are all beating our chests on Yom Kippur and confessing 'Al Cheit SheChatanu Lefanecha BeNeshech UVeMarbit,' I am still making money. My business is more profitable and affords me plenty of leisure time since I lend money on interest. No time is ever lost."

The Midrash on the Pasuk in Tehillim (55:24), "Anshei Damim UMirmah, Lo Yechetzu Yemeihem," "Men of blood and deceit will not live out even half of their lives," remarks, "Eilu HaMalvim BeRibbit" - this Pasuk, which discusses the men who will live short lives, refers to those that lend with interest. How are we to understand this Midrash? After all, plenty of Jews who are charging interest from other Jews are living out their full life. Ben Yehoyada quotes the Gemara in Shabbat (89b) where Rav Shmuel Bar Nachmeiny, in the name of Rabi Yonatan, expounds upon a Pasuk in Yeshayahu (63:16). This Gemara tells us that in the future, Hashem will tell Avraham, "your children have sinned," to which Avraham will respond, "let them be wiped out for Your name." Unsatisfied with this reply, Hashem will say to Himself, "now I will ask Ya'akov, who had great Tza'ar Gidul Banim (pain raising children), the same question. But Ya'akov will respond the same way as Avraham. Once again, Hashem will be unhappy with this response, so He will say to Himself, "The older one lacks reasoning, and the younger one lacks good counsel; I will ask Yitzchak." Yitzchak will reply to Hashem, "Why do You refer to them as *my* children, when they're Your children as well. In fact, you call them 'Beni Bechori Yisrael!' Besides, how much could they really have sinned? How many are a man's years? Seventy. Take away the first twenty since the Heavenly court does not punish one for sins committed before age twenty. So there are fifty years left. Take away half (twenty-five) of that during which the time is spent sleeping and resting. Take away half again (twelve and a half) for time Davening, eating, and being in the bathroom. Therefore, there a maximum of twelve and a half years in which there is potential to sin. If You will shoulder all of that time, good, and if not, we will split it, and at the very worst, I will bear it myself."

Ben Yehoyada now explains: All of the years that have been subtracted, which formed the basis of Yitzchak's vindication, resurface for the one who lends with interest. About him it *cannot* be said that his time in the bathroom, davening, and sleeping are not potential targets for the Satan to be used in his arsenal of evidence for prosecution of the Jew in the Heavenly court. The Malveh BeRibbit is proud of the fortune he has built with little effort on his part and unfortunately, his prohibited practices are accelerated and propagated by his success. The amenities afforded by his successful business, the affluence it brings, and the self-image buttressed by it create an allure for the youth who, when confronted with a conflict between Jewish law and the temporal bliss of material gratification, will fall prey to these formidable dangers, enticed by the materialism, reinforced by the acclaim afforded to the wealthy regardless of how it was earned and eviscerate Judaism from one of its fundamental precepts. *This* is what the Gemara in Bava Metzia is teaching: Those who lend with Ribbit lose more than they gain. They are under the impression that

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they profit more than others as they physically gain money even during down time eating, sleeping, etc. But it is precisely for this reason that they lose. This becomes the basis of the prosecution when one enters the Olam HaEmet, and this person who lends with interest is asked, "Nasata VeNatata BeEmuna," "Did you conduct your business faithfully and truthfully?" His exploitative efforts and determination will be his ultimate downfall.

WHAT'S THE BIG DEAL?

by *Simcha Shron* ('18)

This week's Parashah, Parashat Ki Teitzei, is filled with various Mitzvot, all of which pertain to different aspects of life. One of the various Mitzvot found in this Parashah is the Mitzvah of Shilu'ach HaKan. "If a bird's nest chances before you... and [it contains] fledglings or eggs, if the mother is sitting upon the fledglings or upon the eggs, you shall not take the mother upon the young. You shall send away the mother, and [then] you may take the young for yourself, in order that it should be good for you, and you should lengthen your days" (Devarim 22:6-7). The Yerushalmi (Kiddushin 1:2) writes that the Mitzvah of Shilu'ach HaKan is the "lightest Mitzvah," most likely because it requires the least effort to accomplish. All that is involved in the fulfillment of this Mitzvah is making a loud noise or even just approaching the nest. Why then is this commandment, the one nicknamed the "lightest" out of all the 613 Mitzvot, given the reward of a long life? Moreover, we know that there are few Mitzvot which are rewarded with a long life, one of which is the Mitzvah of Kibbud Av VaEim (honoring your parents). However, with the commandment of honoring your parents, the reward makes sense. This is one of the most difficult Mitzvot to fulfill, as it requires constant effort and a lifetime of dedication. How then can the simple Mitzvah of scaring away a bird be equated to the extremely difficult Mitzvah of honoring your parents?

I believe the answer lies in one of Rambam's teachings which he writes in the laws of repentance. Rambam teaches that every single person should view himself and the entire world exactly in the middle of good and evil. We should view every action as having the ability to tilt the scales for us and the entire world to either good or bad. We learn from Rambam that the reason the Torah chooses to emphasize such a seemingly easy Mitzvah is to teach us that even such a small, trivial action as scaring away a bird can offset the balance of good and evil for the individual and the entire world.

