

# JUSTICE, JUDGES, AND JUDGMENT AS DETERMINED BY TORAH LAW

## PART I

- 1) The text describes the process of judgment in a Torah court. It deals with the abuse of the privileges of the court by certain judges, bringing examples of how needy families were overcharged and victimized in an attempt to publicize, and thus bring about the cessation of these practices.
- 2) A collection of Responsa from leading Rabbis of our time touching on the above question.
- 3) The Duty to Admonish and Protest - Quotations from the Talmud, Zohar, and Medrash.
- 4) The text of a bulletin issued by prominent Rabbis concerning the above questions.

## HONEST MONEY

A collection of quotations from Torah authorities, Rishonim and Achronim regarding the seriousness of the prohibition and the punishments incurred from taking money through improper means.

by

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In the author's previous works, among them Responsa Zivchei Zedek, Afiath Matzot, Achilas Matza B'Yisroel, Nefesh Yeshaya and Minchath Yehudah, letters of appreciation and support were printed from geonim and tzadikim of our generation, the authorities upon whom the House of Israel depends.

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## Honest Money

### TABLE OF CONTENTS

Chapter I - Money obtained dishonestly	7
Chapter II — A quote on this subject from the great sage Yohonason Eybeshutz	8
Chapter III - Excerpts on this subject from “Peleh Yoetz”	9
a) the subject of business	
b) the subject of silver	
c) the subject of robbery	
d) the subject of stealing	
e) the subject of money	
Chapter IV -	17
a) Kav Hayashar chapter 46	
b) Kav Hayashar chapter 4	
c) Yesod Yosef chapter 4	
Chapter V - Selections from the Chofetz Chaim on the subject of theft	18
Chapter VI -	19
a) Quotes from different texts about theft	
b) Responsa Baer Hagola Choshen Mishpot 348	
c) Malbim’s commentary on Parshat Pekuday	
d) Agra D’Pirka chapter 126.	
e) Yalkut Meam Loaz Vayikra	
f) Zohar Parshat Vayakhel 198	
g) Maharsha Chidushei Agadot Ketubot 67	
h) Ohel Sholom chapter 58	



## MONEY OBTAINED DISHONESTLY

### CHAPTER I

1) In the Talmud (Ketubot 105b) Rabba explains that it is improper to take any money before judging a case because "as soon as one receives a gift from another he becomes well disposed toward him, to the degree that he considers him like his own person." Just as someone would never render a negative judgment regarding his own money, so too, someone who has taken a bribe will never decide against his benefactor. Thus, Rabbah explains that the word Shochad - meaning bribe - can be explained as ShehuChad - meaning that the recipient becomes one with the giver.

2) The Talmud brings the following story to illustrate this point. Reb Yishmoel ben R. Jose had a sharecropper who would bring him a basket full of fruit every Friday as his share. Once he brought it to him on Thursday. When R. Yishmoel asked him the reason for the change, he explained that he had a lawsuit that day (implying that he also wanted R. Yishmoel to serve as one of the judges.) R. Yishmoel considered this a form of bribery and refused to act as a judge.

3) Nevertheless, R. Yishmoel did arrange for other Rabbis to decide the case. As he was arranging the affairs, he found himself thinking, "If only he would plead thus, of if he would plead thus."

4) R. Yishmoel exclaimed, "Cursed be those who take bribes! If I, who have not taken the fruit, and even if I had taken it, I would have taken what is due me, am in such a state of mind, imagine what would happen to someone who accepts bribes!"

5) From this story we can appreciate how taking money naturally disposes one to someone else. Even though one may try extremely hard to remain objective, it is impossible to do so. Even something of small value, like a basket of fruit, can influence one's thought process. How much more so large sums of money! This is an unchangeable law of human nature.

6) Throughout the years, our sages and Tzaddikim have taken special care not to be involved in a case where there is even a shadow of a bribe. A story related by the Tzaddik Rav Itzikel of Kamarna illustrates this point. Rav Itzikel told of a dispute brought before the great Tzaddik Rav Avraham Yehoshua Heshel of Apt. The dispute was quite involved. In the middle of the case, that sage noticed that whatever thought came to his mind would favor one side only. He didn't understand the reason for this phenomenon and held himself back from writing his decision. Every Rosh Chodesh, Rav Avrohom Yehoshua Heshel would put on a special kaftan. This month, as he put on his kaftan, he noticed it was very heavy. Putting his hands in the pockets, he noticed a sack of coins. One of the parties in the above dispute had put them there in an attempt to influence the Rav's opinion. Rav Avraham Yehoshua Heshel refused to take any further part in the case and strongly rebuked the party who tried to bribe him.

