1st

Summary Questions

1. **What religious laws were instituted to provide sustenance for the poor and which for the purpose of rehabilitation?**

TO SUM UP:

The Jubilee year (yovel) rehabilitation

Emancipation of slaves rehabilitation

The Sabbath sustenance

Sabbatical year release of lands sustenance

Gleanings, forgotten produce, corners of the field sustenance

Remission of loans rehabilitation

Precept of manumission rehabilitation

2. **Which biblical commandments are most similar to that of charity?**

The correct answer: **gleanings, forgotten produce, corners of the field** because like simple charity they are meant to help the poor survive their hardship

3. **What is unique about the Jubilee year?**

The biblical precept of the Jubilee year (Lev. 25:8-13) provides that all land within the territory of the land of Israel is to be redistributed among members of the community on a set fifty-year cycle. The key to the redistribution is familial: every man returns to and gains ownership of his family's ancestral plot. The redistribution thus presupposes an initial distribution of the land according to family. In addition, within the framework of the Jubilee law, all slaves are manumitted, and return to their homes and ancestral lands as freemen.

The Jubilee year is a cyclical process undergone once in a set number of years—in enabling the poor to make a fresh start, has the potential to effect long-term changes in economic well-being.

4. **Why does Porat think that the Sabbath has a social element?**

The commandment to rest on the seventh day—the Sabbath—is not generally thought of as falling within the Torah's social legislation. But upon scrutiny, the social justice element becomes apparent. **One of the rationales the Torah offers for the Sabbath is to grant slaves and maidservants a rest their masters might otherwise deny them**: "But the seventh day is a Sabbath of the Lord your God; you shall not do any work—you, your son or your daughter, your male or female slave, your ox or your ass, or any of your cattle, or the stranger in your settlements, so that your male and female slave may rest as you do" (Deut. 5:14).

5. **Why are the laws relating to lending money so central in the Biblical approach to social welfare?**

In Deuteronomy 15:7–8, the Torah mandates that the poor must be helped not only by providing them with agricultural produce, but by ensuring their access to loans. The wealthy are obligated to lend money to the poor for whatever they need.

Later in the chapter, we will examine these verses and delve into the question of why loans are emphasized, as opposed to outright donations.

The lending mandated by the Bible has a markedly social character: lending on interest is forbidden. Charging interest is compared metaphorically to the lender's taking a bite out of the borrower; one biblical Hebrew term for interest is *neshekh kesef*, literally, "a bite of money."

Loaning money to the poor is mandated for social reasons, not as a mechanism for advancing the lender's economic interests. This is also evident from the laws governing the manner in which loans are to be collected, laws that protect the debtor and his dignity, for example, the prohibition against the creditor's entering the debtor's home to seize a pledged object (i.e., collateral), and the creditor's obligation to return the debtor's collateral to him every evening, if the debtor needs it to sustain himself (Deut. 24:10–13).

6. **Can one find "charity", a free monetary gift, in the Torah?**

No. It is not always recognized that there is no biblical commandment mandating that money be donated—given—to the poor. **The Sages derive this obligation from the passage in Deuteronomy that sets forth the obligation to loan money (interest-free, of course) to the needy: If there is a needy person among you, one of your kinsmen in any of your settlements in the land that the Lord your God is giving you, do not harden your heart and shut your hand against your needy kinsman.**

7. **How does Porat see in the Biblical laws that the poor has to make an effort and show responsibility?**

We have surveyed the various precepts that obligate the wealthy to provide a safety net for the disadvantaged. Parallel obligations are imposed on the needy, effectively conditioning assistance on their active cooperation. Recipients of charity must join in the effort to rehabilitate them, that is, they must help themselves.

What explains the difference between the rule governing gifts of produce to the needy, who must participate in harvesting the field, and that governing tithes and heave offerings given to the priests and Levites, who receive their shares of the harvest ready-to-use? The priests and Levites do sacred work), and the produce given them is compensation for this work. Accordingly, they are not required to perform any additional labor, such as working in the field, to obtain it. The needy, however, receive the produce as a donation rather than as wages, and must therefore join in harvesting the field, thereby contributing and helping themselves, so to speak.

Another instance in which the beneficiary is required to take on responsibility with respect to a donation is the precept of loaning money, an important precept that constitutes the source for the later laws referred to as the laws of charity.

These verses mandate that monetary assistance be provided to the poor. The Torah recognizes that the giver may resist doing so out of concern that, due to the forthcoming Sabbatical year remission of loans, any money lent out will be forfeited, and seeks to allay these concerns by promising that all the giver's endeavors will be blessed. Clearly, then, the precept in question refers to assistance in the form of a loan, which is subject to remission, rather than an outright gift, which is not affected by the law of debt remission.

Moreover, the Hebrew verb translated as "you shall surely lend him"— *haavet taavitenu*—is derived

from the root *av"t*, meaning 'collateral,' something given to the lender as a pledge that the loan will be repaid. That Charity and distributive justice 55 is, the literal meaning of the verse is "you shall take collateral against the loan you are obligated to grant him." And indeed, this is how the great medieval exegete R. Abraham ibn Ezra interpreted it: "you shall give him [something that is] yours in exchange for his collateral. And [the meaning of] "*taavitenu*" is "accept his collateral."

What, then, is the essence of the assistance that is rendered to the needy by loaning them money? A loan will provide effective aid only if the borrower is prepared to keep his nose to the grindstone and use the loan productively, so that he can both repay the loan and benefit from its potential fruits. If the borrower tries to benefit from the loan immediately, it is likely that when the time for repayment comes, he will be left with nothing, or more likely, with a loan he cannot repay. **Granted, a borrower struggling to repay a loan can rely on the fact that it will ultimately be remitted and thus transformed, in effect, into a donation; but this will not occur until the Sabbatical year, and does not relieve the borrower of the responsibility to work hard to pay off the loan in the intervening years. Loans, like gleanings, forgotten produce, and corners of the field, provide the needy with effective assistance only to the extent that the beneficiaries themselves actively work to reap the benefits in question.**

2nd

Summary questions:

1. **What is the difference between *tsedaqah* in the Bible and amongst the Rabbis of the Talmud?**

The term tsedaqah in the Hebrew Bible means "righteousness" – a broad concept, denoting right living or proper behavior. Nowhere in the Hebrew Bible does the Hebrew tsedaqah mean charity or almsgiving. It is only in the Hellenistic era that we begin to find charity as a specific expression of righteous behavior. These include references in Tobit and the Dead Sea Scrolls, where charity/ tsedaqah is understood as almsgiving. Tsedaqah predominantly denoted "righteousness" in prerabbinic texts. It is only in early rabbinic literature that "charity" becomes a common definition of tsedaqah. It would later become the predominant sense of the term and it remains so today.

2. **Where can one see in the Rabbis's teaching how they transformed the meaning of *tsedaqah*?**

   Tannaitic texts mark a major turning point in the development of tsedaqah from righteousness to charity. Following a thorough study of tsedaqah in Tannaitic compilations, Benno Przybylski concludes, "As a matter of fact, the primary meaning of the term tsedaqah in the Tannaitic literature is without doubt that of almsgiving as defined in Tosefta Pe'ah 4:19The evolution of tsedaqah from "righteousness" to "charity" in early rabbinic texts is vividly illustrated in its "dependent" uses, where the word appears as part of citations of biblical verses.

Risposta del prof: What I in particular like is what they do to the passage is how they transform Deuteronomy 15:7 →

The answer, in line D, is that Moses performs tsedaqah by providing for the poor in accordance with Deuteronomy 15:7. This verse is couched as an imperative for one human to provide for another as opposed to God providing for all. It should be noted that SifreDeut quotes Deuteronomy 15:7 selectively, truncating the verse and taking it out of context.

Example: What *tsedaqah* did Moses perform for Israel?
Is it not true that all during those forty years that Israel was in the wilderness a well sprang up for them, manna came down for them, pheasants were available for them, and the clouds of glory encompassed them?

Rather, this refers to what Moses said: *If there be among you a needy man* (Deut 15:7).

The rabbis' question in line C arises because they want to know what Moses could have possibly done if God had already provided for all of Israel's needs in the desert. The rabbis indicate that they understand tsedaqah as material support for those in need, as God provides sustenance in manna and pheasants, and shelter with clouds. The answer, in line D, is that Moses performs tsedaqah by providing for the poor in accordance with Deuteronomy 15:7. This verse is couched as an imperative for one human to provide for another as opposed to God providing for all. It should be noted that SifreDeut quotes Deuteronomy 15:7 selectively, truncating the verse and taking it out of con- text.

3. **How do the Rabbis reformulate the obligation of giving a loan to the poor (even before the sabbatical year)?**

Within Deuteronomy, the verse exhorts individuals to extend loans to the poor in the years leading up to the Sabbatical year, when all debts are canceled. Within its biblical context, Deuteronomy 15:7 does not constitute almsgiving or charity. In short, this passage from SifreDeut 355 projects late-antique concepts onto Deuteronomy, illustrating the principle that charity constitutes a specific way in which to perform righteousness. Likewise, numerous other texts from the Tannaitic corpus interpret tsedaqah in citations from the Hebrew Bible as "charity."

4. **What is the difference, according to Gardner, between *tsedaqah* and other acts of kindness?**

The interpretation of tsedaqah in biblical passages as "charity" would steadily increase with time. By understanding tsedaqah as "charity," the rabbis promote a finite and concrete way to fulfill the broader imperative to live a righteous life. It is critical, then, to gain an accurate understanding of what the rabbis mean by tsedaqah when they use it as "charity." The early rabbinic concept of "charity" is far more specific and narrow than modern understandings of the term. Today, "charity" has a broad range of meanings, which have been heavily influenced by Christianity – it can be understood as love, kindness, affection, generosity, spontaneous goodness, a lenient disposition, and benevolence. It follows that charity could mean giving to institutions considered to be altruistic, philanthropic, or that serve the common good, civic needs, or religious groups, such as synagogues, churches, hospitals, or other nonprofit organizations. Charity, moreover, can be carried out with either money or personal service, such as volunteering or visiting the sick. These modern understandings of "charity" have been misapplied by scholars and retrojected onto ancient sources. The confusion between the early Jewish and Christian conceptualizations of charity with modern connotations has hindered scholarship on the topic, as almost any text that addresses beneficent or generally philanthropic behavior has been mistakenly brought into discussions of charity in general and organized charity in particular. In contrast to today's broad understanding of "charity," the late-antique rabbis had a narrower and more specific view. The key statement on charity is the Tannaim's definition of tsedaqah as monetary support for the living poor

5. **What is *gemilut hasadim* and how does it differ from charity?**

The Tannaim say: Tsedaqah and gemilut hasadim are equal in weight to all the commandments in the Torah. Except that tsedaqah is for the living; gemilut hasadim is for the living and the dead. Tsedaqah is for poor people; gemilut hasadim is for poor people and rich people. Tsedaqah is with one's money; gemilut hasadim is with one's money and body.

