

NCSY Torah
— on One Foot Series

RIBBIS & MAASER

רבית ומעשר



MONEY MATTERS

compiled by Rabbi Jack Abramowitz
designed by Renée Rosenfeld

RIBBIS

THE MITZVAH TO LEND MONEY

Lending money is superior to giving charity because the borrower is financially strengthened without embarrassment. (*Ahavas Chesed*)

If there is a needy person among you...open your hand to him and lend him that which he is lacking. (*Devarim 15:7-8*) "That which he is lacking" means that loan must be based on what the borrower needs (assuming that the lender has the ability to meet it).

If your brother is having financial difficulties, you must hold him up. (*Vayikra 25:35*) (That is, keeping him from falling is better than picking him up after the fact.)

Give, give (the loan) to him, and don't resent it because Hashem will bless all that you do because of it. (*Devarim 15:10*)

Rashi says that repetition "give, give" in *Devarim 15:10* (above) means that we should continue to lend money to someone even if he asks to borrow from us 100 times or more.

The Torah says "Do not take revenge or bear a grudge" (*Vayikra 19:18*). What is an example of "taking revenge?" Refusing to lend to someone because they refused to lend to you. What is an example of "bearing a grudge?" Lending to someone who refused you, but saying "I'm doing this even though you refused to lend to me." (*Yoma 23a*)

Collateral for a loan may not be taken by force. One may not take as collateral something the borrower needs in order to survive and the collateral must be returned immediately after the loan is paid. (See *Devarim 24:6* and 10-13)



MAASER

Giving 10% of one's income to charity is called *maaser kesafim* ("tithing money"). While "tithe" is a perfectly good English word, who talks that way? We'll just call it "a tenth" or *maaser*.

SOURCES

- And Avraham gave him a tenth of everything (*Bereishis 14:20*)
- Of all that You (G-d) give me, I (Yaakov) will give a tenth back to you. (*Bereishis 28:22*)
- You shall give a tenth of all your produce (*Devarim 14:22*)

LIMITS

A law was enacted that one may not give more than a fifth of his wealth to charity. Rabbi Yeshevov wanted to give more than a fifth to charity, but Rabbi Akiva would not permit it. (*Kesubos 50a*)

One of the things that has no limit is performing acts of kindness. But that is only personal acts. When it comes to spending one's money on acts of kindness, the limit is one-fifth. (*Yerushalmi Peah 1:1*)

How much fulfills the *mitzvah* of *tzedaka*? Up to a fifth is ideal, one-tenth is sufficient, less than that is considered ungenerous. (*Rambam Matanos Aniyim 7:5*)

HOWEVER

One may distribute more than a fifth of his wealth in a number of circumstances. These include: if it can save a life; if a person has a regular source of income; if a person is in no danger of creating financial difficulties for themselves by giving away too much; to support Torah study; and in several other cases. (*Ahavas Chesed*)

BUT...

While lending money is a tremendous *mitzvah*, there is a huge "but." One absolutely may not charge *ribbis* (interest) to another Jew. It is equally prohibited to borrow from another Jew with interest. One may not even serve as a witness or prepare the contract for such a transaction. (In addition to the laws of interest, witnesses and other participants may also be violating the laws of *lifnei iver*, not to mislead someone.) One may not even pretend that he is charging interest (which he really never intends to collect), since the Torah says, "...do not place the burden of interest on him." (See below.)

When you lend money to My people, to the needy among you, do not pressure him for payment and do not place the burden of interest on him. (*Shemos 22:24*)

When your brother has financial trouble...you must help him...but you may not take interest or usury from him. (*Vayikra 25:35-36*)

Do not take interest from your brother, not for lending money, food or anything else where interest might be taken. (*Devarim 23:20*)



Jews may not lend to or borrow from other Jews with interest, but they may lend to and borrow from non-Jews with interest. If one has to choose between lending to a non-Jew with interest and a Jew without interest, it is preferable to lend the money to the Jew and give up the interest. (This is what one is doing when he withdraws money from a savings account in order to lend it.) (*Igros Moshe Yoreh Deah III, 93*)

One of the Hebrew words for interest, *neshech*, is like the word for a bite. Rashi (*Shemos 22:24*) explains that interest is like a snake bite. It doesn't feel so bad at first, but then it builds up until it does the victim in.