7) This story shows that money has a tremendous power to influence a man's thinking, even when he does not know of the bribe, even if he is a holy Tzaddik. The Shulchan Aruch (Choshen Mishpat chapter 7 law 1) writes that any member of a court must have these seven qualities: 1)wisdom; 2) humility; 3)fear of G-d; 4) a love of truth; 5) he must be loved by the people; 6) a good reputation; 7) a hatred for money. If the last quality is absent, it is impossible for him to render a true decision.

## CHAPTER II

A quote on this subject from the great sage Rav Yehonasan Eybeshutz. (taken from the text Musrei Rabeinu Yehonoson p. 114)

Our eyes have seen many individuals who have suffered privation, scorn, and dishonor to satisfy G-d's name, yet in regard to financial matters, the Yetzer Horah overcomes them.... When tempted by a small gain, G-d no longer stands before their eyes, and they steal and exploit their fellow man. If



you see a man capable of overcoming a challenge in the area of money, you can be sure he will be able to overcome a physical challenge to sanctify G-d's name because there is nothing that the Yetzer Horah has so strong a power over as money. If it can not tempt a man in financial matters, then it is clear that he can overcome it in all matters. We can see so many examples of this concept in our everyday life, that no proof is necessary.

Rabbi Chananiah ben Tradyon declared -"I have withstood all challenges even in regard to money and have conquered my Yetzer Horah. Once ordinary money became mixed with that of Tzedakah, and I gave the entire amount to poor people. Hence, there is no doubt that G-d will be with me to conquer the Yetzer Horah and to sanctify the name of G-d in public. Therefore, R, Yose ben Kisma said, "May my portion be of yours," for surely he will sanctify G-d's name in every manner, as he indeed did. From this, we can learn that to serve G-d with a full heart without any selfish intent and to sanctify His name in public, what is most essential (to overcome) the challenge of money, not to show interest in money more than necessary. How much more does this apply to money that is stolen or acquired dishonestly! This will have a great influence on a person causing him to sin and eventually cause him and all his descendants to lose their fortunes. About this, it was said "Money answers all." Therefore, it is proper to beware of money earned dishonestly and one who abstains is considered a pious man, for which G-d will guard him from obstacles. The early sages practiced self-sacrifice for this matter, for which G-d wrought miracles for them.

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## CHAPTER III

### Excerpts on this matter from "Peleh Yoetz"

#### a) On the subject of business

It is well-known that the first question that a person will be asked on the day of judgment is "Did you handle your business honestly?" At present, unfortunately, honest people have disappeared. People argue that at present it is difficult to earn a livelihood and if one wants to deal honestly and faithfully he will not be able to earn enough even for the bare essentials. Hence, it becomes permissible to cheat and lie, to deceive, steal, encroach on other's rights, etc. In addition, these individuals negate Torah study, public prayer, and profane the Shabbos without thinking of the day of judgment. In this context, our sages declared, "Why was the world to come created with a Yod (a small letter) because there is a small amount of Tzaddikim. The entire Torah is included in the Mitzvah of faith. It is that Mitzvah that defines a Tzaddik as the verse declares "a Tzaddik will live by his faith!" A person's character can be recognized by "his pocket", i.e. how he deals in money matters. One who believes that G-d provides a man with wealth and that "a person's sustenance is fixed (by G-d) on Rosh Hashana" will not believe that by breaking G-d's law, he will be successful. If someone will succeed through such means, "the wealth will be stored for it's owner's bad" and he will receive a punishment in the world to come. If one sees an honest individual who deals faithfully and yet has a small income, G-d forbid, one should not arrive at the conclusion that the righteous will perish in his righteousness, Heaven forbid. For "the judge of all Earth" will surely act justly but "By Him, actions are weighed." One who believes in G-d in truth, with a full heart will believe that "He is the Rock, His work is perfect, all of His ways are justice" and "anything which G-d does is done for good" in order to improve the individual's portion in the world to come. It is true that all of Israel are "believers, the children of believers" but in this context, the emphasis must be placed on deeds that demonstrate this belief.