6. **Is "charity" limited to giving money or does it include clothing and food?**

It includes clothing and food. The context of this passage indicates that tsedaqah can also be given in kind, including food, clothing, and shelter. Thus, the earliest conceptualization of charity in

rabbinic Judaism defines tsedaqah as material provisions for the living poor. Likewise, in this book, "charity" will denote only relief for the living poor, to correlate directly with the rabbinic understanding of tsedaqah. I use terms and phrases such as philanthropy, support for the poor, and beneficence to denote acts that are altruistic, but do not qualify as charity per se.

7. **How does Gardner distinguish between charity and "harvest-time allocations"?**

It is also important to distinguish charity from other forms of support for the poor. Outside of charity, the other major category of poverty relief consists of agrarian laws associated with the harvest. These require leaving leftovers or marginal crops for the poor, such as pe'ah, produce standing in the "corner" of a field. Other items to be left for the poor are "gleanings" (sheaves that fell to the ground during the harvest), "forgotten things" (items overlooked by the harvester), and similar allocations of grapes and olives. The laws of pe'ah gleanings, and forgotten things, which I will call collectively "harvest-time allocation", draw directly from and elaborate upon commandments in the Torah. They are, however, not charity. The landowner or harvester does not give this produce to the poor. There is no agency on his part. Rather, the harvester's obligation is to refrain from interfering with the distribution of provisions to the poor by God. That is, God is the benefactor of pe'ah, gleanings, and so forth- not humans. The misunderstanding of harvest-time allocations as charity can mistakenly lead one to conclude that the poor have a right to charity. All poor individuals have a right to claim and collect pe'ah, gleanings, and forgotten things. If harvesters fail to leave these items for the poor, the rabbis instruct, they have essentially stolen what rightfully belongs to the poor. Charity, however, entails no such right. Charity is an obligation for a non-poor individual to give – not a right for the poor to receive

8. **In what ways did the Rabbis, according to Gardner, expand the support for the poor?**

In short, "charity" or tsedaqah in early rabbinic texts is a narrow concept, far more restricted than the modern sense of charity that has been misapplied to early rabbinic texts by previous scholars. The rabbis understand "charity" to be a specific way to fulfill the more general obligation to live righteously. In later rabbinic texts, tsedaqah would expand to denote a wide variety of endeavors understood to be altruistic or philanthropic. These would include donations to support rabbis and rabbinic disciples – sacerdotal giving as opposed to charitable giving. Tsedaqah would also later include contributions toward the salaries of teachers, gifts to synagogues, care for orphans, burying the dead, dowries for poor women, visiting and caring for the sick and elderly, and ransoming captives. For the Tannaim, however, charity was exclusively meant for poor men.

9. **What role did the "urban poor" play in the development of charity in the Talmudic period?**

How do the Tannaim, who discuss charity (both individual and organized) in the midst of discourse on harvest-time allocations and the poor tithe, envision that all of these forms of support would work together? First, while the two categories (harvest-time allocations and charity) are distinct, they are also complementary as they address poverty in two different settings. The laws for allocations made at the harvest presume a rural setting and it is easy to see how pe'ah, gleanings, and forgotten things would be most accessible to poor peasants. Charity is an ideal solution for the poor living in towns. Soliciting alms from individuals is most effective in densely packed areas, as the poor can situate themselves in high-traffic locations (such as marketplaces and near temples) to increase their chances of receiving alms. Moreover, charity institutions (especially the quppa) are shaped by Greco-Roman civic culture, as they stand alongside other institutions in the urban landscape. Indeed, the creation of solutions to urban poverty may have been prompted by increased urbanization during the Roman era.

3rd

1. **What can be learned from the source depicting the acts of King Ammisaduqa?**

The case of King Ammisaduqa illustrates the efforts undertaken in ancient Near Eastern societies to help the needy. King of Babylon Ammisaduqa made an effort to ease the burden on debtors. Whoever has given barley or silver to an Akkadian or an Amorite as an interest-bearing loan and had a document, his document is voided because the king has invoked the misharum and he may not collect the barley or silver on the basis of his document. The King's misharum is also effective in releasing a person's wife or children in debt servitude for silver or as a pledge. **This points to the fact that it is the monarch who decides whether, when, and how the weaker classes should be helped, through the misharum document.**

2. **What is important about the timing of Pharaoh Ramses acts of kindness?**

Pharaoh Ramses announced several measures to be taken to benefit the needy exactly at the time of his coronation. This could be because he wished to win over the hearts of the people, which explains why this was done when he ascended the throne. His motivation for this was the wish to appear in the eyes of the people as just and upright, and not a genuine concern for improving the lot of the poor among its people.

3. **In what way are the actions of Pharaoh Ramses different than those King Ammisaduqa with regard to the poor?**

Prof wanted a focus on the different motivations that the two give and the exact timing that they do these "good deeds" because it will better explain how doing good is not religiously motivated but politically:

King Ammisaduqa: the motivation that he gives it to ease the burden on debtors "Whoever has given barley or silver to an Akkadian or an Amorite as an interest-bearing loan. . . and had a document executed–because the king has invoked the misharum for the land,
his document is voided; he may not collect the barley or silver on the basis of his document. If an obligation has resulted in foreclosure against a citizen of Numhia, a citizen of Emutbalum, a citizen of Idamaras, a citizen of Uruk, a citizen of Isin, a citizen of Kisurra, or a citizen of Malgium, in consequence of which he placed his own person, his wife or his children in debt servitude for silver, or as a pledge-because the king has instituted the misharum in the land, he
is released; his freedom is effective. "

"Heaven and earth rejoice, for thou art the great lord of Egypt. Those who had fled have returned to their home-towns; those who were in hiding have come forth. The hungry are sated and rejoice, the thirsty are drunk. The naked are clothed in fine linen, the ragged wear fair garments. Those who were in bonds are free again; those who were in chains rejoice. The rebels in this land are become free men once more. High Niles are come forth from their caverns and make glad the heart of the people. The widows' houses stand open once more; they let the wanderers enter"

4. **How do scholars explain the good deeds of monarchs in the ancient near-east?**

Ancient Near East scholars have pointed out that these practices, while intended help the weak, take place within a political context. They are always effected by decree of the king and at his initiative.

Acts intended to generate social reforms were taken when the king saw fit, or more accurately, when he saw the need or the opportunity to endear himself to his subjects and ensure the

tranquility of his kingdom: on ascending to the throne, say, or at times of war. Bestowing such concessions allowed the king to advance his own political interests while clothing his machinations in the rhetoric of social justice.

Another substantial difference between the proclamation of "liberty" in Egypt and Mesopotamia and in Israel was that the motivation for this proclamation among the kings of the ancient Near East was the wish of the monarchs to win over the hearts of the people, which explains why this was usually done when they ascended the throne. While the kings ameliorated the condition of the poor by establishing "uprightness" or "freedom," their motivation for this was the wish to appear in the eyes of the people as just and upright kings, and not a genuine concern for improving the lot of the poor among their people. In ancient Greece, where this practice also took root, the tendency of the rulers to act in this way was looked upon with suspicion, for which reason the institution of cancellation of debts was a punishable offense, and anyone attempting to realize it was cursed.

What motivation lies behind "to do justice in the land" regarding the actions of monarchs in the ancient near-east?

A wide range of actions intended to help the weaker social strata were known in early antiquity: declaring a remission of debts, freeing prisoners and slaves, suspending taxes, and more. In some languages and at some places, measures such as these were referred to with the very rubric used in the Bible: "to do justice in the land". Ancient Near East scholars have pointed out that these practices, while intended help the weak, take place within a political context. They are always effected by decree of the king and at his initiative. It is the monarch who decides whether, when, and how the weaker classes should be helped. Acts intended to generate social reforms were taken when the king saw fit, or more accurately, when he saw the need or the opportunity to endear himself to his subjects and ensure the tranquility of his kingdom: on ascending to the throne, say,

or at times of war. Bestowing such concessions allowed the king to advance his own political interests while clothing his machinations in the rhetoric of social justice

5. **In what central way is the Biblical model of welfare different than that of the other nations?**

As you shall see one can find many of the same social institutions that we have discussed from the Biblical period (such as remission of loans, freeing slaves, even restoration of property) amongst other nations of the same time. One can even find the distribution of charity to the poor. There are however two (related) differences between the two. **In short: among the nations of the ancient near east (the time of the Bible), these acts are not part of the religion but part of "political" policy. They are not religious obligations that bind all individuals (including the rulers) but are rather the prerogative and initiative of the King, the ruler and notice when the ruler feels the need to act! A second aspect relates to the personal responsibility of the individual (instead of only institutions) to care for the poor**. For this Porat directs our attention to the laws relating to the harvest or in lending to the person who needs help.

Another substantial difference between the proclamation of "liberty" in Egypt and Mesopotamia and in Israel was that the motivation for this proclamation among the kings of the ancient Near East was the wish of the monarchs to win over the hearts of the people, which explains why this was usually done when they ascended the throne.

The biblical approach differs markedly. While the social measures legislated in the Torah were for

the most part familiar—remission of debts, emancipation of slaves, restoration of property to its owners, and so on— the initiative for implementing these steps is no longer the king's, but a matter of statutory law. The Bible regularizes acts of social justice. The steps to be taken, and the timing of these steps, are no longer discretionary, but fixed and known in advance to all. The ruler cannot take such steps whenever he finds it politically expedient, but is required to abide by the statutory schedule.

