YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**PARASHAT HASHAVUA**

**Rav Yishai Jeselsohn**

**PARASHAT PEKUDEI**

**Being Willing-Hearted**

**I. A spirit of willing giving**

In *Parashat Pekudei*, after several weeks of focus on the command to raise funds for the building of the *Mishkan*, we reach the phase of implementation. At this point, every member of Israel had to give money towards the building of the *Mishkan.* The Torah offers an impressive description of the mobilization:

And they came, every man whose heart stirred him up [*nesa'o libo*], and every one who his spirit made him willing [*nadva rucho*], and brought the Lord's offering, for the work of the tent of meeting, and for all of its service, and for the holy garments. (*Shemot* 35:21)

There seems to be some redundancy here: the terms "every man whose heart stirred him up" and "every one whom his spirit made willing" seem to refer to the same person, one whose spirit of volunteerism beats in his heart and who therefore agrees to give of his property to the collective. Why does the Torah use two different phrases?

**II. A willing spirit and a stirred-up heart**

The *Or Ha-Chaim* suggests that the Torah is pointing to a difference between two types of donors:

Know that there are two levels among donors: The first is one who donates out of desire, in accordance with his ability and the extent of his wealth. About him it is stated that “his spirit made him willing,” to emphasize that he does not do this as one who is distressed. (*Or Ha-Chaim*, *Shemot* 35:21)

The first type of donor is one who succeeds in overcoming his human desire to amass money and chooses to give of his money to others, donating to the best of his ability – but not more. This person is virtuous, as he manages to overcome his baser instincts. Rabbi Yaakov Tzvi Mecklenburg, author of *Ha-* *Ketav Ve-ha-Kabbala* clarifies further, emphasizing the virtue of this first type of donor:

Because his physical nature contends with him to have consideration of his money, but his soul conquers the nature of his inclination so that he donates. (*Ha*-*Ketav Ve-ha-Kabbala*, ad loc.)

According to this understanding, the role of the "spirit" with regard to giving is to overcome one's physical nature, the basic human desire for wealth and ownership. A person whose “spirit made him willing” succeeds in mobilizing his spirit and raising it above the material, and with this, he gives of his money to others.

The second type of donor is one whose heart stirs him up to donate. According to the *Or Ha-Chaim*, this refers to people who give *beyond* their capabilities:

The second type of donor is one who donates beyond what he can afford, because of the great goodness of his heart. This is "every man whose heart stirred him up," that is to say, his heart carries him away and causes him to see himself as richer than he is, to give at great expense. (*Or Ha-Chaim*, ibid.)

In the next verse, the Torah also uses yet another term related to donations: *nediv lev*, "willing-hearted" (*Shemot* 35:22).It would appear that this term combines two terms, “willingness” and “heart,” that relate to two different types of donors. However, the *Or Ha-Chaim* explains that *nediv lev* also refers to the second type of donor – the one “whose heart (*lev*)stirred him up,” who gives more than he has – and that the Torah formulated this term carefully in order to convey its precise meaning:

The Torah was precise when it said "willing-hearted." Know that there is a distinction between *yidvenu libo*, "whose heart makes him willing," and *nediv lev*, "willing-hearted. For *yidvenu libo* can be applied to anybody who willingly gives from his heart, some giving a lot and others giving a little. But *nediv lev* refers to someone with a generous heart, and is alluded to in the words, "every man whose heart stirred him up." For he who has a generous heart will give more than what he is able to give, unconcerned about the lack that will find him, **because he rejoices more in giving than in owning.** (*Or Ha-Chaim*, *Shemot* 35:22)

Here is a person who rises to a level that is just the opposite of human instinct. This person is happier to give away his money than to own it! His giving is not under coercion or against his will, and he does not have to confront his inclination and overcome it. At this level, giving is the plainest and most natural thing to do.

Note that verse 22 no longer refers to an action performed by the person (such as "every man whose heart stirred him up" or "every one who his spirit made him willing"), but instead defines the person himself as "willing-hearted.” Here, giving is not an action that is external to the person, but is instead a part of his inner being. This is what Rabbi S. R. Hirsch writes when he distinguishes between the two types of donors:

The expression *nadva rucho* is also something different and something more than *nadva libo*. The "heart" expresses primarily the organ of thought and will in man. But "spirit" is the whole inner man, the whole inner source of action. The gifts flowed from the whole being of the people; everybody put the whole of himself into helping. (Rabbi S.R. Hirsch, *Shemot* 35:31)

The distinction between the two types of donors explains, according to the *Or Ha-Chaim*, several details in the verse:

The verse opens with the more elevated of the two, saying: "Every man whose heart stirred him up." (*Or Ha-Chaim*, *Shemot* 35:21)

The verse mentions "every man whose heart stirred him up" first, before "every one who his spirit made him willing," because the stirring-up of the heart, which reflects a change in one’s personality, is more significant:

The Torah was precise when it used the word "man," which is a term that denotes importance, and regarding the second it says "every one who his spirit made him willing," and it doesn't say "man," because he is not as important as the first one. (Ibid.)