**b) The subject of silver**

It is written "the tongue of the man is just like pure silver" and "For wisdom is a defence, and money is a defence." From these verses, we see that money is related to wisdom and to a tongue. Our sages declared "Life and death are dependent on one's tongue." If one wants life, he can obtain it through his tongue. If one seeks death, he can obtain it through the tongue. Torah is compared to a perfect potion. Whoever wants life can obtain it through Torah, whoever seeks death can obtain it through Torah. Similarly, in regard to silver "whoever wants life can obtain it through silver, whoever wants death can obtain it through silver." Most of the sins that a person commits are motivated by a lust for money. Theft, robbery, deception, exploitation, encroaching on other's rights, false oaths, unnecessary oaths, lies, false measures, argument, envy, hate, conflict, eating of non-Kosher food, the desecration of Shabbos and festivals and other sins, are all caused by the desire for money. The sin of the desecration of G-d's name is also included among those. Someone who holds money dear will negate the fulfillment of most of the Mitzvot, prayers, blessings, and also the study of Torah...Should he fulfill them, they are invalid because of his haste and stinginess and the lack of attention he pays to them; for his attention is focused on his profit. He disregards charity and does not give as he should. His wealth is "stored for it's owner's bad." Because of it, he will descend to Gehinom. Our sages declared, "A person can be recognized by his pocket, i.e. how he deals with money." Indeed, the temptation for money is great, particularly in the present generation when people lust after money more than after other sins and objects of pleasure, and people hold their money dearer than their bodies and souls. Nevertheless, "this is the Torah of man," to live in this world and conquer his evil inclination ... It is better for a person to die of hunger than to anger his Creator. If only one would have great strength to overcome his evil inclination and consider money of no value when compared to the fulfillment of G-d's will ... believing in perfect faith, fixed in

his heart, as if with nails, that one's income is fixed on Rosh Hashana from heaven and there is no possible way it will be either increased or decreased by even a penny (except for the fulfillment of those Mitzvot and good deeds about which it is said "If he increases, an increase is given to him." There are those who acquire their portion of the world through their money, by giving Tzedaka and doing Mitzvot and good deeds, as our rabbis said: One who acquires a good reputation, acquires it for himself; one who acquires the words of Torah, acquires the life in the world to come. This concept is alluded to in the principle "money acquires" for every matter of Torah or good thing requires money for "money answer all." The wise will observe the above and not slumber. The end of the matter when all is said: Fear G-d, and keep his commandments for this is the whole duty of man.

### **c) The subject of robbery**

The sin of robbery is very serious. The fate of the generation of the flood was sealed because of robbery. As long as a stolen article is in one's hands, one's prayer is not heard, and in the world to come he is fed burning coals. One must be reincarnated a second time to repay a theft .... A story is related of the time of the Baal Shem Tov, that a person was reincarnated as a horse and had to work with all his might to pay back his debt. On our sages' statement that the sins between man and man will not be forgiven until one has placated the one he had wronged, commentaries have explained that if one has committed theft, even the sins between man and G-d will not be forgiven until the stolen article is returned and its owner placated. Woe to those who consider theft permissible...and give thanks to G-d for their deeds and success. There are a number of types of theft that are commonly committed. May the listener hear and cease and may he be blessed.

Firstly, it is a bad and bitter custom that someone who seeks wealth or has become successful, journeys to the cities of the gentiles e.g. Vienna, Venice, or Leipzig and buy a large amount

of goods on consignment without any intentions of paying (some do the same to people in their own cities.) Afterwards they try to deceive their creditors, declaring that the goods were broken. They bribe the gentile authorities and force the other party to accept only 2Q or 3Q of the original cost. Anyone who would steal openly from people would be called a thief and condemned to death by all. These individuals are worse than thieves in many ways: a) one can protect himself from thieves b) a thief did not receive a favor from the person from whom he stole, yet such a person is ungrateful and repays a man who believed him and treated him kindly by repaying bad for good c) thieves only steal money, while he steals money and people's thoughts;

d) he causes people to stop giving loans;

e) if a thief is caught he will be punished and forced to pay, but such a person, through bribery of the false judges, can obtain his fellowman's money and do what he wants. The one who loaned him the money has no alternative but to grit his teeth. He has no savior but G-d.

