



For Sale: Can Spiritual Reward be Purchased?

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INTRODUCTION

On Shavuot we celebrate G-d's gift to the Jewish People, the Torah. From the moment Moshe descended Har Sinai until today, engaging in Torah study is one of the most meaningful and transcendent activities a Jew can undertake. However, as we all know, life is filled with many responsibilities and finding time for Torah study can be a challenge. In addition, some may find themselves lacking the necessary background and skills needed to delve into Torah study.

The question then arises: may I hire someone else to learn Torah on my behalf? Can spiritual reward be purchased?

CONSIDER: What points could you raise to support the concept of paying someone to receive their reward for Torah study (or any other Mitzvah)? Conversely, why might you disapprove of this arrangement?

Let us explore Biblical and Talmudic models of such a relationship.

BIBLICAL MODELS

1 דברים פרשת וזאת הברכה פרק לג

(יח) וְלִזְבוּלֹן אָמַר שְׂמַח זְבוּלֹן בְּצֵאתְךָ וּשְׂשֹׁכֶר בְּאֵהְלֶיךָ

Devarim Chapter 33, Verse 18

And of Zevulun he said: Rejoice, O Zevulun, on your journeys, And Yisachar, in your tents.

QUESTION: What can we learn from the juxtaposition of Zevulun's blessing to Yisachar's blessing?

Rashi, based on the Midrash Rabah, explains:

2 רש"י דברים פרשת וזאת הברכה פרק לג

שְׂמַח זְבוּלֹן בְּצֵאתְךָ וּשְׂשֹׁכֶר בְּאֵהְלֶיךָ - זְבוּלֹן וּשְׂשֹׁכֶר עָשׂוּ שְׂוֵתִּיּוֹת, זְבוּלֹן לְחוּץ יָמִים יִשְׁכֹּן וְיוֹצֵא לְפָרֶקֶט מִטָּיָה בְּסִפִּינֹת וּמִשְׁתַּכֵּר, וְנוֹתֵן לְתוֹךְ פִּיּוֹ שֶׁל יִשְׁשֹׁכֶר וְהֵם יוֹשְׁבִים וְעוֹסְקִים בְּתוֹרָה, לְפִיכָךְ הִקְדִּים זְבוּלֹן לִישְׁשֹׁכֶר שֶׁתּוֹרָתוֹ שֶׁל יִשְׁשֹׁכֶר עַל יְדֵי זְבוּלֹן הִיְתָה

Rashi, Devarim Chapter 33, Verse 18

Zevulun and Yisachar entered into a partnership: Zevulun dwelt at the harbor of ships and went out in ships to trade; he made profit and used it to provide food for Yisachar, who sat at home and occupied himself with the Torah. Consequently, Moshe Rabbeinu mentioned Zevulun before Yisachar because Yisachar's knowledge of Torah was due to Zevulun's financial support.

This partnership is also highlighted by the Midrash in Bamidbar Rabah:

3 במדבר רבה (וילנא) פרשת נשא

למה זכה זבולון להקריב שלישי לפי שחיבב את התורה והרחיב ידיו לפזר ממונו ליששכר כדי שלא יצטרך שבט יששכר לפרנסה ולא יתבטל מלעסוק בתורה לפיכך זכה זבולון להיות שותף לתורה והיה חבירו של יששכר ולכך הקריב אחריו

Midrash Bamidbar Rabbah

Why did the tribe of Zevulun merit offering their (inauguration) sacrifice third? Because they showed honor to the Torah and graciously provided money to the tribe of Yisachar so that Yisachar would not need to cease learning Torah. Therefore, Zevulun merited to be a partner and friend of Yisachar, and that is why their sacrifice followed that of Yisachar.

FOR FURTHER THOUGHT: Why did Moshe bless Zevulun before Yisachar while Yisachar offered his sacrifice before Zevulun?

FOR FURTHER STUDY: There are other approaches to explain Moshe's blessing that do not relate to a formal business partnership. See the Netziv's Ha'emek Davar (33:18) for an alternative interpretation.