Personal responsibility is a central pillar of the Torah's social legislation. Responsibility for helping the disadvantaged falls not on public institutions, but squarely on the shoulders of the individual, who is obligated to help the poor and needy with whom he comes in personal contact. The Torah does not mandate establishment of public institutions for collecting money from the wealthy and distributing it to the poor, but rather, the transfer is accomplished directly.

When a needy person approaches his wealthy neighbor for assistance, he need not hope the latter will exhibit good will and generosity, but can rely on the legal obligation imposed by the Torah. Only much later do we see the rise of communal institutions such as charity funds, that serve as intermediaries between rich and poor.

6. **How central is the King to the laws relating to social welfare in the Bible?**

The biblical approach differs markedly. While the social measures legislated in the Torah were for the most part familiar—remission of debts, emancipation of slaves, restoration of property to its owners, and so on— the initiative for implementing these steps is no longer the king's, but a matter of statutory law. The Bible regularizes acts of social justice. The steps to be taken, and the timing of these steps, are no longer discretionary, but fixed and known in advance to all. The ruler cannot take such steps whenever he finds it politically expedient, but is required to abide by the statutory schedule. In bringing actions undertaken for the benefit of the weak under the umbrella of the law, the biblical approach to social justice was tantamount to a revolution. It ensured that the measures in question indeed served their declared purpose, and were not undertaken merely to advance the interests of the throne.

7. **What does Porat think can be derived from various social law from the harvest time (and lending money) which is different from the other nations?**

A second (the first one is the fact that among the nations these acts are not part of the religion but part of the political policy) difference between the Bible social laws and the other nations' relates to the personal responsibility of the individual in the Bible (instead of only institutions' responsibility in other nations) to care for the poor. For this Porat directs our attention to the laws relating to the harvest or in lending to the person who needs help.

Who bears financial responsibility for supporting the disadvantaged? On the biblical model, are those in need to seek out wealthy individuals for help, or can they seek succor from an anonymous source, such as a charity fund?

Personal responsibility is a central pillar of the Torah's social legislation. Responsibility for helping the disadvantaged falls not on public institutions, but squarely on the shoulders of the individual, who is obligated to help the poor and needy with whom he comes in personal contact.

This is evident, for example, in the precepts of gleanings, forgotten produce, and corners of the field. These commandments, as we saw, obligate the owner of a field to set aside a portion of his yield for the poor. This portion is transferred directly to the poor, with no mediation:

This policy of direct contact between helper and beneficiary is manifest in the formulation of the obligation to lend to the poor. Maimonides articulates this obligation more explicitly still: "He who, seeing a poor man begging, turns his eyes away from him and fails to give him alms, transgresses a negative commandment, as it is said, 'Do not harden your heart and shut your hand against your needy kinsman.'"

Note that the biblical verse Maimonides invokes terms the poor person "your kinsman," even though it is not referring literally to a member of the wealthy person's family. This device is used often in the Bible, as when fellow Israelites are referred to as "your brother" or "your friend." The family metaphor evokes social solidarity, and sends a message of interpersonal responsibility. When a needy person approaches his wealthy neighbor for assistance, he need not hope the latter will exhibit good will and generosity, but can rely on the legal obligation imposed by the Torah. Only much later do we see the rise of communal institutions such as charity funds, that serve as intermediaries between rich and poor.

In effect, the Torah broadens the scope of the social assistance that has up to this point been viewed as the province of the ruler, requiring it to be extended to the needy by their fellows. This policy is not due to a lack of familiarity with the concept of public funding, yet in all matters related to support for the disadvantaged, the Bible deliberately chooses to impose responsibility directly on the individual.

This policy creates direct personal contact between the two sides of the socioeconomic divide. One who has means cannot avoid his disadvantaged neighbor by telling him to direct his requests to the public authorities, but must look him in the eye and open his purse to his needs

8. **What does Porat mean when he writes about "social justice as a legal issue"?**

While the social measures legislated in the Torah were for the most part familiar—remission of debts, emancipation of slaves, restoration of property to its owners, and so on— the initiative for implementing these steps is no longer the king's, but a matter of statutory law. The Bible regularizes acts of social justice. THEY ARE REGULATED LIKE LAWS → THEREFORE SOCIAL JUSTICE AS A LEGAL ISSUE The steps to be taken, and the timing of these steps, are no longer discretionary, but fixed and known in advance to all. LEGAL ISSUES ARE FIXED- and acts of social justice become fixed too so they get closer to being legal issues The ruler cannot take such steps whenever he finds it politically expedient, but is required to abide by the statutory schedule. In bringing actions undertaken for the benefit of the weak under the umbrella of the law, the biblical approach to social justice was tantamount to a revolution. It ensured that the measures in question indeed served their declared purpose, and were not undertaken merely to advance the interests of the throne. To further enhance provision of social assistance, the biblical system also set in place other principles, to which we now turn.

4th

1. **What is the basic difference between "religious giving "as found in Judaism and other religions and the main expression of generosity in the classical world?**

Stark difference between religiously motivated charity - were God demands from man to have mercy on the poor and downtrodden and to take action to help him/her out, as we have seen in the verses in Deuteronomy and what the rabbinic understanding of charity (in a previous class), and the honor and status driven giving as found in the classical world.

2. **What is "Euergetism" and why is that important for this course?**

Principal form of generous giving in the classic world → *Euergetism* - a neologism created from the wording of Greek decrees that honor a benefactor. *Euergetism* was a form of benefaction in which a benefactor gave a gift to a city and the citizens would reciprocate by giving a counter gift to the benefactor.

This informal institution was ubiquitous from the fifth century B.C.E. onward throughout the Greek-speaking world. It was defined by a remarkably consistent set of features. From his or her own pocket, a benefactor would finance public works, games, fortifications or other forms of military assistance, or municipal services, or provide for the local cult. In return, the benefactor would receive a gift drawn from a fairly standardized set of rewards. The gift most characteristic of *euergetism* was an honorary decree passed by the local council that recounted the benefactor's contribution to the city and bestowed personal honors upon him or her. The honors set forth in the decree were accompanied by other gifts given to the benefactor, including statues in his or her image, crowns and other objects made of gold, and seats of honor at games and festivals. The gifts were awarded in public ceremonies that praised the benefactor, and the decrees themselves were inscribed and displayed in prominent locations. This served to publicize the benefaction, encourage others to contribute to the city, and elevate the social status of the benefactor. It created a lasting memorial so that the benefaction, the benefactor, and the honors would be remembered as long as the stele with the inscription stood. Because these gifts either elevated or solidified the benefactor's social position, political standing, or both, *euergetism* provided a means to acquire or maintain authority. Royalty, therefore, were benefactors *par excellence*.

3. **Did the Greeks and Romans care for the poor?**

   Unlike charity, euergetism was meant to benefit the citizens of a particular town. These may have included needy individuals, but euergetism did not target "the poor" per se. Whereas charity lies in the moral realm, euergetism was a mechanism for the benefactor to capture honor and status.

4. **Does the statement "God loves the poor" make sense within the Greek world-view?**

   Religion was not of much help for the poor; they simply were not the favorites of the gods. It was rather the rich who were seen as the favorites of the divine world, their wealth being the visible proof of that favor. "God loves the poor" would have been a bizarre statement in ancient Greece.

5. **What was the main motivation behind Greek generosity?**

   When Greek literature speaks about the joy of giving to others, it has nothing to do with altruism but only with the desired effect of giving, namely honor, prestige, fame, status.

6. **Within the Greco-Roman world when is "pity" acceptable?**

Most people are generous in their gifts not so much by natural inclination as by the lure of honor. Honor must be the consequence of generosity for them.

Pity is appropriately given on an exchange basis to men of like character, and not to those who are not going to show pity in return. There is no indication that any private donor discriminated in favor of the lower classes nor has there been any tendency to regard public distributions as doles instituted primarily to aid the destitute. Organized charity in the sense of institutionalized care for the poor was unknown in Greco-Roman antiquity.

7. How does Van Der Host explain the distribution of foods in the Roman city was not charity?

The mutual support the poor received in their clubs and associations can hardly be called organized charity because the money came partly from their own pocket, from the regular contributions that members were obliged to pay. Also the distributions of corn and oil to the population by city states or emperors in times of need cannot pass for organized charity because the corn was either given to all citizens in equal measure, not only the poor, or only to those who had citizenship. The poor did not get more than the rich; even "the poorest class of society was never singled out for especially favorable treatment. When a roman is generous towards others, it is not because these are poor but because he expects to get something in return and because it confers honor and status upon him. Beneficia are for fellow citizens, not for the poor who were often regarded as morally inferior and inclined to crime.

8. What was the concrete benefit that the generous person received in return for his act in the Greek world?

Euergetism is a neologism created from the wording of Greek honorific **decrees** that recognized a benefactor (eurgetes) of a city. The benefactor would be recognized for his/her contribution with a counter gift, the most characteristic of which was an honorary decree passed by the local body politic that recounted the benefactor's contribution and bestowed honors on him/her. The decree would then be inscribed on a stele and placed in a central location. The honors set forth in the decree were often accompanied by other counter gifts such as a statue in his or her image, objects made of gold and silver (ex. a crown), or a seat of honor at games and festival.

9. What kind of objects did the generous person in the Greek world usually donate?

An individual would personally finance construction projects, public games, fortifications or other forms of defense, the maintenance of local cults, or other items central to civic life.

10. What is the difference according to Gardner between Greek "Euergetism" and Jewish "Euergetism" as found in the Mishna Yuma?

Mishnah *Yoma* 3 discusses a number of contributions made to the Temple, such as the Parvah chamber, which was used for purification and named for its Persian benefactor, a certain Ben Gamla donated gold lots to be used on Yom Kippur that replaced those made of boxwood. In return, "they remembered him with praise. Likewise, in *m. Yoma* Ben Qatin made twelve spigots for the laver which previously had only two; and he also made a machine for the laver,18 so that its waters would not become unfit by remaining overnight. Munbaz the king made all the handles of the vessels for the Day of Atonement out of gold. His mother Heleni made a candlestick of gold, which was placed over the doorway of the Holy; and she also made a tablet of gold, on which the portion

of The Suspected Adulteress was written. Miracles befell the doors of Nicanor; and they remembered him with praise.