I saw that the verse "One who acquires wealth dishonestly, will lose it in half his days...fulfilled" Furthermore, they will also lose their own fortune aside from receiving the punishment due them in the world to come.

2) It is well-known that stealing from a non-Jew is more serious than stealing from a Jew because it also causes the desecration of G-d's name. The Kabbalists write that stealing from a non-Jew causes the spiritual source of the non-Jew - The Klipot - to steal G-dly energy from the realm of holiness. Even though it is permissible to benefit from a non-Jew's error, it is forbidden to trick him, even if to sell him a dead animal, claiming that it was slaughtered according to Jewish law, to give him forged currency instead of good, or even mixing the forgeries with real money. All of this is prohibited and is considered theft.

3) There is a type of theft that is common among partners when one is miserly in regard to his family's living expenses. If his partner gives money to his wife without his knowledge and then takes the same amount for himself, this is considered theft.

Similarly, men, and often women, will give Tzedaka or presents or spread money without informing its owners. This is also considered theft. One who borrows without permission is considered a thief. Many fall into this snare regarding shoes, books, and like articles.

4) One must take extreme care not to receive gifts or to be the guest of someone who will say “eat” or “drink” but will be resentful in his heart. The same applies to someone who lowers his price because of shame. These cases have a trace of theft. However, if people force their friends to give them objects as presents or at a lower price, it is considered actual theft. Furthermore, he also transgress the commandment “Do not covet.”

5) Craftsmen and particularly the teachers of children who do not perform their work faithfully are guilty of theft. It is written “One who steals from his father and mother and says there is nothing wrong is the start of the man of destruction.” At present, there are many children who steal from their parents. Someone who falls into the snare of stealing from his parents and has not asked forgiveness, can compensate by appeasing his brothers (after his parents’ passing.)

6) One must take great care regarding theft of public money for it is considered as if one has sinned against each of the members of the community individually. If it is difficult to return an article stolen from one individual, how much more so is it difficult to return funds stolen from the community! Therefore, special care is required. This applies to those who avoid the payment of taxes by various means. Such people follow the advice of the evil inclination and persuade themselves that these means of deception are permissible.

7) There are some forms of theft that are not considered theft in the courts of man but are considered so in the eyes of the heavenly court. For example, one who takes his colleagues to court because of a dispute. His colleagues had not stolen from him but rather unintentionally made a mistake in judgment which caused a loss. Even though he did unwillingly with “a pure heart and clean hands,” as if he was dealing with his own

property, he is obligated to pay. Nevertheless, taking such money does not find favor in G-d's eyes. One who does so transgresses the commandment "Love your fellowman as yourself" which is a great principle of the Torah. Concerning incidents like these, our sages commented that a person is recognized by his pockets.

8) Just as the prohibition against theft is severe, repentance for it is difficult. Our sages considered someone who steals even a penny's worth as if he stole the person's life and that of his sons and daughters. As long as the stolen article is in his possession he can never receive atonement. It is difficult to return food that has been stolen and eaten.

9) Therefore, someone who fears G-d should take extreme care from all forms of theft and conduct his business faithfully. Even if he is experiencing difficult times, and his creditors are pressing him with severe punishments, he should not turn to theft, for it is better for a person to die of hunger than to act wickedly before G-d even for one moment. The seekers of G-d will never lack all good for G-d will not hold back from those who follow Him faithfully.

### **The subject of stealing**

Our sages declared stealing is more serious than robbing, for in doing so it makes G-d equal to his creations and makes G-d's eyes as if they do not see. In this matter it is necessary to warn the elders concerning their children for youth exerts great influence, and their bad friends exert great influence until the children will go from one evil to another and eventually become gluttons and drunkards. One must, therefore, watch them carefully. It is proper not to be stingy with one's children, but to give them a few pennies from time to time so they will not crave or be hungry and thus be motivated to steal. However, he should not accustom them to delicacies, expensive clothing, and other pleasures. In such a case, it is possible that if he does not receive his customary pleasures, he will go out and steal as our sages commented concerning a stubborn and rebellious son. He is to be killed because he is judged in regard to the future. If he

will not be able to find the food he is accustomed to, we presume he will become a thief. A story of this nature actually took place. One sage accustomed his son to luxuries according to his wealth. After his father died, he lost his wealth and began to seek the luxuries he was used to, He began stealing books from the House of Study. When his acts were discovered, he left the faith.