It is no coincidence that Parashat Ki Teitzei is read around the same time as Rosh Chodesh Elul. Just as Elul is a time for self-reflection, the Mitzvah of Shilu'ach HaKan teaches us a valuable lesson on how we see the world and the impact every action we do has on it, no matter how big or small. If we can embrace this message and place the utmost care on every action we do, we can grow in tremendous ways and become who Hashem knows we are fully capable of becoming.

A LITTLE BIG MITZVAH

by *Yaakov Zinberg* ('18)

The Mitzvah of Shilu'ach HaKan is found in two short Pesukim in the middle of Parashat Ki Teitzei; someone

skimming the Parashah might miss it. But missing it would be unfortunate, because not only is it important on its own, but the Mitzvah becomes even more significant when the argument over why we have it leads into a fundamental Machloket between Rambam and Ramban regarding Ta'amei HaMitzvot, the reasons for Mitzvot.

Amidst the rapid-fire list of Mitzvot in Parashat Ki Teitzei, we are commanded, "*Ki Yikarei Kan Tzippor Lefanecha BaDerech...VeHaEim Rovetzet Al HaEfrochim O Al HaBeitzim, Lo Tikach HaEim Al Banim. Shalei'ach Teshalach Et HaEim VeEt HaBanim Tikach Lach, Lema'an Yitav Lach VeHa'arachta Yamim,*" "If a bird's nest happens to be before you on the road...and the mother is roosting on the young birds or eggs, you shall not take the mother with the young. You shall surely send away the mother and take the young for yourself, so that it will be good for you and you will prolong your days" (Devarim 22:6-7).

Shilu'ach HaKan makes a brief yet significant appearance in the Gemara. The Mishnah, in describing the circumstances under which a person is removed from leading Tefillah, writes, "*HaOmeir, 'Al Kan Tzippor Yagi'u Rachamecha'...Meshatkin Oto,*" "One who says, 'Your mercy extends to the bird's nest'... is silenced" (Berachot 5:3). One of the explanations for this practice provided by the Gemara is that such an utterance makes it seem as though the Mitzvah of Shilu'ach HaKan is motivated by compassion, when in reality all Mitzvot are Gezeirot, decrees, and have no tangible reason behind them. It would therefore be inappropriate to attribute the Mitzvah to compassion (Berachot 33b).

Rashbam and Ibn Ezra, in their commentaries on the Pesukim, offer a different explanation for the Mitzvah. They note the similarity between Shilu'ach HaKan and the prohibitions against cooking a goat in its mother's milk (Shemot 23:19) and slaughtering an animal and its young on the same day (VaYikra 22:28), in that the purpose of all three Mitzvot is to prevent cruelty against animals (commentary to Devarim 22:6).

It is against this background that Rambam and Ramban debate Ta'amei HaMitzvot. In Rambam's philosophy book, *Moreh Nevuchim*, he writes that at their basic level, all Mitzvot have a corporeal purpose behind them that can be deduced by reason. Some, including Maharsha (commentary on Berachot 33b), claim that Shilu'ach HaKan is a Chok, a Mitzvah for which we cannot determine the reason. However, Rambam, like Rashbam and Ibn Ezra, provides a reason for the Mitzvah: later in *Moreh Nevuchim*, he explains that taking the young in front of the mother bird would cause her great pain. This is no different than the pain a human mother would feel for her children if they were taken away, because the love a mother feels for her children is not dependent upon intelligence but rather is something that is felt equally in humans and animals. Hashem has mercy over the birds, so we must also have compassion for them. For this reason, we are prohibited from taking the young without first sending away the mother. Rambam defends his contradiction of the Gemara simply by writing that we do not follow the opinion that Shilu'ach HaKan has no tangible reason (*Moreh Nevuchim* 3:48). Rambam's strong belief in the idea that all Mitzvot have an understandable purpose leads him to go so far as to dispute the simple explanation of the Gemara.

Ramban, commenting on our Pesukim, explains that the purpose of all Mitzvot is to refine man in some way. Do not imagine, explains Ramban, that Hashem benefits from, for example, the smell of Ketoret or Korbanot, because like all other Mitzvot, these things are not for the benefit of Hashem but rather serve to teach man something. Accordingly, Ramban rejects Rambam's opinion. Rambam suggested that because Hashem has mercy over the birds, He commands us to treat them a certain way, which would mean that to some extent the Mitzvah benefits

