

Walk through the Parsha

with **Rabbi David Walk**



DON'T BITE!

Most of us understand that we can't solve every problem which comes our way. Life isn't a sudoku, crossword or Rubik's Cube. You know tasks which can be completed, and then move on. (Not me, of course, I can't do any of those.) So, we have to make lists of what things we can handle and what things we can't. Take TZEDAKA for example. We get approached with more requests than anyone, other than Bill Gates, can possibly answer. So, every serious person must figure out an approach which helps as much as possible within the individual's budget. Not an easy task. But the book of Vayikra, and this week's Torah reading in particular, I believe, give us some guidelines to help us plan.

The Torah demands charitable/ethical behavior in a number of locations, but three stand out, Mishpatim (Sh'mot 21:1-23:11), Ki Teitzei (D'varim 21:10-25:16, basically the whole parsha), and here towards the end of Vayikra. All three sections highlight the laws of no-interest loans. However, the language is different in each case.

In Mishpatim, 'When you lend

money to My people (AMI), to the poor person who is with you, you shall not behave toward him as a lender; you shall not impose interest upon him. In Ki Teitzei, 'You shall not give interest to your brother (ACHICHA), whether it be interest on money, interest on food or interest on any item for which interest is charged.' I've highlighted the different Hebrew words for whom you may not charge interest. Is it based upon citizenship (AMI) or family (ACHICHA)?

But in Ki Teitzei, the verse continues and states: However, to an outsider (NOCHRI) you may charge interest. So, it seems NOCHRI pays interest; AMI and ACHI do not.

Here in Vayikra (25:36), we see the family term (AHICHA), but then we have the terms GER (maybe, 'convert') and TOSHAV (dweller, neighbor). Then, just to make it more complicated, we have two terms for charging interest: NESHECH and RIBIT. What's the difference? The first term is based on the Hebrew word for 'bite', and the second is related to the word RAV, which means 'a lot', or, perhaps, here 'increase'. Rav Aryeh Kalan z"l translates the two as 'advance interest' and 'accrued interest'. The Ramban explains that RIBIT is fixed interest, while NESHACH grows over time, like compound interest.

My biggest problem in this whole

scenario is: To whom may we charge interest? It's clear that we can't charge a fellow Jew (ACHICHA) interest, but who is this TOSHAV (or GER TOSHAV)? The Torah Temima (Rav Baruch Halevi Epstein, 1860-1941) wrote that these are people living with us in Eretz Yisrael who have accepted the 7 No'achite Laws, basically have eschewed idolatry. In the Talmud (Baba Metzia 71a) there is a discussion about whether we can charge them interest. Have they become sort of 'us' or are they still 'them'? The conclusion: Charge them. Rav Epstein explains that charging interest isn't bad, but you still don't do it to family, i.e. Other Jews.

I think that this is a great opportunity to discuss Biblical Economics 1.0. This verse begins with the words 'When your brother is YAMUCH. Rav Kaplan renders that 'impoverished'; Dr. Robert Alter suggests 'come to ruin'. Onkelos uses the word MISKEIN, which in Hebrew means in deep trouble or danger. And continues by saying that these sympathetic neighbors need help. Then 'come to their aid'. Help them to live.

The Torah is setting up a template for a moral society. When your neighbor or relative is hurting, come to their relief. I don't believe that this particular section is directly concerned with banking practices.

Much of chapter 25 discusses having to sell property, or being sold into debtors' indentured servitude. We're talking about lending a helping hand. Rashi in verse 35 quotes a parable: Do not allow him to fall down and collapse altogether, in which case it would be difficult to pick him up again from his dire poverty... To what can this be compared? To a load on a donkey, while it is still on the donkey, one person can grasp it and hold it in place. Once it falls to the ground, however, even five people cannot pick it up. (Torat Kohanim 25:71)

The laws of interest must be applied within a system of ethics, and even charity. Rav Epstein in another work called Tosefet Bracha, discusses the modern practice of Jewish owned banks to lend at interest through a legal loophole called HETER ISKA. He explains that this is logical because the Torah was discussing an agrarian society, but a business-based society requires the free flow of cash. Only reasonable interest rates will make that work. Rav Epstein worked in banks for much of his life, BTW Pinchas Kahati, of Mishnayot fame, was a teller for Bank Mizrachi.

This brings us to a problem. The Prime Rate in the USA today is 5.50% (in Israel 3.59%). That's how much interest a really good bank customer can get. That effects things like mortgages and car loans for

individuals, and corporate borrowing for big business. But what about a little guy who needs to make ends meet? Credit card rates run between 15% and 20% on average. And these interests are NESHECH; they accrue or compound. If I paid off a \$1000 credit card bill with modest 15% interest, at \$25 a month, it would take 56 months and cost \$400, or 40% interest.

What can we do? First of all, stay out of credit-card debt! But we can all help. We can create and/or donate to GEMACHIM, GEMILAT CHESED funds. They lend at no interest. Thank God, they exist in many places.

Like I said at the beginning of the article, we can't solve all the problems around us, but we can be part of a solution. The verse is very clear: when you see people in need, do what you can to help. Who knows? It might get contagious. 🙏