Therefore, a clever person will act judiciously, being neither too stingy nor too extravagant, but rather to follow the middle path according to the blessings of G-d. One should always warn his children about the prohibitions of the Torah, making them aware of their severity, and steering them away from evil friends so they may follow the path of the good.

2. There is one type of stealing which is commonly practiced. This is deception, of lit. stealing the mind. It has many forms. Anyone who tries to find out his colleague's thoughts by talking at length is called deception. It is forbidden unless it is done for the sake of heaven, in order to prevent exploitation or a sin. Anyone who shows extra love to his colleague while his mouth and heart are not as one, is guilty of deception.

### **The subject of money**

The laws of money are a complex subject. A person is recognized by his pocket for a person desires money particularly in these generations ... There are those who can find reasons to prove that a dead lizard is ritually pure in the prohibition of stealing, theft, deception, interest, encroachment of property rights, etc. There are those who are affected by the fear of G-d and will not break the well-known prohibitions but will do things that resemble them and calls them profit, success, shrewdness, etc. One should not say that it is impossible to earn an honest living in these times. A Jew who believes in G-d, the Torah, and the words of our holy sages will have perfect faith that one who acquires wealth dishonestly will lose it in half his days and his portion in the world to come will wither. Furthermore, the wealth will be "guarded for its owner's bad." Such a person will be included among those whom G-d will



reward in this world so that they will perish in the next. Woe is to him and woe is to his soul! In contrast, one who goes honestly, will go securely, and that G-d's blessings will bring him wealth ... finding good either in this world or in the world to come. One who trusts in G-d is happy in this world and the world to come. This is a great principle throughout the entire Torah and particularly in regard to financial affairs that the Yetzer Horah will blind the eyes of the wise. How much more so the eyes of those who were never exposed to the light of Torah who will surely follow a crooked path, calling it straight. Therefore, it is fitting to exert great effort to follow the words of our sages "Do not rely on your understanding" and search through books and through sages in order to find out what to do and the path to follow. Wherever there is even a trace of a prohibition, money should be considered of no value. One should steer away from what is detestable unto G-d, for it is better that one should die of hunger rather than to be wicked for even one moment before G-d. Furthermore, those who seek G-d will never lack all good.

## **CHAPTER IV**

a) The Sefer Kav Hayoshor chapter 46 states "There is one thing that holds back prayer even if one's clothes are clean from all filth and contain no Shatnes. Nevertheless, if they are not free of theft, each time one puts them on to pray, his sins and transgressions are reawakened, and his prayers are cast away to the forces of evil. Woe to him and woe to his soul!"

b) In chapter nine, the above text declares "One must be careful that the money with which he buys holiday needs should be free of theft and other prohibitions for otherwise, he gives power to the forces of evil, giving them a portion of holiness."

c) The text Yesod Yosef expresses a similar idea in chapter 4.

## CHAPTER V

### Selections from the Chofetz Chaim on the Subject of Theft

One who seizes the sustenance of his colleague will not see blessing from his act.

a) He sustains the living with lovingkindness - A father would give portions to his sons and gives each one according to what he sees fit. One brother became envious of another, for it appeared to him that his portion was less than his brother's. What did he do? He stole the portion his brother had received and took it as his own. The brother whose portion was stolen was upset that the portion his father had given him was taken. He told the entire story to his father. The father gave him a double portion and also a warm kiss having lost his portion. From that time on, he did not give the son who stole, another portion.

This is the way of the Creator of the world. He gives each person his sustenance. Therefore, one should not seize his colleague's sustenance. If one thinks that through doing so he will become rich, he makes a serious mistake. G-d will give the person whose property was stolen an extra portion, while the thief will not benefit from his theft over a long period of time. This is one of the fundamental principles of our faith, that G-d sustains the living, each of us with lovingkindness, even more than one deserves. If a person sees that his income is strained, he should search for the reason within himself and not try to seize from someone else.

b) The destructive angels that are created from most do not jump to the front to entrap the sinner but the destructive angels created from theft jump to the front to accuse.