This pericope reflects Greco-Roman norms, whereby it was common for benefactors to contribute towards the local cult and receive recognition in return. As I discussed above, rewards given to a benefactor broadcasted his or her honor to the public at large through material media. Similar goals are pursued in Mishnah Yoma, albeit by very different means. In particular, there are no material counter-gifts, no visible rewards that project status and promote social competition. Rather, in the Mishnah, the benefactors are rewarded by having their names remembered with praise.

11. What is the difference according to Gardner between Greek "Euergetism" and Jewish "Euergetism" as found in Tosefta Peah?

The second key text on Tannaitic approaches to euergetism is *Tosefta Peah:* An event in which Munbaz the king went and squandered his treasures during years of distress. His brothers sent a letter to him, "Your ancestors saved treasures and added to those of their ancestors. But you went and gave away all of your treasures- both yours and those of your ancestors!" He (Munbaz) said to them:
"My ancestors saved treasures below, but I saved treasures above, as it is said: *Faithfulness will spring up from the ground.*

"My ancestors saved treasures in a place in which a human hand rules, but I saved treasures in a place in which a human hand does not rule, as it is said: *Righteousness and justice are the base of Your throne; steadfast love and faithfulness stand before You*" - "My ancestors saved treasures that do not yield interest, but I saved treasures that yield interest, as it said: *Hail the just man, for he shall fare well; he shall eat the fruit of his works.* - "My ancestors saved treasures of money, but I saved treasures of lives/souls" - "My ancestors saved treasures for others, but I saved treasures for myself, as it is said: ... *and it will be to your before the Lord your God"* - "My ancestors saved treasures in this world, but I saved treasures for myself in the world-to-come, as it is said: *Your Vindicator shall march before you.*

In this pericope, King Munbaz relieves a famine by giving away his treasures to those in need. Appalled that Munbaz would deplete the family fortune, his brothers write to him, contrasting his behavior with that of their ancestors, who preserved the family fortune. Munbaz counters that the brothers misunderstand his actions - he is not squandering the family fortune, but rather saving it and adding to it. He distinguishes and elevates his actions from those of his ancestors in six ways, each of which is backed by a biblical proof text.

Whereas benefactions would normally be encouraged by the promise of material rewards that broadcast one's social status, our text promises intangible and heavenly rewards that are only accessible in otherworldly realms. These counter-gifts are drawn from rabbinic notions of divine justice, particularly the rewards for the righteous. These otherworldly rewards, moreover, are identical in kind to the earthly benefactions that Munbaz bestows.

Thus, while the ancestors store tangible and material treasures in the lowly human domain, Munbaz stores immaterial treasures in an immaterial place - above, in the world to come, which is beyond human control. Similarly, the concepts of interest/profit/fruit and soul/life operate in both this worldly and otherworldly contexts, appearing in discussions of earthly economic and legal matters as well as discourses on punishments, rewards, and divine justice.

While Greek inscriptions point to social competition in the pursuit of honor and status as motivations to give, t. *Peah* removes euergetism from these contexts. Instead of offering material counter-gifts that promote the benefactor's earthly standing, t. *Peah* offers intangible and other-worldly rewards drawn from rabbinic discourses on divine justice - an idiosyncratically *rabbinic* approach to euergetism. Moreover, euergetism is not only encouraged by rewards, but also by the underlying argument of the passage, made through the choice of proof texts - namely, that it is a form of righteousness

12. According to Gardner what kind of gifts are acceptable as a return for one's generosity and what gifts are not?

How do the early rabbinic engagements with euergetism compare with Jewish sources of other periods and regions? In her study of inscriptions from late-antique synagogues in the Diaspora, Rajak demonstrates how Jews adapted euergetism to suit their idiosyncrasies. Whereas typical euergetic custom was to promote a donor's personal generosity, the synagogue inscriptions cast contributions as fulfills of religious obligations or as votive offerings. There was an emphasis on donations by groups, instead of individuals, and some contributions were attributed as gifts from God. In an extreme case, the synagogue in Beth Shean kept benefactors' names anonymous, noting that God knew their identities. Thus, Diaspora Jews strove to minimize the prominence of any individual benefactor, abstaining from the typical visible and material honors that would otherwise promote social competition.
We see similar concerns in Palestinian sources, especially in Josephus, who writes that there is no room in the Jewish constitution for Greco-Roman civic norms.
personal wealth to determine one's social and political standing. Jews, by contrast, grant leadership to priests, who - at least in Josephus' idealized depiction are characterized by their obedience to God and piety. **Josephus belittles the pursuit of silver, gold, crowns, statues, and public recognition, writing that Jews abstain from such materiality, status symbols, and earthly honors.**
For Josephus, euergetism could be acceptable if it was performed in the service of piety and obedience to God by fulfilling commandments; this included the provision of sacrifices, votive gifts to the Temple, and food distribution to the needy. These gifts could be seen as the fulfilment of certain biblical imperatives such as those related to the Temple cult and care for the poor. When describing these acts, Josephus avoids the language of euergetism, choosing to portray these benefactions as acts of piety. Moreover, Schwartz finds that for Josephus rewards for benefactors could not take material form. Rather, only oral memorialization was considered legitimate, as Josephus did not fully reject but rather adapted the Greco-Roman culture of display and reciprocity.

The acts of euergetism portrayed in *m. Yoma* 3 fit into the patterns that Schwartz finds in Josephus and the Yerushalmi. First, the acceptable he benefactions are consistent with the performance of commandments related his to the Temple cult. Second, the counter-gift is atypical of Greco-Roman od counter-gifts, but typical of what we see in other Jewish texts, as the benefactor is simply memorialized without any reference to visible or material honors. Indeed, this memory would be further perpetuated in oral form by the rabbis m, when they transmitted these traditions.
For The second text, on Munbaz's famine relief in *t. Peah* 4:18, bears some similarities to earlier Jewish engagements with euergetism, but also breaks his new ground. First, the benefaction is typical of those acceptable to Jewish sensibilities, which have allowed for gifts that support the needy. **The difference between this text and earlier or engagements is that while rewards are immaterial, *t. Peah* 4:18 makes no on mention of "memory" or a "memorial" to the benefactor or his benefaction. Rather, the counter-gifts are items drawn from a trove of rabbinic concepts related to rewards for the righteous and divine justice. In this respect, *t. Peah* 4:18 is rather innovative.** Gaining rewards for righteousness is surely a received tradition from the Hebrew Bible and there are indications in a handful of Second Temple era texts that such rewards would be earned by giving alms. Together received biblical and Hellenistic Jewish traditions on rewards for righteousness and charity, and blend them with acceptable forms of Greco- Roman euergetism. That is, **the Tannaim equate an acceptable form of euergetism - support for the needy - with acts of righteousness and almsgiving that warrant otherworldly rewards for the benefactors, viewed as acceptable. Likewise, the rewards provided to the benefactor were immaterial. In *m. Yoma* 3, the reward is memorialization, which is precisely what we find in Josephus. In *t. Peah* 4:18, the rewards are likewise immaterial, but instead of memorialization, Munbaz pursues financial or economic rewards in the world to come that mirror the material contributions that he makes in this world. They are identical in kind to his benefactions, but differ in location** - a typical euergetic move, as Rajak writes that honors were often selected to be commensurated in quantity and quality with the benefactions. By eliminating material rewards, the Tosefta removes euergetism from the context of competition for earthly honors that are marked and projected by certain material objects and re-contextualizes it within rabbinic discourse.

5th

1. **What are the two meaning of chessed in the Bible?**

   These days the word "chessed" means: acts of mercy, deeds of lovingkindness, of goodness, done for one's neighbor. This is an understanding derived from its usage in Psalms and in Hosea (see below). However, in early biblical Hebrew the word had the meaning of an "abomination", or of being "cursed".

2. **What are the two possible way to understand the word chatat in Proverbs 14:34?**

   The word "chatat is also open to interpretation. It could mean "sin" or a "sin offering" – the sacrifice that atones for sin! **What emerges is that both of these words in this part of the verse have possible positive meaning or possible negative meaning.**

3. **What is the accepted scholarly way to understand the verse in Proverbs 14:34?**

   All would seem to agree that the first part of the verse is saying something positive about being righteous (or being generous for the Talmudic rabbis) but what about the second part? The accepted translation of the second part of the verse amongst Israeli scholars is that one should read it (in a rearranged fashion) like this: And sin ("chatat" found at the end of the verse) is an "abomination" ("chessed") for the people. This would be in **contrast** with the opening positive phrase "Righteousness exalts a nation."

4. **What is the Ibn Ezra understanding of the verse in Proverbs 14:34?**

   However, an important medieval commentator Abraham ibn Ezra reads the second part as being parallel to the first. For him *chessed* means good deeds and *chatat* means a sin-offering. According to his reading there is no need to rearrange the words. The phrase teaches "and the good deeds of the people is equivalent to bringing a sin offering (i.e. that it atones for one's sins)". In other words both parts of the verse are saying something positive about charity and of good deeds carried-out by the "nations", the "people". The approach of Ibn Ezra is especially important as it is most probably reflects the way rabbinic Jews in Talmudic times understood the verse.

5. **What was R. Yohanan ben Zakkai own approach to the verse in Proverbs 14:34?**

There is absolutely no indication that any parts of the verse pertain specifically to Jews in contrast to Non-Jews. In fact, if one looks at the Talmudic passage below (paragraph F) one finds that the great sage, R. Yoḥanan ben Zakkai, who initiated the discussion on this verse, seems to have read it like Ibn Ezra, as saying something positive about the good deeds done by Non-Jews, and I quote: Rabban Yoḥanan ben Zakkai said to them that the verse should be understood as follows: **Just as a sin-offering atones for Israel, so charity atones for the nations of the world**.

6. **What is there in common between R. Eliezer and R. Yehoshua's approach to Proverbs 14:34?**

Let us focus upon the first two approaches of Eliezer and Yehosha, they both say similar things with slightly different point of emphasis. They both say that the charity done is not deserved of praise because the motivation behind their good deeds are not pure. The people doing good are not motivated out of religious or humanitarian concerns but rather mere utilitarian ones, those of self-interest and self-benefit.

