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# PARSHA ENCOUNTERS

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Parshas Terumah ✍️ Rabbi Baruch Klagsbrun

## Partners in Torah

In this week's parsha, the Bnei Yisroel are commanded to build the Mishkan to serve as a symbol of the Shechinah residing amongst them. The classic commentaries go to great lengths to explain the symbolism of the Mishkan and all of its furnishings. Let us take a moment to focus on a lesson of the Mishkan that may sometimes be overlooked.

In the center of the Mishkan, in the Kodosh Hakedashim, stood the Aron, a rectangular shaped wooden box covered with gold. In this box were the luchos, and according to one opinion in the gemara, a Sefer Torah that Moshe wrote. Clearly, this is symbolic of the centrality of the Torah to the Jewish people. Rashi comments that the crown-like ornamentation that decorated the top of the Aron, represents the Keser Shel Torah- the crown of Torah.

Covering the Aron was the Kapores- a golden lid, with two figures with the faces of a young girl and boy, called the k'ruvim, protruding from it. The Torah states that these two figures would be facing each other – *"U'penayhem ish el achiv"*. If the Aron symbolizes Torah, then what is the significance of these two figures? Furthermore, what is their positioning teaching us?

The Baal Haturim comments that the positioning of the k'ruvim is similar to *"Shnei chaverim shenosim v'nosnin b'divrei Torah"*- two friends having a Torah discussion. In plain terms, the k'ruvim are an early reference to the common form of study known as chavrusa. This insight of the Baal Haturim should serve to underscore the importance of learning with a chavrusa. By making this lesson part and parcel of the Aron, the Torah is teaching us that inherent in the learning of Torah is having a Torah study-partner to learn with. It is almost as if one learning on his own is lacking something in his Torah study. Why?

The gemora in Berachos tells us that while it is true that even an individual learning on his own merits to have the shechinah be with him, there is a distinct advantage to learning together with someone else. When two people learn together, their conversations are recorded in the Sefer Zikaron, thus giving their learning a higher level of permanence. The Maharsha explains that this is because when two people study together, in the course of conversation they will eliminate errors, thus arriving at truer Torah thoughts with greater clarity, which are worthy of being recorded. An individual, with no one to question or correct him will not arrive at those same

conclusions, and therefore his words are less likely to be worthy of being recorded.

Our history is replete with examples of Torah being studied specifically B'chavrusa. Most striking among them are the great amoraim, Rebbe Yochanan and Resh Lokish. The gemara in Bava Metzia (84a) tells us that after Resh Lokish's passing, Rebbe Eliezer ben Pedos was sent to learn with Rebbe Yochanan. For each halacha that Rebbe Yochanan taught, Rebbe Eliezer was able to find a Tanna to support his opinion. Rebbe Yochanan responded by lamenting the fact that Resh Lokish was no longer alive. Resh Lokish used to challenge Rebbe Yochanan with 24 questions for each halacha he taught, thus forcing Rebbe Yochanan to delve deeper into finding their answers. Without such challenges, Rebbe Yochanan felt that his learning was incomplete. Indeed, the gemara tells us that Rebbe Yochanan eventually lost his mind as a result of not having a chavrusa to challenge and correct him. (Let us bear in mind that this is the same Rebbe Yochanan whose ten sons died during his lifetime, but somehow this did not adversely affect his mental well being. However, being forced to live without a chavrusa was unbearable.) The Maharsha points out that due to the fact that the challenges posed by Resh Lokish caused Rebbe Yochanan to learn better, Rebbe Yochanan considered Resh Lokish his Rebbe, and therefore tore his clothes in mourning when Resh Lokish passed away as befitting a talmid whose Rebbe has died.

Let us learn the lesson of the K'ruvim and be zoche to have our Torah recorded in the *sefer zikaron l'fanav*.

*Rabbi Klagsbrun, a rebbi at Yeshivas Tiferes Tzvi, learns with the Zichron Aharon mechanchim chaburah at the kollel.*

**MARK YOUR CALENDAR!**  
**RABBI YAKOV HOROWITZ**  
Director, Project YES  
will be in Chicago for Shabbos  
Parshas Vayakhel-Pekudei, March 16-17th  
Details to come!