## CHAPTER VI

## Selections from Codifiers and Holy books

1) The responsa, Baer HaGola, Choshen Mishpat chapter 348 states: If someone returns a lost object in order to bring honor to G-d's name, to draw pride to Israel and make it known that they are men of faith, this is praiseworthy. The same applies to those who return to a gentile the money about which he, himself, erred. I, who write these lines have seen that many have become rich from mistakes of a gentile. However, they have not been successful; their property was lost, and they did not leave a blessing after them as the Sefer HaChasidim writes in note 1074. Many who sanctified G-d and returned a gentile's mistakes in valuable matters, have become wealthy, and have left their profits to their offsprings.

2) The Malbim in the beginning of his commentary on the portion of Pekuday writes that G-d's presence will not dwell in a place that is even slightly tainted by sin.

3) It is written in the name of Rav Yaibi that a Tzaddik has the potential to lift even a wicked person to holiness, if he has some connection to holiness through having performed a mitzvah or a good deed. However if that mitzvah was performed with a stolen article, it is impossible to elevate him. Note also the comments of the text Agra D'kala in the portion of Shoftim, the passage beginning "If they will say" And the text Tifferet Shlomo, in the portion of Haazinu, "Had they been wise".

4) Similarly the holy sage, the "Bnei Yissachar" spoke forcefully (passage 126) in the name of his teacher and Master Rabbi Menachem Mendel as follows: It is difficult to understand how many children, when they are young go to school, study diligently and pray with proper intentions, answering "Amen, Yehei Shmai Rabah...", and in general follow straight ways. Afterwards when grow older, their character changes and they develop bad traits, heaven forbid, negating the study of Torah and prayer, and other

evil things of this nature. Why is this? Because when they were young, their parents fed them food that was tainted by questions of theft and Kashruth. This food became part of their flesh and blood.

5) A story is told of one saint who told his grocer who gave him less than what was due to him: "It bothers me less that you gave the improper amount than the fact that because of me you will have to reincarnate again to repay me."

6) In the time of the Arizal the following story took place: One sage asked him to give him a letter of reference, for he wished to travel to another city. He agreed, gave it to him, and told him "Go there, for there G-d has arranged for you to meet your mate." The sage took the letter and journeyed to that city. There, he was received with great honor. One of the wealthy men of the city gave him his daughter as a wife and granted him a large dowry with much property. They were married for three months, after which she passed away. The sage inherited all her property and then returned to his own city. When he visited the Ari, he told him that in a previous incarnation his wife was a man, who had been his friend but had taken money from him. He caused you pain unjustly, therefore you derived pleasure from him for three months. Because he stole money from you, you have now inherited all of his property. His student exclaimed: We have seen the fulfillment of the verse: "Your eyes are open upon all the ways of the sons of men, to give everyone according to his ways, and according to the fruits of his doing". i.e. G-d acts wonderously paying each man his deserts, measure for measure, without leaving anything extra.

7) Another story took place in the time of the Arizal. Rav Avraham Galanti asked for a course of behavior which would enable him to amend his soul. The Ari answered "Why is such a great individual asking to amend his soul." Rav Avraham replied "Look upon my forehead and see if there is a trace of sin marked there. If there is, swear to me in G-d's name that you will tell me

what it is.” The Arizal looked at his forehead and told him: “I see a trace of theft.” Rav Avraham was amazed. “What will I do if I have committed theft.”

He returned to his home, and depressed. He put on sackcloth and ashes and called together all of the workers who would weave for him: Rav Avraham told them: “Know that I am flesh and blood. I don’t want to descend to Gehinom. From now on, be careful to take the precise amount for your wages. If you do not do so, please don’t continue to work for me.”

The workers answered him: “What accounts should we make? From the time we began working for you, we have seen blessing from the money we have received from you. We can eat, drink, and even save. There is no one who can make a proper account of the wages you have paid and the work we have carried out.”

Rav Avraham declared “Now I realize, this is my sin of theft.” He turned to his workers “Since we have not made a reckoning about the money I owe you, I will place a large amount of money before you and everyone should take what he feels he deserves. Afterwards, please forgive me for anything else I might owe you.” Rav Avraham did so, but no one took anything except one woman who took two pennies. Then, they all declared Rav Avraham free of further obligation to them.