The common denominator in the approach of the two students is that they did not feel it was right to reward good deeds when their motivation was so far from the religious approach found in the Bible and the Talmud (which is then later adopted by Christians and Moslems). Charity and good deeds that was not motivated by a religious or humanitarian impulse cannot be considered something worthy of admiration. Clearly, in their thinking, the generous giving of the Greco-Roman world was **not** what the wise man in Proverbs had in mind when he praised the good deeds of the nations.

7. **What is different between R. Eliezer and R. Yehoshua's approach to Proverbs 14:34?**

The only difference between the two students is in their description of that self-interest. Eliezer talks about להתגדל בו which has been translated as "to elevate themselves in prestige" which sounds about right. Meaning it's not about politics but about status and standing within society. This is something that we emphasized with regard to the centrality of "euergetism" in the Greek world. Yehoshua writes that their motivation was שתימשך מלכותן "to perpetuate their dominion" – this already is more of a political motivation, one that was central in the policy of the Roman rulers who distributed free bread to their citizens to ensure that there should be no social unrest within their realm.

8. **To what kind of charitable giving is R. Eliezer reacting to?**

   He refers to the charity of the non-Jews. But more specifically, R. Eliezer reacts to the GREEK type of charity which is "to elevate themselves in prestige". Its not about politics but about status and standing within society. Linked to the centrality of "euergetism" in the Greek world.

9. **To what kind of charitable giving is R. Yehoshua reacting to?**

   He refers to the charity of the non-Jews. But more specifically, R. Yehoshua reacts to the ROMAN type of charity which is to "perpetuate their dominion", that is a more political motivation that was central in the policy of the Roman rulers.

10. **How did learning about "euergetism" in the Greco-Roman help us understand the approach of R. Eliezer and R. Yehoshua's approach to Proverbs 14:34?**

Euergetism – a neologism created from the wording of Greek decrees that honor a benefactor. *Euergetism* was a form of benefaction in which a benefactor gave a gift to a city and the citizens would reciprocate by giving a counter gift to the benefactor. This connects to Eliezer and Yehoshua because they respectively reacted to the "Greek" type of charity and to the "Roman" and learning about euergetism (which is a concept that belong to the Greco-Roman world) helped us understand why they don't consider it as a honest charity but rather as something bad absolutely not done for the sake of itself but as a mean to reach a goal instead.

11. **How did we explain the change in R. Yohanan ben Zakkai approach to the verse in Proverbs 14:34?**

Rabban Yoḥanan ben Zakkai said to his students: The statement of Rabbi Neḥunya ben HaKana appears to be more precise than both my statement and your statements, because he assigns both charity and kindness to Israel, and sin to the peoples of the world.

12. **What does the source from Avot d'Rabbi Natan add to our understanding of the change in R. Yohanan?**

The Gemara asks: By inference, it appears that he, Rabban Yoḥanan ben Zakkai, also offered an interpretation of this verse. What is it? As it is taught in a *baraita*: Rabban Yoḥanan ben Zakkai said to them that the verse should be understood as follows: Just as a sin-offering atones for Israel, so charity atones for the nations of the world.

The final issue I would like to clarify is: what motivated R. Yoḥanan ben Zakkai to seek out such farfetched readings of the verse in Proverbs (he clearly liked the most far-fetched and the most negative interpretation!)? This is especially curious since he himself, at one point in his life, had a more generous understanding of this verse in relation to non-Jews as we saw above! What happened? What changed that drastically altered his approach to the charity of Non-Jews, and in his specific context (living in Roman Palestine) - of the good deeds done by the Romans? The scholar Ephraim Urbach has suggested an historical interpretation that makes some sense. He said that the difference between early R. Yohanan and late R. Yohanan is the traumatic historical event that he personally lived through - the destruction of Jerusalem and of the Temple by the Roman army. One can easily understand why someone who lived through such events would become less generous to his cruel enemy. Urbach however adds another rabbinic source relating to Yohanan that deepens this understanding.

R. Yehoshua could not contain himself at the sad sight of the temple in ruins and thought about the implication for atoning the sins of the Jewish people. Rabbi Yohanan comforted him by reminding him that one could achieve atonement through another route – via acts of kindness as taught to us from the verse in Hosea, as God proclaims – "for it is kindness (*chessed*) I desire and not burnt offerings". Urbach argues that as long as the Jews had the temple and its sacrifices Rabbi Yohanan

was able to be gracious in his approach to Roman charity. However, after the Romans destroyed the temple and left the Jews only with good deeds as a means of atonement – he felt absolutely no motivation to grant them this avenue (of good deeds) as a way to receive atonement. He therefore instructed his students to come up with creative readings of the verse in Proverbs to ensure that their good deeds not be rewarded but rather punished as a sin. It is therefore no surprise that he loved Neḥunya ben HaKana especially creative reading of the verse!

6th

1. **What does the Talmud derive from the deeds of Hillel relating to charity?**

Hillel once bought for a certain poor man who was of a good family a horse to ride upon and a slave to run before him and one time he couldn't find a slave so Hillel himself acted as if he was the poor man's slave because that poor man was once rich and he was used to that so Hillel understood that poverty is not just an objective thing but it's subjective and one must respect that when doing charity. A provider of charity (tsedaqah) must take into account the particular past habits and status of the poor and his present sense of deprivation → the ruling is reinforced with the precedent from Hillel that we just talked about. Such an attitude evokes a whole set of problems which were raised in the Talmudic discussion that followed this ruling. The discussing exhibits a rather complex ambivalence towards this definition of need, an ambivalence which was expressed in a set of intriguing stories that we are going to see

2. **How does the story of R. Nehemia undercut the halakhic understanding *dei mahsoro?***

The story challenges such a practice of maintaining expensive dietary habits by raising the suggestion that the impoverished person should adjust to his present means, rather than become a burden on his fellow human beings. In the story the rabbi asks a poor man what does he need for maintenance and the poor said that he needed fat meat and wine. The rabbi asked him if he consents to live with him on lentils and he consented. The poor man died and people blamed Nehemiah but the man himself was to blame because he should not have cultivated his luxurious habits to such an extent. The story demonstrated that providing the poor man with the diet he was accustomed to is not a mere luxury. The feeding of the poor man with Nehemiah's own modest diet caused his death. And yet it was the poor man who was to be blamed for continuing to cultivate an expensive taste, rather than adjusting his consumption to something affordable. If he had adjusted, he would not have died.

3. **Why is the Raba story so important for understanding the problematic nature of *dei mahsoro*, especially with regard to communal charity?**

In the Raba story the ambivalence towards the subjective definition of need is reinforced by questioning the obligation of addressing such expensive tastes altogether, given the scarcity of communal resources that are needed for more acute deprivation and needs. A man once asked Raba to maintain him and Raba asked him what he needed and he answered fat chicken and wine. Raba asked him if he did not consider the burden of the community. The poor replied quoting a verse in Psalms which teaches that the Holy One

provides food for every individual in accordance with his own habits' and therefore the poor thinks that he is not a burden on other people but it's just what God planned and wants. In that moment Raba's sister arrived by coincidence with a fat chicken and wine and Raba apologized to the man and invited him to eat.

4. **How does Halbertal understand the bottom-line, the lesson, to be learned from the story of Raba?**

Raba objected to the demand of the poor for an expensive meal, describing it as an expression of narcissism that doesn't take into consideration the limited resources of the community and its true needs. The poor man claimed that it was Raba who had been presumptuous since he had assumed that provisions for the poor are supplied by the community's limited resources and are susceptible to a zero-sum game in which the more one person receives, the less there is for the others. But the poor man thinks that it doesn't work like this but instead it is God who provides for each of his creatures and God is not constrained by limited resources. The end of the story settles the matter by means of the surprise arrival of Raba's sister with a lavish meal and Raba's invitation to the poor man to join the meal which seems to reaffirm the idea that the luxurious expectation of the poor will be met with God's provision. And yet, the reader is left with an open question. Does this story teach that reckless giving is recommended? Should we not hide behind the pressure of limited resource but rather address the need with the full faith that resources will be provided? Or maybe such extravagant giving should be practiced only when an immediate miraculous supply is provided such in the case of Raba's sister? The issue is left unsettled, as in many such Talmudic discussions.

5. **What is the natural reaction to the Mar Ukva story – who is right? the son or the father?**

The instinctive reaction (at least mine's) is to think that the son is right because if someone is giving a lot of money for charity and he finds out that the person is living in relative luxury one might think that it would be better to give that money to someone who needs it more

6. **What is the opinion of the father, Mar Ukva, regarding the subjective nature of charity?**

When his son told him that the poor man that he gives money to was being sprayed old wine before him, Mark doubled the amount of charity that he gives to that poor man because he understood that the poor man was actually accustomed to great luxury. So, he thinks that charity should be sensitive and subjective

7. **How does Halbertal attempt to modify the message of the Mar Ukva story?**

He says that although Mark Ukba serves as a role model, one wonders whether his behavior should be generalized, since it was prompted by his particular reaction and relation to his son. The son was presumably sent with provisions to the poor in order to educate him in the tradition of giving, and rather than fulfilling what he was sent to do, he found an excuse not to perform his mission. The inquisitorial stance of the son towards the poor, questioning the authenticity of their need, might have been motivated by the fact that he wanted to keep that money within the family, since he was a potential beneficiary of that large sum. Therefore, Halbertal says that Ukba's reaction should not serve as a source of recommended general practice since it was directed to the education of his son to generosity. The son was taught a lesson by being sent with a doubled sum, and Ukba used his son's precise reason for not giving in order to double the initial sum, it was symbolic.

8. **What is unique about the story R. Hanina (note 8)?**

R. Hanina, unlike Mark Ukva, refuses to help the spoiled poor. Hanina regularly sent money to a poor man. Once he sent his wife to give the money and she came back saying that the poor didn't need the money because he had silver and gold utensils. Hanina answered that it is in these cases that R. Elazar said that one should be grateful to the delinquents/ criminals (the ones who pretend to be poor) just because they give the the opportunity not to sin because who fails to assist a poor (even if he doesn't deserve it Hanina didn't know it before so his intentions were good and therefore it was a mitzvah) is doing a sin. Hanina, then, is giving a new perspective on the matter.