TALMUDIC MODELS

4 תלמוד בבלי מסכת זבחים דף ב עמוד א

שמעון אחי עזריה אומר

Talmud Bavli Masechet Zevachim 2a

The Gemara in Masechet Zevachim reports that "Shimon, the brother of Azarya, says..."

Rashi explains why Shimon is identified by his brother, Azarya:

5 רש"י מסכת זבחים דף ב עמוד א

שמעון אחי עזריה - על שם שעזריה עסק בפרקמטיא וסיפק צורכי שמעון אחיו בשעה שהיה עוסק בתורה והתנו ביניהן שיהא חלק לעזריה בשכר תלמודו של שמעון... לפיכך נקרא על שמו שלמד על ידו

Rashi, Talmud Bavli Masechet Zevachim 2a

Shimon is identified by his brother Azarya because Azarya was involved in business and provided for Shimon while Shimon was learning Torah. They stipulated that a portion of Shimon's learning would be given to Azarya and that is why Shimon is identified by his brother, as he only learned with the help of his brother's support.

While a spiritual partnership does find its source in the Torah and the Talmud, there are other sources that look askance at such an arrangement:

6 תלמוד בבלי מסכת סוטה דף כא עמוד א

מאי בוז יבוזו לוז? אמר עולא: לא כשמעון אחי עזריה, ולא כר' יוחנן דבי נשיאה, אלא כהלל ושבנא; דכי אתא רב דימי אמר: הלל ושבנא אחי הוון, הלל עסק בתורה, שבנא עבד עיסקא, לסוף א"ל: תא נערוב וליפלוג, יצתה בת קול ואמרה אם יתן איש את כל הון ביתו וגו'

Talmud Bavli, Masechet Sotah 21a

What is the meaning of: "He would utterly be condemned" (Song of Songs 8:7)? Ulla says: The verse is not speaking of individuals like Shimon, brother of Azarya and it is not speaking of individuals like Rabbi Yochanan of the house of the Nasi. Rather, it is speaking of Hillel and Shevna, as when Rav Dimi

came he said: Hillel and Shevna were brothers; Hillel engaged in Torah whereas Shevna entered into a business. In the end, Shevna said to Hillel: Come, let us join our wealth together and divide it between us; In response to this request a Divine Voice issued forth and said: "If a man would give all the fortune of his house for love... (he would utterly be condemned)".

QUESTION: Why does the Divine voice oppose the "business deal" between Hillel and Shevna? Why does the Gemara accept the arrangements made by Shimon and Rabbi Yochanan but reject the offer made by Shevna?

(Hint – Shevna only makes the offer to pay Hillel after Hillel spent years learning. Why would this timeline make a difference?)

QUESTION: What is the general shortcoming of sources 1 – 6?

HALACHIK SOURCES

In order to ascertain the validity of two people entering into such a partnership, we must turn our attention to Halachik sources.

7 טור יורה דעה הלכות תלמוד תורה סימן רמו

ומי שא"א לו ללמוד, מפני שאינו יודע כלל ללמוד או מפני הטרדות שיש לו, יספיק לאחרים הלומדים. הגה: ותחשב לו כאילו לומד בעצמו ויכול אדם להתנות עם חברו שהוא יעסוק בתורה והוא ימציא לו פרנסה ויחלוק עמו השכר

Tur, Yoreh Deah, Laws of Torah Study Chapter 246

And one for whom it is impossible to learn because he does not know how or because of responsibilities, he should support others who study, and it will be considered for him as if he learned himself. And a person is able to arrange with his friend that he will study Torah and his friend will support him, and they will split the reward.

The Halacha codified in the Tur is repeated verbatim by the Shulchan Aruch. The Rema, based on the Gemara Sotah (source 6) adds one important caveat:

8 שולחן ערוך יורה דעה הלכות תלמוד תורה סימן רמו

אבל אם כבר עסק בתורה אינו יכול למכור לו חלקו בשביל ממון שיתנו לו

Shulchan Aruch, Yoreh Deah, Laws of Torah Study Chapter 246

But, if he already toiled in Torah, he is unable to sell him his portion for the money he will give to him.