Rav Avraham returned to the Arizal’s house of study. The Arizal arose to greet him and asked him “Why were you so disturbed about the trace of theft I saw on your forehead?” Rav Avraham replied “Is a question of theft a minor matter?” He continued asking, “Please look at my forehead again and tell me if there is still a mark of theft.” The Arizal told him that it had passed away. Then he told him that the entire problem was due to the two pennies the woman took. She was more skilled than the others, yet had been receiving the same wages.

An individual should consider this story carefully. If because of not paying a worker more than his colleagues, the sin of the theft is marked on one’s forehead, how much more so if one steals from someone, deceives, or overcharges him in business! Surely,

this sin is marked on his forehead. How will G-d show him mercy on Yom Kippur, forgiving him, and writing him in the book of life?

This concept is alluded to in the verse of the hymn recited on Yom Kippur "I asked my hands to raise themselves up in prayer: They answered me since we are not clean, who can we spread forth to heaven?" What will the tailors say on the day of judgment, those who, if asked to make a garment, steal the fabric and also make the garment shorter than it should be? Each and every moment, they transgress the commandment "Do not steal." This sin has become so commonplace, it is considered permissible. Woe to their souls for the great sin they commit by not turning their hearts to Teshuvah concerning this matter. There are many tailors who are honest Jews, who love performing Mitzvot and good deeds, yet this sin is considered permissible to them. They don't realize that there is no value to the Mitzvos and good deeds that they perform as long as they commit this serious sin. In contrast, a tailor who takes care not to commit their sin will, surely receive a great reward. Since the owners can not detect the theft, and yet the tailors conquered their Yetzer Horah and did not steal, this is considered a great Mitzvah.

The prohibition against them applies equally to Jews and non-Jews even if the gentile worships idols. In such a case, the theft is more serious because it causes a desecration of G-d's name, for the gentile will curse the Jewish faith and scorn the Jewish nation. Therefore, the Torah admonishes, "Don't steal" even from a gentile (when the possibility of desecration of G-d's name exists.) If one steals from a gentile, the angel that represents that nation in the heavenly court acts as an accuser before G-d and takes away the Divine influence intended for the person who has stolen and gives it to his people, leaving the thief bereft of good.

(taken from Yalkut Me'am Loez Vayikra p. 289)

8) "And you shall take an offering unto me." The Torah placed the portion of Mishpatim (which means judgment) before the chapter of Terumah (meaning offering) to teach us that an

offering that comes from money acquired justly is acceptable unto G-d. However, an offering that comes from stolen or exploited property is unacceptable.

9) "And you shall take an offering unto me." The portion of Mishpatim precedes the portion of Terumah to teach us that even though a generous person who gives Tzedaka is dear to G-d. Nevertheless, this Tzedaka is important in G-d's eyes only when the donor earned it honestly according to the laws of Torah. If not, there is no value to that Tzedaka. It is blemished and unacceptable like a Mitzvah that comes about through a sin. This concept is alluded to in the verse "And judgment is turned away backwards, and Tzedaka stands far off." If "judgment stands away," the Tzedaka which one gives "stands far off" and has no value (The siddur of the Rif).

10) Zohar P. Vayakhel p. 198: It is written "cast away your bread." The possessive "Your" form of the word bread is used to emphasize that the money must be yours and not acquired through exploitation, theft or stealing. Tzedakah of the latter nature is not a merit, but rather a remembrance of one's sin. This concept is alluded to in the phrase "take an offering from yourself" - from that what is yours. This is also the meaning of the verse "accept, I beseech you, G-d, the freewill offerings of my mouth." i.e. they will be acceptable as an offering, only if you "teach me Your ordinances." (i.e. that I have learned Your ordinances and do not steal.) The verse "to the poor man, to the stranger you shall leave them." "You shall not steal" can be interpreted in a similar fashion, meaning you shall give Tzedaka, but not stolen money. Similarly, in the verse "he that has a generous eye shall be blessed for he has given of his bread to the poor" the emphasis is that it is his bread. It is easy to give Tzedaka from money that is stolen.