9. **How did the medieval scholars attempt to explain away the story of R. Hanina (note 8)?**

The medieval interpreters were troubled by the difference between Mark Ukba's practice and that of Hanina. 2 possible distinctions: the poor in Hanina's case was not a poor who was previously accustomed to a lavish life and became impoverished but rather his luxurious habits were developed while he was poor. The second difference is that the poor in Hanina's case pretended to be poor but his lifestyle showed that he had plenty of resources of his own.

10. **How does Halbertal re-read the deeds of Hillel in way that is different from the straightforward Talmudic reading?**

Halbertal thinks that the ambiguity that emerges from this Talmudic discussion as a whole is foreshadowed (PREVISTO) in its starting point- the original source that legislated the sensibility to subjective needs. In the source that initiated the discussion, the ruling was reinforced by a short narrative in which Hillel provided money for the impoverished aristocrat to buy a horse and a servant and once he also acted as the poor's servant. Halbertal says that although we might think that the function of this story is simply to emphasize or illustrate the ruling, also another interpretation is possible. Perhaps Hillel was trying to achieve 2 goals: to provide the poor man with his subjective need for a servant and the subtler goal was to teach the aristocrat that such a need was wrong. If Hillel the great did not mind appearing as a servant, how much more so was the impoverished aristocrat expected not to be preoccupied with retaining his lost status? Hillel tried to teach him that status is not important by giving him a practical example of himself acting as a servant. The subtle critique of the provision of subjective needs as a way of affirming and maintaining class structure is therefore woven into the first step of this ruling.

11. **What did Halbertal learn from the story of "one of the outstanding scholars of this generation"?**

Halbertal became aware of that aspect of Hillel's action and the critical role that the narrative plays in juxtaposition to the ruling when he heard the story about one of the outstanding Talmudic scholars of our generation in Jerusalem. A couple came to seek the scholar's advice and the wife said that the husband just studies and doesn't care about the domestic duties. The rabbi ruled that the husband was acting properly and that he should be relieved from such duties in order to devote himself to the study of Torah. On the next Friday, the husband came back home and found the great Rabbi taking out the garbage. The rabbi told him that he knew that he was very busy studying Torah and since he had some free time he decided to come help. This story has the same principle of Hillel's story that acted as a slave for the poor. He provided the poor man with his needs, while helping him in a deeper way, through personal example, to free himself from being dependent on status symbol as a source of honor and dignity.

12. **What is Halbertal's major point in the first part of his study relating to the subjective nature of charity?**

Halbertal deals with the Talmudic evidence, both the basic halakhic sources and the non-halakhic material (known as agaddah) of the principle of dei mahsaro which is the obligation to supply all the needs of the poor person, including all of his subjective needs. To take a striking example of the teaching of dei mahsaro (which you will find mentioned in today's reading): providing a devoted musician will a well- tuned violin after he was forced to sell his own personal one due to his dire financial situation. Even such subjective needs are defined as charity! The Talmud brings more status oriented and seeming luxury items (such as an horse or "a slave to run before him") that give off the wrong impression of this important law. The real message that emerges from this law of dei mahsaro is that charity is much more than worrying about an individual's basic sustenance, keeping the body alive – one must consider and more importantly care for the entire human personality. **Charity is not only about helping someone survive and subsist it is about assisting a person in need and doing one's best to help him or her to be themselves, to be fully human!** This may a difficult ideal to implement due to personal budgetary constraints – however it is still a message that we should not forget. **To quote Halbertal on Maimonides: "The duty of tzedakah .... encompasses caring for the needs of the poor in his particular situation, with sensitivity to his past habits and status". Or as he formulates this idea in another passage "it would be morally wrong to pull out a calculator from his pocket before addressing such a need. The individual provider is not a distributive bureaucrat but a subject confronting the pain and need of another subject."** I should also mention that the main theme in last week's reading was the contrast between the clearly formulated principle of dei mahsaro found in halakhic texts and the more ambiguous message that emerged from the non-halakhic, haggadic ones. Halbertal treats a number of Talmudic stories who do not give a clear-cut lesson with regard to dealing with the formerly rich who are now poor, and in the need of assistance.

To conclude, Halbertal highlights the importance of being subjective in doing charity and understanding that each individual poor person has subjective needs that must be defined and provided

7th

Summary Questions:

1. **How does the anonymous opinion brought by Halbertal (identified as "Geonim) limit the law of dei mahsaro?**

   The anonymous Geonim opinion limits the law of dei masharo by saying that the obligation to provide the poor not only with the means to survive but also with "luxury" things is valid just when nobody else knows that the person has become poor and he still wants to hide it. This interesting opinion claimed that the ruling of the Talmud relates exclusively to a person whose impoverishment is not yet known to the public. If his condition has become known, there is no obligation to provide him with such goods as a horse and a slave, and he is treated like any other poor person. This opinion interprets the rule as limited to the protection of the impoverished person from the shame resulting from a loss of status. Thus, only the outward signs of status, such as a servant and a horse, must be addressed by providers of tsedakah, in order to allow the poor to hide their condition. Such a restrictive reading of the rule might also be supported by the fact that public knowledge of someone's dire economic condition may harm his prospect of recovery. This reading was not accepted by mainstream halakhah, which rightly interpreted the scope of the rule of addressing subjective needs as extending beyond the mere concern with shame and loss of status. It relates to habits and special needs. Providing a devoted musician with a well-tuned violin might be an expression of such sensitivity to unique loss and deprivation, which is ignored by generalized and impersonal definitions of the poverty line.

2. **How does R. Moses Isserliss (Rema) limit the law of dei mahsaro?**

Rema said that it seems that this ruling (concerning subjective needs that may be interpreted as luxuries) pertains to the communal officer responsible for the allocation of tsedakah or to the public. But an individual is not obligated to provide the poor with what he subjectively lacks. He should rather inform the public of the poor's derivation, and if there are no other people with him, the individual must provide for him if he can afford it. Addressing such particular and sometimes expensive needs ought to be the domain of the public fund that has the resources for allocating such sums, as well as the means of inquiring into the unique conditions of the supplicant. The individual giver, encountering the poor, has to address only basic common needs of destitution and deprivation without being burdened with such costs.

3. **What is Rema's approach to the law of dei mahsaro?**

Rabbi Isserliss' (=REMA) view has its roots in sensitivity to the potentially overwhelming claim of a particular pain that ought not to be laid at the door of the individual donor. It is a striking position, since it stands against the simple reading of the Talmudic text, a problem that was noted by some commentators who questioned Rabbi Isserles' position. The precedents and stories mentioned in the Talmud concerning such a practice pertain to individual givers such as Hillel, Ukba, and others. These individual scholars did not seem to address the poor as official representatives of the public communal fund; they acted as individuals. Rabbi Isserles' reservation forced him to reread the Talmud as relating to a situation in which these individual providers had no opportunity to appeal to the public for support; only under such unique conditions were they required to address them alone. Such a problematic reading of the authoritative text is proof of the pressing problem that was posed by the principle.

What seems to be the motivating factor behind Rema's approach to law of dei mahsaro?

According to him, putting the responsibility for such a heavy obligation, like providing particular and expensive needs to a poor in order to help him maintain dignity and status, just on a single individual would be too much. This is the reason why he reinterprets the law of dei mahsaro-

4. **What is Maimonides opinion on dei mahsaro according to Halbertal - upon whom is the obligation?**

Maimonides presents a radically different position concerning the relation of the individual giver and the public funds in addressing subjective needs. Tsedakah was, therefore, understood by the Talmud as a two-track obligation: an individual obligation of each towards his or her fellow human being, and a communally-shared burden of caring for the vulnerable and the poor. The Talmud was well aware of cases in which these obligations might overlap, and addressed the question of the relationship between individual duty and collective responsibility. Maimonides deals separately with the individual dimension and the collective one. He begins his treatment of tsedakah with the individual obligation, and, after two chapters, shifts to the collective responsibility. Regarding the individual and his obligations instead he says that: it is a positive commandment to give charity to the poor among the Jewish people. Anyone who sees a poor person asking and turns his eyes away from him transgresses a negative commandment. You are commanded to give a poor person according to what he lacks. If he lacks clothes, we should clothe him. If he lacks household utensils, we should purchase them for him. If he is unmarried, we should help him marry. If he was to ride on a horse and to have a servant run before him and then he became impoverished and lost his wealth, we should buy him a horse etc. etc. You are commanded to fill his lack, but you are not obligated to enrich him. In contrast to the later ruling of Rabbi Moses Isserles, it is clear that Maimonides makes the individual giver responsible for the subjective needs of the other. Maimonides postulates this definition of need before mentioning the communal fund and structure (because the chapter about the individual

comes before that the chapter about communal charity), and according to his opinion, the duty of tsedakah upon each individual encompasses caring for the needs of the poor in his particular situation, with sensitivity to his past habits and status. On the other hand, in the following chapter, which Maimonides devotes to communal structures of welfare, there is no mention of such an obligation to attend to subjective needs. The communal fund provides basic needs that each poor person deserves such as food, clothing and shelter. The officials of the fund act as impersonal and general providers, focusing solely on an objective definition of needs. **Maimonides therefore presents the opposite opinion in comparison to Rabbi Isserles' one. The subjective needs of the poor fall within the domain of the individual giver; they do not fall within the remit of communal obligation.**

5. **Does the law of dei mahsaro apply to communal charity according to Maimonides?**

This is Maimonides' description of communal responsibility: He says that in every city where Jews live, they are obligated to appoint faithful men of renown as trustees of a charitable fund. They should circulate among the people from Friday to Friday and take from each person what is appropriate for him to give and the assessment made upon him. They then allocate the money from Friday to Friday, giving each poor person sufficient food for seven days. This is called the Kupah. Similarly, we appoint trustees who take bread, different types of food, fruit, or money from every courtyard from those who make a spontaneous donation, and divide what was collected among the poor in the evening, giving each poor person sustenance for the day. This is called the Tamhui. Kupah exists in every Jewish community while Tamhui just in some. Therefore, we can notice that the law of dei mahsaro does not apply to communal charity according to Maimonides since he says that communal charity must deal just with the poor people's basic needs such as food, clothing and shelter, and not with the poor's subjective needs (that can be considered more "luxurious")

How does Halbertal demonstrate Maimonides opinion on dei mahsaro (i.e. how does he prove that this is the correct understanding in Maimonides)?