Throughout Jewish History, many Yisachar/Zevulun relationships have been arranged. In fact, there are even "Yisachar/Zevulun shtarot" (document templates) that can be used by the two parties when entering into this arrangement.

RESPONSA LITERATURE

Three Approaches

Later responsa literature also delves into this topic. Opinions range from strong approval to equally strong disapproval. Let us study three relevant responsa.

Approach #1 Rav Moshe Feinstein

Rav Moshe Feinstein (1895-1986) addresses this arrangement in Igros Moshe. Rav Moshe notes that serious accomplishment in Torah requires fulltime study. As such, Rav Moshe embraces the Yisachar Zevulun relationship. In this particular responsa, Rav Moshe was asked whether the payment made by the businessman toward the Torah scholar can be considered charity. If it is charity, then one could even use money that had been set aside for Tzedekah to pay the Torah scholar. Rav Moshe writes:

9 שו"ת אגרות משה יורה דעה חלק ד סימן לז

הנה עניין ישכר וזבולון הנזכר ברש"י... הוא ברור ופשוט שאינו ממצוות צדקה. דכי ח"ו שבט ישכר היו עניים, והא גם לשבט ישכר היה חלק בא"י ולקח נחלה כמו זבולון וכל השבטים...

Igros Moshe, Yoreh Deah, Volume 4, Chapter 37

Behold, in the concept of Yisachar and Zevulun that is mentioned by Rashi, it is obvious and clear that it is not part of the Mitzvah of giving charity. Was the tribe of Yisachar poor? Yisachar also received a portion in the land of Israel just as Zevulun did along with the other tribes (and the tribesmen were able to support themselves)

וא"כ הוא כמתנת איש עשיר לחברו העשיר מצד רעות וכדומה, שלא שייך זה למצוות צדקה, ואין על זה ממילא שכר שנאמר בתורה עבור מצוות צדקה. ואולי יש גם על זה שכר עבור עניין השלום ואהבה שגורם זה ביניהם. ואם הוא לת"ח איכא בזה משום כבוד התורה ואתייקורי הוא דמתייקר הנותן לו...

If so, it is like the gift of a wealthy man to his friend, as a sign of friendship, which is not relevant to the commandment to give charity. There is also no reward for giving charity when making this payment. On the other hand, perhaps there is reward for the enhanced feelings of peace and love that ensue as a result of this relationship. If the individual is a Torah scholar, then the payments are a Mitzvah because it bestows honor and glory to the Torah.

אלא שהיה זה עניין שותפות ממש. שזבולון נתן לישכר כל שכר הפועלים בהשדות וכל מה שהיה צריך ישכר להשלים במלאכות דגברי... והיו חולקין בין שניהם כפשטות הלשון

Rather, this entire matter is a formal partnership. Zevulun must give Yisachar half the profit from the field, and all that Yisachar needs in order to live, and they will split between them the reward of the Torah study, as the basic concept implies.

וניחא לפ"ז מה שלא הזכירו הטור והרמ"א דין זה בהלכות צדקה אלא בהלכות ת"ת...

Now we understand why the laws of this relationship are not mentioned by the Tur or the Rama in the laws of Tzedakah but rather in the laws of Torah study.

Approach #2

Rav Moshe Alashkar

Approximately 450 years prior to Rav Moshe Feinstein, Rav Moshe Alashkar (1466-1522) rendered his opinion on the matter. In the opening line of Rav Moshe Alashkar's responsa, he summarizes the question that he received:

10 שו"ת מהר"ם אלשקר סימן קא

עוד שאלת אם יש ממש באותן שמוכרין זכויותיהן זה לזה אם זכה הקונה או הפסיד המוכר ואם פעולה זו יש לה עיקר

Responsa of Maharam Alshakar, Chapter 101

Is it legitimate for one to sell merits to another? Does the purchaser receive credit? Does the seller lose reward? Does this arrangement have any validity?

Interestingly, Rav Alashkar writes that he could not find precedent for this question in earlier literature, except among the responsa of Rav Hai Gaon. He quotes at length from Rav Hai's teshuva when he was asked about someone selling or donating his spiritual reward for fasting or learning Torah.