11) The Maharsha in his Chidushei Agadot writes: There are many in this generation who gather their wealth dishonestly and in doing so desecrate G-d's name. They steal from the gentiles and then donate from this money (to Tzedakah) so they may be honored and blessed by G-d and afforded a good reputation. This is a Mitzvah that comes about through a sin.

12) A Chassid came to the sage Rav Y.M. of Gustenin and told him about his bitter financial worries. He had already gone bankrupt. At the end of their meeting, he offered the Rebbe a Pidyon, a donation as was customary. The Rebbe refused to accept it. He quoted the verse "In the time of tumultuous strife in Israel, when the people willingly offered themselves." The

Hebrew words for tumultuous strife - *bifroa praos* - can also mean the repayment of a loan. He declared "First a man should repay his loans and then make freewill offerings." One should not give Tzedaka at the expense of others.

13) "From all those whose hearts prompt them to give." Someone asked the Rebbe Mordechai of Tchernobel why he receives Pidyonos from people who sin. He replied: "In truth, there was a time when I would be careful not to accept Pidyonos from anyone but an observant person. The money which I received, I also distributed among the observant. However, now that among those who receive are those who fail to keep certain Mitzvos, I am no longer particular from whom I receive the Pidyon."

14) "From all those whose heart prompts them to give." The expression *Nadava* translated as "prompts" refers to a good will. Once a wealthy man came to the Rebbe, Rav Shlomo of Radomsk and wanted to give him a Pidyon of a large sum of money. The wealthy man was by nature stingy. Rav Shlomo refused to accept it. Later when his students asked him why he did not take the gift, he replied "If you saw the joy with which he took the money back, you would not ask me."

15) Rav Shlomo would often hold a *tish* (Chassidic gathering). It was customary that one man would donate money for the wine and his name would be announced, until, at such a gathering, when he heard the name of the person who donated the wine, he asked that it be returned. He explained that the Mishna declares, "A liquid which was desired at the beginning, even though it was not desired at the end" renders an object able to receive impurity. "This wine," he declared, "was desired at the beginning, but



when the time to pay comes, it will not be desired. There, it has a trace of theft.” Later on, it was revealed that the donor had made the gift wholeheartedly. His feelings were perceived by Rav Shlomo, who, therefore, ordered that wine not be served.

16) The menorah in the Mishkan, as is known, was to be miksho achas - “one beaten work”, and made of “pure gold”. Playing on the similarity between miksho and koshe (“difficult”), Reb Mordechai of Neshchiz used to render the Biblical verse as follows: There is one difficult thing, “miksho achas”, in This World, namely, the ability to earn clean money (zohov tohor). And he would add that a person who succeeded in doing this was, in heaven’s eyes, a luminous menorah.

Three tzaddikim were once seated together - the holy sage, Reb Leib Sarahs, the holy sage, Reb Pinchas of Korets, and the holy sage, the Rav of Shipitovka - and it was agreed upon between them that if any one of them owned some perfectly kosher money, he would be privileged to go out and buy tikkun (that is, the comradely bottle of liquor over which chassidim exchange morsels of Torah teachings, stories of tzaddikim, and candid mutual criticism.

The first to speak was the Rav of Shipitovka. “I have honestly earned money,” he said, “for today two litigants paid me for a case which they brought before me and which I decided according to the law of the Torah. There cannot be any slur on my ownership of that money.”

“Not necessarily,” said Reb Pinchas of Korets. “It could well be that one of the litigants had no desire or intention to give you the amount he actually gave, and did so only because the other did. No, I wouldn’t call your money absolutely untainted. But I have honest earnings. A man came along and asked me to pray for him, I interceded for him and my request on his behalf was granted, thank G-d; and in gratitude he gave me a gift of money as a pidyon.”

“But your right to this payment can also be questioned,” Reb Leib Sarahs pointed out. “For it could easily be that if the man

had prayed for himself, or asked some other honest man to pray his behalf, their prayer might have succeeded just as well - in which case there would be no justification for giving you the pidyon money. But I will buy tikkun for us all with money that is absolutely pure. How? You see, I don't have a red cent. I'll go out and borrow the amount needed to buy the vodka, and that simple loan, given to me in good faith, will be the most kosher transaction imaginable, giving me unquestioned title to the money."

All present agreed that Reb Leib had won the day.