He demonstrates it with a chronological reason: Maimonides postulates this definition of need before even mentioning the communal fund and structure (because he talks about that in the following chapters and not in this one or in the previous ones), and according to his opinion, the duty of tsedakah upon each individual encompasses caring for the needs of the poor in his particular situation, with sensitivity to his past habits and status. While on the other hand, in the following chapter which Maimonides devotes to communal structures of welfare, there is no mention of such an obligation to attend to subjective needs but just to basic needs such as food, clothing, and shelter

6. **How does Halbertal explain Maimonides approach to dei mahsaro, from a philosophical perspective?**

It seems that Maimonides' position has its source in a particular attitude towards the fundamental moral posture of the individual that addresses a fundamental philosophical concern with far-reaching implications. The question of the proper stance of the individual as a moral agent was raised in contemporary moral philosophy by Bernard Williams. Williams challenged the utilitarian maxim that moral and distributive decision should be guided by the attempt to maximize overall utility and that for example someone cannot spend money to buy his child a computer if he can instead use the money to buy clothing for ten poor children. Williams criticized this norm, arguing that it undermines the integrity of the individual, since it prohibits him from pursuing the personal projects and aspirations which define his identity as human being.

Maimonides' ruling that it is the individual provider who must address the subjective needs of the poor implies a rejection of the idea that a moral agent has to adopt the impersonal and impartial moral points of view. When confronting the needs of an impoverished individual, which might be expensive, one should not act like an impersonal distributor who

calculates the best overall use of the limited resources at his disposal in relation to global needs.

7. **What is the ethical and moral ideal of charity according to Halbertal's understanding of dei mahsaro?**

The debate between Maimonides and Rabbi Isserles concerning the way to address subjective needs triggers a more basic question concerning the impartial stance that does not relate to the problem of allowing space for individual partial projects and goals. Maimonides' ruling that it is the individual provider who must address the subjective needs of the poor implies a rejection of the idea that a moral agent has to adopt the impersonal and impartial moral points of view. When confronting the needs of an impoverished individual, which might be expensive, one should not act like an impersonal distributor who calculates the best overall use of the limited resources at his disposal in relation to global needs. Such an individual provider might spend a great sum of money in order to alleviate the chronic pain of someone who has appealed to him by helping him to buy expensive medicine, while realizing that the same amount of money given to Oxfam might maximize better the overall utility of his giving. This attitude rests on the conviction that a moral subject acting as an individual should address the subject whom he encounters, and that it would be morally wrong to pull out a calculator from his pocket before addressing such a need. **The individual provider is not a distributive bureaucrat, but a subject confronting the pain and need of another subject.**

8. **What is the religious\philosophical problem (according to Halbertal) with arguing that dei mahsaro does not apply to the individual?**

The issue at stake is not the clash between the impersonal obligation and the capacity to form partial preferences and particular goals as raised by Williams. In providing for the subjective need of the other, the giver is not inclining towards his personal partial preferences or towards causes that are particularly dear to his heart. He is, rather, resisting the impersonal posture while embracing and responding to the actual relationship formed between him and the poor person whom he has encountered. In this situation, it would be morally wrong for him to view himself as if he were an impersonal universal provider. The impersonal stance involves two different perspectives. The first, which is self-directed, demands that the moral agent assume an impartial and impersonal position, while transcending his own preferences and goals; the second is other-directed, expecting an impersonal attitude towards the claims of others. Williams challenged the first self-directed impersonal stance; our discussion poses a challenge to the other-directed impersonal stance. **The impersonal stance of justice is not always appropriate. The denial of the exclusivity of the impersonal stance is not only a challenge to the impartial general way of proper allocation of resources, it is also the denial of seeing the individual pain one confront as a mere instance of a general obligation towards addressing the pain of others. The particular encounter itself, and the ensuing relationship that it creates, generate their own moral force.**

9. **According to Halbertal what is the differences between the individual's obligation of charity in contrast to the communal obligation?**

It is a shortcoming of utilitarianism and some other moral theories that they call upon every individual to adopt an institutional posture by trying him to the impersonal general perspective. **Maimonides' understanding, in opposition to Rabbi Isserles' ruling, seems to be sensitive to the interpersonal quality of such an encounter, and to the radical difference that is required when taking a personal, as opposed to an institutional, stance**. The proper moral stance of justice in addressing the needs of others is therefore layered and contextual. In different roles, different postures will be adopted and different distributive policies and decisions will be called for.

8th

Summary Questions:

1. **At what level is someone who contributes to an organized charity fund (*kuppa*)?**

He's at one level lower than the highest level and he is at the same level of people who give charity without knowing who they are giving charity to and the person who receives that charity doesn't know the identity of the benefactor either

2. **What condition does Maimonides add before contributing to an organized charity fund (*kuppa*)?**

That the person made sure that the organized charity is trustworthy

3. **What is the importance of the "chamber of secrets" for Maimonides in his laws of charity?**

This is the fulfillment of God's command purely for its own sake [i.e. without any worldly benefit] because everything is anonymous and therefore is not made for recognition or honor

4. **What defines levels 2-4 of the ideal charity according to Maimonides?**

As can be seen from the above 8 levels (and 8 laws in *Mishneh Torah*) there are three broad categories of giving. The central category is that of anonymous giving *of various levels,* known as *matan be-seter* (i.e. giving in secret) in Hebrew. This category, includes levels 2-4, found in laws 8-10. The highest level is full anonymity from both sides giver and recipient; then there is when the poor person does not know who his benefactor is, even the benefactor knows to whom he is giving; and finally there is when poor person does know but the benefactor does not know to whom he is giving.

5. **What are the two reasons that Maimonides prefers anonymous giving?**

Reading between the lines of Maimonides treatment of these three levels (and I bolded the relevant lines in laws 8+10) it would seem that two factors played a role in his understanding of the religious value in such giving.

1) The obvious one is preserving the dignity of the recipient. One should do the utmost so that the poor person not feel additional pain and embarrassment in receiving support from his fellow man. We shall see how this goal plays a role as well in the third category.

2) The second element that emerges from Maimonides is the religious ideal of doing the good deed, the mitzvah, without any worldly benefit, the concept of "for its own sake (*leshma*)". In the scenario where the benefactor does a good deed without *anyone* knowing about it he cannot expect any kind of real "return". The poor person has no idea who gave the gift and the donor himself has no idea who received his gift. He cannot even boast about his good deed to his palls since there is no way he can prove to them that he did anything worthwhile, the deed is truly in secret….

6. **What is the highest level of charity for Maimonides?**

There are eight levels of *tzedakah*, each one higher than the other. The highest level, higher than all the rest, is to fortify a fellow Jew and give him a gift, a loan, form with him a partnership, or find work for him, **until he is strong enough so that he does not need to ask others [for sustenance].** Of this it is said, *[If your kinsman, being in straits, comes under your authority,] and*

you shall strengthen him, whether a stranger or a resident, he shall live with you". That is as if to say, "***Hold*** **him up," so that he will not fall and be in need**

7. **What is preferred giving less than what is proper but with kindness, or giving the proper amount but with sadness?**

It's better to give less than what is proper but with kindness; the worst level is a person who causes the pauper additional anguish by giving with a sour face, even if he gives full support! This category demonstrates nicely the importance of taking into consideration not only the financial straits of the pauper but his/her emotional state as well

8. **Why is giving before being asked preferable to after being asked?**

Giving before being asked is the best, because of the embarrassment involved in asking for assistance

9. **How did we explain the basic feeling of shame and embarrassment that the pauper feels?**

The primary feeling of embarrassment stems from the receiving of a free gift which is not meant to be repaid, *matnat hinam* in Hebrew. In addition to this basic feeling of shame there is also the shame that comes from asking for help from one's fellow man

10. **Why is "gift" a problematic example of charity for level 1?**

I need to address one example mentioned by Maimonides in his list of assistance that can lead to rehabilitation. At first glance one of the suggestions does not make sense nor does it fit the pattern I described above. The four examples he brings are "give him a gift, a loan, form with him a partnership, or find work for him". One can easily understand three of these four types (loan, partnership, work) but what is "gift" doing here? Isn't a gift the simple charity that only brings shame and embarrassment to the pauper?!

11. **Why is level 1 so important to Maimonides?**

Maimonides opens his treatment of the levels of charity with this statement "The highest level, higher than all the rest, is to fortify a fellow Jew and give him a gift, a loan, form with him a partnership, or find work for him, until he is strong enough so that he does not need to ask others [for sustenance]." Maimonides seems to be saying here that the highest level of charity is not necessarily giving material support, in the giving of money, but rather in helping to rehabilitate the poor person, *even without parting with any of one's own earnings*. In offering a loan, partnership in some business venture, or finding a job one has the opportunity of removing the poor person from the vicious cycle of poverty – that is the greatest kind of charity! I hope to discuss this passage more at length later in the semester and its revolutionary approach, but for today I would just like to emphasize a theme which we have seen earlier – the importance of such charity for the emotional well-being of the poor person.
Offering a loan or partnership one is not only helping to rehabilitate the pauper but one is doing so in a way that preserves his dignity. The primary feeling of embarrassment stems from the receiving of a free gift which is not meant to be repaid, *matnat hinam* in Hebrew. In addition to this basic feeling of shame there is also the shame that comes from asking for help from one's fellow man. By initiating a business venture, or even offering a loan, one demonstrates that one has confidence that the person will be able to dig himself/herself out of the bad situation that they are in. In short, for Maimonides partnership/loan/a job has qualities that simple charity does not and therefore is the best possible option, even better than complete anonymity.