Rav Hai's response:

תשובה כך ראינו כי דברים אלו דברי הבל שאין לסמוך עליהן ואיך יעלה על לב כי שכרו של זה של מעשים טובים שעשה זה לזה והלא הכתוב אומר צדקת הצדיק עליו תהיה... היחשוב כי מתן שכר של מצות דבר שישארו אדם בחיקו וילך כדי שיתן זה מתן שכרו לזה... אלו ידעו מה הוא השכר לא היה זה נותנו לזה ולא זה מקבלו מזה... והוא קרוב לקבל פורענות מלקבל שכר כי עשה שם שמים פלסתר וכקרדום לאכול בה לחם.

Response: We have seen that these ideas are worthless, not to be relied upon. How can one even consider that one person's reward can be passed to another person? Does the verse (Yechezkel 18:20) not state: "The righteousness of the righteous are upon him?" Do you really think that reward can be carried and transferred to another person? If someone truly understood the nature of the reward, he would never give it away, nor would the receiver ever accept it. The one (who transfers his reward) will likely be punished rather than receive reward, since he has made the name of G-d like a shovel that is used for consuming bread.

QUESTION: Why does Rav Alashkar begin his response by noting that there are few sources to draw upon? What about the verses referring to Yisachar/Zevulun? Why does he ignore the Gemara about Shimon and Rebbe Yochanan?

QUESTION: How would Rav Moshe Feinstein respond to Rav Hai Gaon's point that spiritual reward is not an item that can be traded?

Approach #3

Rav Eliezer Waldenberg

Rav Eliezer Waldenberg (1915-2006), in his responsa, Tzitz Eliezer, suggests a hybrid approach based on the analysis of the Imrei Binah (written by Rav Meir Auerbach):

11 שו"ת ציץ אליעזר חלק טו סימן לה

כי השכר על פעולת מצוה כפול הוא, שכר סגולי הדבק בפועל הטוב, שמושך על עצמו שפע אלקי וחיות רוחני חיי עולם בעשיות המצוות לשמן לשם פועל... אשר אין קץ ועין לא ראתה אלקים זולתך, יש כמו כן שכר מצוה גמולי אשר הקב"ה משלם שכרו כיד מלך מלכי הקב"ה כאילו עשה לו כב"י עבודות

Responsa Tzitz Eliezer, Volume 15, Chapter 35

There is a double reward that a person receives for doing a Mitzvah. There is a specific reward that

clings to the one who does the action - a person brings to himself a Heavenly flow, a spiritual life when doing a Mitzvah for the correct reason. (This reward) has no end, and an eye cannot identify the reward, only Hashem. There is also reward as compensation, similar to a king who must pay his servant.

דא"כ יש מקום לומר, דודאי עצם שכר התורה והמצוה הדבק בהפעולה בלתי אפשרות להשתתף בהן... אולם סוג שכר הגמולי שאינו דבק בהפעולה... ובזה שפיר יכול להשתתף

If so, one can suggest that when it comes to the reward for learning Torah or fulfilling a Mitzvah that flows from the act itself, there can be no partnership. However, the reward that is given as compensation can be transferred as part of an arrangement.

QUESTION: Which approach resonates most with you? Why?

PERSONAL REFLECTIONS: While there is solid Halachik basis for making a Yisachar/Zevulun arrangement, the insight of the Imrei Binah rings loudly in my ears. Perhaps there are dimensions of spiritual reward that can be transferred from one party to another; however, the spiritual intimacy that emerges from meaningful Torah study cannot be reproduced. Shavuot, in particular, is an ideal time to express our gratitude to G-d for bestowing upon His people the unparalleled gift of the Torah.

אשרינו מה טוב חלקינו

How lucky we are to study Torah and feel the embrace of Hashem when doing so!

May we all merit to continue studying Torah both individually and communally.

I welcome your input and thoughts.

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* Please note that the English translation of the Hebrew texts are based on Sefaria and my own loose translations.