This is a marvelous linguistic nuance that demonstrates the essence of the difference between the two types of donors: regarding the one whose heart stirred him up, the Torah uses the term "man," for this type of donor undergoes a fundamental change in his personality. In contrast, "willingness of the spirit" does not radically change the person; it merely allows a momentary success of the intellect in overcoming the person's desires and heart.

**III. A man who is willing-hearted**

Now that we have explained the two types of donors, let us try to understand how it is possible to reach the level of "willing-hearted." Money is one of the most central things in a person's life; people spent most of their time earning a living. Money affects one's social status, and can also affect one's education as well as one’s ability to fulfill God's will.

At its core, money is positive, because it allows a person to live and thrive in the world – but, like many other things, when one develops a lust for it, it becomes dangerous. The desire for money is ancient; is an existential need for man, and is therefore a most basic desire in human nature. How, then, can we overcome this desire and succeed in giving our money as a free-will gift? More than that, how can one change his basic attitude toward money, so that he can succeed in becoming a completely different person, a "willing-hearted" person, who is happier to give away his money than to keep it?

**IV. Seizing collateral for a charity contribution**

The *Or Ha-Chaim* offers an interesting perspective regarding money and its ownership, but in order to fully appreciate it, we will start with a short halakhic passage in tractate *Bava Batra*. The Gemara states that it is permissible to forcibly seize collateral for a charity contribution from a wealthy person:

For Rav Nachman said in the name of Rabba bar Avuha: Because the collectors can seize collateral for a charity contribution even on the eve of Shabbat. Is that so? Is it not written: "I will punish all that oppress them" (*Yirmeyahu* 30:20), and Rav Yitzchak bar Shmuel bar Marta said in the name of Rav: Even the collectors of charity – ?

There is no contradiction: the one [Rav Nachman] speaks of a wealthy man, the other [Rav] of a man who is not wealthy. As, for instance, Rava compelled Rav Natan bar Ami to contribute four hundred *zuz* for charity. (*Bava Batra* 8b)

This law was codified by the Rambam:

When a person does not want to give charity, or desires to give less than what is appropriate for him, the court should compel him and give him lashes for rebellious conduct until he gives the amount it was estimated that he should give. We take possession of his property when he is present and expropriate the amount that is appropriate for him to give. We seize collateral for the sake of charity even on Fridays. (Rambam, *Hilkhot Matanot Aniyim* 7:10)

The *Tosafot*, however,raise an objection to this ruling from the Gemara in *Chullin*. The Gemara there implies that coercion may be used only with regard to a mitzva whose reward is not stated alongside it – and the reward for giving charity is indeed mentioned by its side:

“Compelled Rav Natan” – If you should say: But surely in chapter *Kol Ha-basar* (*Chullin* 110b, and *Tosafot* there, s.v. *kol*) it is stated that the earthly court is not instructed to enforce a positive commandment whose reward is [written] at its side, and regarding charity, it is written: "But you shall surely open your hand to him" (*Devarim* 15:8) and it is written: "Because for this thing, the Lord your God will bless you" (ibid. 10)… (*Tosafot*, *Bava Batra* 8b, s.v. *achfeih*)

If *tzedaka* is in the category of *mitzvot* whose rewards are stated along with the commands, and such *mitzvot* are not subject to coercion by the human courts, how is it possible to compel a wealthy person to give charity, and to even seize collateral for charity against the donor's will? The *Tosafot* offer several answers, but we will turn our attention to an answer proposed by the *Ketzot Ha-Choshen*:

**In the case of charity, there is a lien on a person's property,** to give of his money to charity. If so, it is **money belonging to the poor in his hand, as if he owes them an actual debt.** If so, that which we compel him involves returning to the world's poor what he owes them. In such a case, surely, even if the reward is written by its side, it falls upon the court to return what he owes, because his property has a lien on it. (*Ketzot Ha-Choshen* 290, 3)

The *Ketzot* suggests that a person's property has a lien on it to fulfill the *mitzva* to give charity. There is nothing to prevent seizing a person's property as collateral for the commandment of charity, because fundamentally we are dealing with the property of the poor and not the property of the donor.

However, this requires clarification – why is a person's property pledged to the poor? At the simplest level, the obligation to give charity creates a debt, and just as with any other debt, there is a lien on the debtor's assets for its payment. But at a deeper level, it may be suggested that in the case of charity there is an even greater lien.