Not only may one not pay extra money in exchange for a loan, one may not even do special favors for someone because that person lent him money, even if this is unstated. This even applies to benefits that have no financial value, such as paying the lender compliments. Such benefits are called *ribbis devarim*, the interest of words. While regular interest is forbidden forever, *ribbis devarim* is only prohibited so long as the loan is outstanding. Once it is repaid, the borrower may praise, compliment and do favors for the lender.

Not Everything is Ribbis

We see from *Devarim 23:20* that interest isn't only with money; it's also with other things, like food. If one borrows 12 eggs, one may not repay with 13 eggs. But what if one of the 12 you borrowed had a blood spot and was unusable? You can still repay 12 because it's what you borrowed and, hey, one of your 12 could have a blood spot, too!

The laws of *ribbis* only apply to items that are normally consumed. In other words, when one borrows them, one does not typically return the exact same item (such as five bucks or a cup of sugar). If you borrow an actual object, however, you must return that same object and the concept of *ribbis* does not apply. Therefore, if you borrow someone's car, it's okay to fill up the tank, even if you end up returning it with more gas than it had when you borrowed it.



SHOW ME THE MONEY!

Maaser may only be used to assist the needy, not for fulfilling any other *mitzvah*. (Rema, *Yoreh Deah* 249:1)

The highest priority in distributing *maaser* is given to ransoming captives. (*Yoreh Deah* 252, *Rambam Hilchos Aniyim* 8:10) Next comes supporting the needy.

The Torah says (*Devarim* 15:7), "When there is a needy person from among your brothers, in one of your gates, in the land that Hashem has given you, do not harden your heart or close your hand to him..." "Your brother" means that relatives come first, before strangers. "In one of your gates" means that people in your own community come next, before people in other cities. "In the land" means that those in Israel come next, before people in other lands.

Finally, "that Hashem has given you" includes all people.

While one's own

family members take priority over others, this does not include minor children whom one is required to support. Fulfilling an obligation is not considered charitable. (*Yoreh Deah* 251:3)



One may use *maaser* money to purchase books for studying Torah and for lending to others. Such books should be marked that

they were purchased with *maaser* money so that they are not mistaken for personal property. (Some say that this leniency may only be relied upon if the buyer lacks other funds to purchase books of Torah knowledge.)

Agreeing to give charity is a type of vow. If one accepts it upon himself to give charity, he must fulfill it as soon as possible, otherwise he violates the *mitzvah* of *bal t'acher*, not to delay fulfilling an obligation (*Devarim* 23:22).

The Reward of Giving

Rav Avahu said that one who distributes money to charity is rewarded with wealth, since the verse in *Mishlei* (4:24) says, "there are people who scatter yet still increase." (*Midrash*)

No one ever loses money or suffers harm because of giving charity, as the verse in *Yeshayahu* (32:17) says, "the act of charity leads to peace." (*Yoreh Deah* 247:2)

What is the significance of the Torah doubling the words *aser t'aser* ("you shall surely give a tenth")? It may be read as if it said *aser titasher*, "give a tenth and you will become wealthy." A boy asked the sage Reish Lakish how he knew this. Reish Lakish said, "Try it and see!" The boy replied, "But we're not allowed to test G-d!" Reish Lakish answered that giving a tenth is different because of a verse in *Malachi* (3:10) that

says, "Test me in this, says G-d, and see if

I don't open the windows of Heaven and pour out more blessing

than necessary." (*Taanis* 9a) This is the only situation where one is permitted to "test" G-d!