Hashem has no desire for the wicked to perish. "Rather, it is incumbent upon the pious to try and enhance their standing and to atone for them."⁵ According to the Ramchal, this atonement is achieved, at least in part, by the more righteous positively influencing the spiritually impoverished. Others further develop the theme of the minim as representative of the spiritually-focused Jew influencing the less religiously-inclined. *Nezer HaKodesh*⁶ notes that curiously, the etrog is not tied together with the lulav, hadasim, and aravot. Rather, the three latter minim are bound together, while the etrog is unfastened and held in the other hand. The *Nezer HaKodesh* therefore posits that the atonement that is achieved must not stem from the influence of the etrog, which parallels the Jew filled with Torah and good deeds. Rather, it is the lulav and hadassim, neither of which possesses the pristine combination of both 'taste' and 'smell', that are bound with the aravah and positively influence their surroundings. Implied in this interpretation of the Midrash is that even the Jew represented by lulav and hadassim, even the Jew who has not yet attained absolute religious piety, has the ability to positively influence others. What emerges is a most powerful lesson. At times, one may feel unworthy of serving as a positive role model, lest others learn from one's imperfections. The Midrash counters this assumption by emphasizing that when an individual has spiritual bounty to offer, he or she should share this treasure with others, even if one has not yet achieved spiritual perfection. While one should always be striving for increased personal growth and should never idealize one's personal flaws, it is incumbent upon all to have a positive impact and influence in any way possible. This approach may highlight another perspective on the meaning behind the aravah's solo performance on Hoshana Rabba. Though one may have learned and grown extensively under the influence of righteous and dedicated teachers, the goal is not to forever remain dependent upon mentors. The other minim promote the spiritual growth of the aravah throughout the seven days of Sukkot, but then, come Hoshana Rabba, they take a step back and empower the aravah to stand on its own. Similarly, the greatest teacher is not one whose students are so moved that dependency on the teacher is cultivated. Rather, the ultimate goal of education is, arguably, to produce lifelong learners with the disposition and skills to continue to learn and grow independently.

Approach # 3: An Alternate Read of the Midrash

A highly original and alternate understanding of the Midrash is offered by The Lubavitcher Rebbe (see *Likutei Sichot* Vol. 29, pg. 223-225). The Lubavitcher Rebbe challenges the simple reading of the Midrash, namely, that the minim correspond to Jews with and without Torah and good deeds. For example, the Lubavitcher Rebbe questions the category of the Jew who has Torah but no good deeds. One who doesn't have good deeds cannot be viewed as truly and authentically possessing Torah. Instead, the Lubavitcher Rebbe assumes that all groups mentioned in Midrash possess knowledge of Torah and are morally upright individuals. How, then, does the Lubavitcher Rebbe understand the categories that are outlined in the Midrash? The Lubavitcher Rebbe suggests that the Midrash is not establishing categories based on the presence or absence of Torah and good deeds. Rather, it is highlighting differences based on the nature of the Torah and good deeds. Each person has a different set of qualities and characteristics through which he or she serves G-d. Each individual has strengths and weaknesses. The Midrash is not focusing as much on Jewish unity as it is on the value of alternate approaches to serving Hashem. Some approach Torah learning and living with astute intellectual capacities. Others experience

religious observance through the prism of their heightened interpersonal sensitivity. The Jew associated with the aravah may appear to be lacking in intellectual and emotional sophistication, and for that reason lacks "taste" and "smell." However, such a Jew may possess a distinct and unique quality- that of a very powerful, albeit simple, connection with Torah and mitzvot. Throughout Sukkot, the Minim are brought together and many different ways of connecting to Torah are celebrated. However, it is natural that those decorated with badges and titles and awards receive the most attention and accolade. On Hoshana Rabba, we ensure that the quiet and simple aravah has not been overlooked. The aravah's unadulterated simplicity in dedication to religious observance may not contain the elegance of the intellectually or emotionally sophisticated, but the unwavering commitment is dazzling in its own right.

Conclusion

The Midrash above states that the four minim are representative of four types of Jews, and through their unification, a powerful atonement can be achieved. Three approaches in understanding this Midrash have been shared, as well as corresponding explanations of the practice of highlighting specifically the aravah on Hoshana Rabba. These explanations can be summarized as follows: Application of Ideas to the Midrash Based on the Midrash, Why is the Aravah Highlighted on Hoshana Rabba? R. Moshe Cordovero All Jews are mystically united by one soul, despite different levels of religious practice. Unequivocal statement that even the Jew void of Torah / good deeds is holy and special Ramchal and Nezer Hakadosh Importance of trying to have a positive influence on others. After the aravah has been positively influenced for seven days, it is able to stand on its own and grow and succeed independently. Lubavitcher Rebbe All Jews referred to in Midrash learn and live Torah, but different people connect to service of G-d in different ways. Don't overlook or underappreciate the simple, committed Jew. The Ba'al Shem Tov once suggested that each person must experience a personal redemption before the Jewish people can experience a national redemption. May we achieve our own spiritual success while inspiring others through our behavior. May we merit the ultimate unification of the Jewish people with the rebuilding of *sukkat David hanofalet*, the Beit Hamikdash, in Jerusalem, the *ir she-chubrah lah yachdav*, the city of unity.

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⁵ Translation from the Feldheim edition, pg. 141.

⁶ See *Otzar Michtivei Kodesh Chelkat Yehoshua* pg. 42-43.