The *Or Ha-Chaim* in *Parashat Mishpatim* asks: Why does the Torah say: "**If** [*im*]you lend money to any of My people" (*Shemot* 22:24)? Are we not dealing with an obligation (see *Mekhilta de-Rabbi Yishmael, Mishpatim* 22), and thus with a certainty? Why then does the Torah use the word *im*, which implies uncertainty, a mere possibility of lending? The *Or Ha-Chaim's* answer offers a deeper understanding of the words of the *Ketzot*:

Perhaps the Torah wants to provide an answer also to one who asks, when he sees a person who has so much gold and treasure houses full of money that he does not need: Why didn't God give him only the food that he needs? … It is true that there is good reason to deprive a person of his necessities, in order to punish him for his wrongdoing, but what is the value of giving someone excess wealth?

Our verse informs us that the cause is those who are not worthy of receiving their share based on their actions.

For God in His great kindness provides generously for the needs of all His creatures. **When a person sins and does not deserve to receive his needs from God in an honorable manner, God does not recall the amount that would have been allocated to such a person, but He redirects it to someone else. As a result, the person is forced to receive his livelihood through another channel.** Receiving one's livelihood by means of a fellow human being is demeaning for the recipient.

When God acts in this manner, He practices two virtues: 1) He punishes the person in this world for his sins; 2) He gives the wealthy person an opportunity to merit giving charity to his fellow man. This is the meaning of what it says: "If you lend money to any of My people." That is to say, if you see that you have more money than you need for yourself, that you lend to any of My people, **know that this is not a portion that was to have reached you, but the portion of others, the poor among you.** This is an allusion that one must open his hand to lend to the poor that which had been intended for him. (*Or Ha-Chaim*, *Shemot* 22:24)

The *Or Ha-Chaim* presents us with an important religious approach to understanding wealth and poverty. The rich and the poor essentially make a living together. Instead of God giving each person the share that is due to him, He withholds the livelihood of the poor as punishment for his sins and increases the livelihood of the rich in order to give him the opportunity to do a mitzva*.* The money due to the poor man falls initially into the hands of the rich man, until it makes its way back to its original destination.

With this understanding, the law governing the forcible collection of charity becomes clear; the money does not actually belong to the rich man, but to the poor man, and it is only for the time being that it rests with the rich. Thus, the money can be removed from where it is now and returned to its proper place.

This is the first piece of advice for a person who wishes to be willing-hearted and change his personality: to recognize that wealth comes from God, and thus a person's wealth is intended not only to satisfy his own personal needs, but also other purposes. When a person realizes that our money is with us on deposit from God, when he understands that his money is not really his, but is earmarked for certain purposes, he will want to fulfill the purpose of his money. It turns out that giving makes him happier than keeping the money with him, for by so doing, he advances the money to its true destination.

**V. The heightened goodness of his heart**

The second type of donor is one who donates beyond what he can afford, because of the great goodness of his heart. (*Or Ha-Chaim*, *Shemot* 35:21)

It is not for nothing that the second type of donor is described in terms of his heart. The *Or Ha-Chaim* points out that goodness of the heart is what raises a person above his narrow perspective on his possessions and brings him to the level of donating beyond his capability. Money is indeed something that brings pleasure and good, but the good and pleasure of money is external to a person. A person can buy delicious food or beautiful clothes or a nice apartment, but none of these become part of him. Kindness, on the other hand, changes a person's heart and his qualities – every good deed that a person performs makes him a somewhat better person.

A willing-hearted person is happier giving than possessing because giving is actually an eternal possession. The effect of money on a person is temporary, but an act of giving leaves an impression on a person's heart that will remain forever.

Thus, the second piece of advice alluded to in the words of the *Or Ha-Chaim* is to focus on the heart. When a person lives in search of the joy of the heart and money is only a means to this end, then true joy and happiness do not come from excessive amounts of gold and silver, but from following the heart's desire, from the joy of giving, and from the fact that the person was able to rise above his inclinations.

**VI. Two levels in the desire of the heart**

Thus far we have talked about a "willing-hearted" person, whose heart, nature, and personality change. But it is important to go back, in conclusion, and mention the lower-level donor – the one who manages "only" to overcome his urges and give even though this is not the natural inclination of his heart. It is important for the *Or Ha-Chaim*, in summing up his words, to emphasize that indeed both types of donors are good – even a person who has not reached the level of "willing-hearted" should not underestimate himself, but should see the goodness in his donation:

From this you learn that among all the donors, there were only two levels, and both were praiseworthy, as they donated from their hearts and did nothing without the will of the heart, only that one was higher than the other. (*Or Ha-Chaim*, ibid.)

Even a person at the relatively "lower" level of giving still gave willingly, only that for him, the willingness of the heart was still temporary and a matter of happenstance. With more and more such willing moments, moments of spiritual transcendence, a person can slowly transform his character into that of a "willing-hearted" man. In the end, he too can reach the level of being a "man" whose very essence involves the performance of acts of kindness.

(Translated by David Strauss)