# HALACHA ENCOUNTERS

## Pushka

Rabbi Avi Weinrib

In this week's *parsha*, the Torah discusses extensively the donations that *Klal Yisroel* gave toward the building of the *mishkan*. The trait of giving for both individual and communal needs is one that *Klal Yisroel* has displayed in the past and still continues to excel in. In this week's Halacha Encounters, we will discuss some of the halachic issues which may arise when one has a *pushka* in a shul or home.

### Borrowing Funds From the *Pushka*

Many people have *pushka's* in their homes and have a tendency to borrow small amounts of money from it with the intention of replacing those funds. The first, most obvious issue is that unfortunately many forget to replace the money, particularly when it is only a small amount. This would then be considered to have "stolen" from *tzedakah* funds. This issue can be easily avoided by taping a note to the *pushka* reminding one to replace the money. However, there is a second issue to deal with as well. The *Shulchan Aruch* says [Y.D. 259-1] that if one declares, "This coin shall be for *tzeddakah*", until it actually reaches the hand of the *Gabai Tzedakah* [the individual in charge of distribution of the *tzedakah* funds] he may borrow it or exchange it for a different coin. However, once it is given to the *Gabai Tzedakah*, he cannot borrow the coin even if he intends to replace it at a later time. There is much discussion amongst the *poskim* if placing money in the *pushka* of an organization constitutes "reaching the hands of the *Gabai*". The issue revolves around the "*kinyan*" of "*chatzer*". Normally, an item being placed in your property is a valid way of acquiring the item. There are different opinions among the *poskim* as to whether placing a coin in the *pushka* of an organization would be considered the "property" of the *Gabai*, and he would therefore be acquiring it when you do so. [See *Sefer Tzedakah Umishpat* chapter 8. footnote 25 for the different opinions on this matter]. As far as the practical halacha, one should employ one of the following two options. All of the *poskim* agree that if one would stipulate before placing money in this *pushka* that any *Tzedakah* placed in this *pushka* should not transfer to the ownership of the institution until they physically receive the funds, he would then have the right to borrow and replace the money.

[See *Derech Emunah Hilchos Mornos Aniyim* 8. footnote 121]. Another solution presented by R' Menashe Klein Shlita [*Shu"t Mishna Halachos* 7-157] is that the *Shulchan Aruch* [Y.D. 259-2] rules that if the individual or institution who received the funds would gain from the fact that one borrowed from the funds, it would be permissible to borrow even after the *tzedakah* has reached the hands of the *Gabai*. Therefore, if one would add on to the amount borrowed upon returning it, this would be a gain to the *tzedakah* and therefore be permitted.

### Exchanging Money

The *Rema* rules [Y.D. 259-2] that although the money belongs to the *tzedakah* after it reaches the hands of the *Gabai*, one is nonetheless permitted to benefit from those funds. Therefore, although borrowing from a *pushka* may be an issue as mentioned above, one may exchange funds from a *pushka*. Therefore, if one has a bill and wishes to exchange it for coins or vice versa, he may do so with the money in the *pushka*. Some say that even when exchanging, the custom is to add on in order for the *tzedakah* to benefit.

### Mistaken Identity

If one placed money in a certain *pushka* mistakenly either intending it for a different *pushka*, or intending it to be anywhere else, he may remove the money from that *pushka*. This is based on the rule that even if the *pushka* can acquire the money, a *kinyan* made in error is not valid and is not binding. [*Tzedaka Umishpat* *ibid.*]

### Stolen

If one had a *pushka* which was stolen or got lost, he would not be obligated to replace the funds. There is a rule when one watches an item for another without getting paid for watching, he is not held accountable if the item is lost or stolen. However, if the person was negligent and this led to the *pushka* being lost or stolen, they would be obligated to replace the money in the *pushka* [*Tzedakah Umishpat* *ibid.* and chapter 10-5].

Rabbi Weinrib, *Manhig Ruchni* of *Agudas Yisroel* of West Rogers Park, is the community *maggid Shiur* at the *kollel*.