



The Collective Conversation

Weekly Torah Essays from the
Young Israel of Scarsdale Community



Sefer Devarim

Parshat Re'eh

Av 5781 / August 2021

Shmittat Kesafim

By Howie Bryks

This week's *Parsha* is filled with sevens-oriented *mitzvot*:

- Free Jewish slaves: וּבִשְׁנֵהּ הַשְּׁבִיעִית תִּשְׁלַחְתֶּנּוּ וְהַפְּשִׂי מֵעִמָּךְ, In the 7th year you shall set him free (*Devarim* 15:1);
- *Shmitta*: שְׁמִטָּה שָׁמִיטָה, every 7 years you shall practice remission of debts (15:12);
- *Pesach*: וְלֹא-יֵרָאָה לָּךְ שָׂאֵר כֶּכֶל-גֶּבֶלְךָ, For 7 days no leaven shall be found with you (16:4).
- *Omer*: שִׁבְעָה שָׁבְעָה תִסְפְּרֶהָ, You shall count off 7 weeks (16:9);
- *Succot*: וְחַג הַסֻּכּוֹת תַעֲשֶׂה לָּךְ שִׁבְעַת יָמִים, You shall hold the Feast of Booths for 7 days (16:13);
- *Shevuot*: Follows 49 days (7x7) of the *Omer* (16:15).

There are many other 7's related to Jewish life and ritual. The *Maharal* cites close to a hundred! An entertaining exercise for the Shabbat table would be to see how many you and your family can identify. And after *Shabbos* you can search, “seven,” on Safari to review the *Maharal*'s findings.

We will soon be observing *Shmitta* with the start of *Rosh Hashana*. There are 11 verses dedicated to *Shmitta* in *Parshat Re'eh*, and not one pertains to agriculture, which is our primary notion of what *Shmitta* is all about. Instead, the focus is on *tzedakah* and the cancellation of loans – *Shmittat Kesafim*. Unlike the agricultural aspects of *Shmitta* that primarily affect those who are in Israel, *Shmittat Kesafim* is less familiar to many and applies in *chutz l'aretz* as well as Israel.

Practically all debts of a fellow Jew are canceled at the end of the *Shmitta* year, right before *Rosh Hashana*. Demanding payment violates a negative and positive commandment of the Torah. These laws are meant for the benefit of the poor. One who can repay is encouraged to do so, even though technically not required to do so. The Torah is dealing with short-term loans needed for food and other necessities. Nowadays, large loans for investments such as buying property or starting a business are not canceled by *Shmitta*.

Shmittat Kesafim does not apply to items, such as a car or a hammer, for example. It applies to money or flour, which are repaid with equivalent money or flour. Also, money due for payroll to a worker or for unpaid-for-store items is not canceled unless the debt is set up as a loan.

The *Parsha* clearly states that we may not withhold loans from the needy, even with *Shmitta* pending. Nevertheless, we need only lend to trustworthy individuals who will most likely repay. The Rabbis suggest that collateral be required for high-risk loans.

Toward the end of the Second Temple period, many stopped lending money, as they would be bankrupted by the large number of poor at that time. To rectify this situation, Hillel the Elder instituted the *Pruzbul*, which transferred outstanding loans to a *beis din*, thereby *halachically* negating the obligation to forgive loans. It should be written before the end of the *Shmitta* year, arranged some time before sunset of *erev Rosh Hashana*.

The STAR-K following recommends the following procedure:

The creditor should say:

This Year is the Shemitah year, and I have documented and non-documented debts that I am owed, and I submit to you, the Beis Din, every debt due to me, so that I shall be allowed to collect them whenever I wish, as ordained by Hillel.

Pruzbul signed by bais din

On _____, the _____ day of _____, 5782 / 2022

In the city of _____,

We three individuals signed below have come together to form a Beis Din, and the lender _____ has come and told us that, due to the fact that this year is the Shemitah year, and that he has documented and/or undocumented loans that are due to be repaid to him by others, he is transferring all of his loans to the Beis Din such that he will be able to collect all of these loans at any time that he wishes, as per the regulations establish by our Sages, in accordance with Hillel's institution of the Pruzbul document.

Judge _____

Judge _____

Judge _____

Howie and Chanie Bryks are long-time members of the Young Israel of Scarsdale, starting with services in the basement on Baraud Road. Their proudest achievement is the establishment of YIS-Assists with Sharon & Harold Aspis, lending available Sabbath-compliant electric scooters, Hoyer lifts, wheelchairs, walkers, commodes, shower chairs, etc., to *Shul* members and guests. Ask us about it ...

*Want to write or dedicate a Parsha essay?
Please contact Steve Smith at stevenjsmith@yahoo.com*



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