12. What common thread can be found in all three categories of the 8 levels of charity?

The only relevant theme for all the categories of the 8 levels of charity is lessening the pain of the poor and doing your best to preserve the dignity of the recipient. One should do the utmost so that the poor person not feel additional pain and embarrassment in receiving support from his fellow man. We shall see how this goal plays a role as well in the third category.

13. How is a gift similar to a loan?

Because this is **not** a free gift from a wealthy person to a poor one, that does not include any expectation of a return. In fact, this "gift" is much closer to a loan rather than to "charity". Such a gift between friends or even acquaintances preserves the dignity of the recipient *exactly because of the implicit expectation*, even if never expressed explicitly, *that at some point in time the recipient will return the favor to his friend*!

9th

1) **In what way is the story of the fisherman and the beggars similar to Maimonides' highest level of giving?**

A fisherman who was going off to fish came upon a group of beggars and poor people and they were asking him to give them some of his fish to eat that day. The fisherman responded that if he gives them fish their hunger will be gone for today, but if he teaches them how to fish they can eat for a lifetime. It's similar to Maimonides' highest level of giving since both types of giving are interested in giving the poor a way to permanently become strong enough so that he does not need to ask others for sustenance

2) **In what way is the story of the fisherman and the beggars different from Maimonides' highest level of giving according to the way I explained his position?**

The difference is that Maimonides distinguishes between the two types of poor people:

Maimonides says that offering a loan or partnership to the poor is not only helping to rehabilitate him but one is doing so in a way that preserves his dignity, while the story of the fisherman and the beggars focuses just on the practical side of rehabilitating the poor. Furthermore, Maimonides considers the distinction between 2 types of poor: the "permanent" poor, who must get over their shame of accepting the support of others in order to survive, and the "temporary" poor, who resist the embarrassment of public beggary. Maimonides valued the commandment of lending money (not strictly charity because it involves the implicit promise of being repaid and it is less shameful for the face of the poor- ex. a gift, a loan, a partnership, a job) to the "temporary" poor and valued the commandment of charity to the "permanent" poor. Maimonides says that as there are different types of poor, there are also different types of support for them; the highest level of charity is actually assistance to the shame-faced poor (the temporary poor who still

cannot accept it and must protect his honor and face) while the other seven levels are actual charity for the poor who has already uncovered their face (the permanent poor who already accepted their position- however, it is still better to give them money anonymously to be sensitive also with them- but here we are talking about charity and not lending money or finding jobs etc). The story of the fisherman, instead, and the beggars sees all the poor as the same.

3) **Why do the people running the BRC outreach program think that giving a homeless person a blanket is wrong?**

Because by giving a blanket to a homeless, you are enabling the poor not to be responsible for his basic necessities and this will cause him to be just comfortable enough to refuse more serious help that might save his life (like doing a rehabilitative process in an institution in order to find a real job)

4) **In what way did Julie Salamon discover that John Ford's approach to charity was more complex than it seemed at first?**

Julie felt like a "sinner" because she recalls helping poor people by giving them money or shoes and according to what Ford said that it wrong because it prevents the homeless to seek more serious help. Therefore, she asked Ford if he ever gives money to people on the street and he answered that he doesn't give money but he buys them food and she pointed out that he was contradicting himself by attending to the poor people needs since that would prevent them to seek help or a job. At that point, Ford told her than contradiction may be part of the DNA of charity and that the rhetorical question that he has is how much does it hurt when people come to depend on charity rather than on themselves and if people would get up and look for a job if they didn't get money from richer people

5) **What was John Ford's personal approach to charity?**

Ford said that "if you come to me, tell me you're hungry and I have fish, I will not give you a fish sandwich. I'll teach you how to fish". That is his philosophy, which he says that it doesn't always work but it is his philosophy. But then he also said that if a poor man on the street asks him to give him something he gets into a store and buys them something instead of just giving them money. He knows that he contradicts himself sometimes but that

contradiction is part of the DNA of charity. He said that he thinks about charity "how much does it help? How much dos it hurt? If poor people didn't get money from the people with power, would they get up and do something? How much does it hurt when people come to depend on charity rather than on themselves? He has a team that cares for poor people, give them a shower, feed them and they can choose to move through the continuum of care that they offer.

6) **In what way is my understanding of Maimonides first level of charity different than the accepted understanding?**

The accepted understanding is that "by offering a loan or partnership one is not only helping to rehabilitate the poor but one is doing so in a way that preserves his dignity. The primary feeling of embarrassment stems from the receiving of a free gift which is not meant to be repaid". However, your understanding is different in the way that it takes "a second look" at Rambam's formulation and suggest another way to understand it: there is a distinction between two basic types of poverty and as there are different types of poor, there are also different types of support needed to be employed in dealing with "poverty"

7) **What are the two types of poverty as described by scholars?**

In studying poverty and charity scholars distinguish between two basic types of poverty: one is "structural poverty" which pertains to those who live in a permanent and structural poverty, a state of deprivation for a reason or another, such as ill health, physical disability, widowhood, or old age, they cannot find work or other means of sustenance. Such people must get over their shame of accepting the support of others in order to survive and most beggars fall into this category. The other type encompasses those for whom poverty arises under specific and intermittent circumstances, the result of a "conjuncture". Poverty in these cases results from a particular convergence of circumstances that suddenly changes their economic situation for the worse (a factory being destroyed in a fire and workers suddenly laid off etc.). Sudden impoverishment, however temporary it might be, is also a source of shame. The "shamefaced poor" resist turning to others for help, let alone resorting to the embarrassment of the public dole of beggary

8) **What are the two different types of support of the poor as described in the class?**

It would seem clear that Maimonides valued the commandment of lending money to "shamefaced poor", that is to person who is poor due particular convergence of circumstances, over that of actual charity to the poor who became a dependent, due to living in permanent poverty. Maimonides is saying that the situation of the poor person who has already "uncovered his face" is less bad- since many people know of his situation and if not, the poor will make it known to them. however, only a few people will have heard of the difficult straits that the "shame-faced" poor is in. therefore, the individual Jew happens to know about their difficult situation he is obligated to act- for it he doesn't act chances are that none else will! And the only way to assist such poor who is trying to "save face" is through lending- because he will never be willing to accept charity. Not all poor are the same and as there are different poor there are also different types of support

9) **Why are the words of Maimonides in his Book of Commandments important to understanding his highest level of charity?**

Because in that book Maimonides makes the distinction between the types of poor which is at the basis of his highest level of charity which is referred to one of them. Maimonides says that to lend to the poor is a greater obligation than that of charity; because the recipient of charity, who has already "uncovered his face" (the permanent poor) in order to beg from people does not suffer as acute stress as the one who has not "uncovered his face" (the temporary poor) and who needs assistance to keep him from revealing his condition, and from becoming a recipient of charity (that would be embarrassing for this kind of temporary poor in opposition to the permanent poor to which it wouldn't be embarrassing)

10) **For what purpose did I bring Rashi's commentary to the verse in Leviticus *If your brother grows poor and his hand falls....***

To show that when one looks at the earlier Talmudic literature one also finds a strong indication that they were aware of this basic distinction between the "structural" permanent poor and the "conjunctural" possibly only temporary poor. Commenting on the verse in Leviticus 25:35 "And if your brother grows poor, and his hand falls ..., then you shall uphold (or fortify) him ... and he shall live with you." The Rabbis explain that the verse is not dealing with all poor but rather a very specific one. Rashi writes: THOU SHALT UPHOLD (or Fortify) HIM — Do not leave him by himself so that he comes down in the world until he finally falls altogether when it will be difficult to lift him

up, but rather uphold (or fortify) him from the very moment of the failure of his means. To what may the differences between whether you assist the poor once or whether you wait with your help till he has come down in the world and recovered be compared? To an excessive load on the back of a donkey. So long as it is still on the ass's back, one person is enough to take hold of the load and to keep the donkey up. However, as soon as it has fallen to the ground not even five persons are able to set it on its legs. It is quite clear that this verse in Leviticus in the eyes of the Talmudic sages is dealing with the "temporary" poor, the one who has not yet fallen into complete destitute but is heading in that direction if no one comes to his assistance and lifts him up, or straightens him out. The example of the donkey who has not yet fallen clearly shows this understanding: it is much easier to keep up the falling donkey than to pick it up once it has fallen completely!

11) How did I try to prove that Maimonides in his level one is referring to a person who has begun to fall but is not yet a recipient of charity?

Maimonides wrote: *"The highest level, higher than all the rest, is to fortify a fellow Jew who has become impoverished and give him a gift, a loan, form with him a partnership, or find work for him, until he is strong enough so that he does not need to ask others for sustenance. Of this it is said in Leviticus: If your brother grows poor and his hand falls and you shall fortify him, whether a stranger or a resident, he shall live with you". That is as if to say, "Hold him up," so that he will not fall and be in need"*

First one should note the second paragraph – Maimonides Biblical source for this level of charity is Leviticus 25:35! Then notice how he utilizes the language of the verse already in the first part of his treatment where he writes about "fortifying" and finally note his ending which is a clear allusion to the Talmudic teaching we saw above from Sifra about the donkey "That is as if to say, "Hold him up," so that he will not fall and be in need". In short I would like to argue that this highest level of charity is actually an exact parallel to what he wrote about in his Book of Commandments – the need to give support to the shamefaced poor who refuses any kind of overt charity – for such a person one is obligated to give assistance that will help save the person from a complete fall into destitute and will allow him/her to be quickly rehabilitated

12) What lesson con learn from the donkey?

It is quite clear that this verse in Leviticus in the eyes of the Talmudic sages is dealing with the "conjunctural" poor, the one who has not yet fallen into complete destitute but is heading in that direction if no one comes to his assistance and lifts him up, or straightens

him out. The example of the donkey who has not yet fallen clearly shows this understanding – it is much easier to keep up the falling donkey than to pick it up once it has fallen completely!

13) **What is the difference between what Maimonides wrote in his Book of Commandments and his highest level of charity (as explained in the class)?**

The only real difference between Maimonides' treatment in his Book of Commandments and in his Mishneh Torah is the way he expands the various types of assistance available to help strengthen and uphold the person who has started to fall but has not yet fallen completely. In his Book of Commandments, he only spoke about lending the person money. In Mishneh Torah he mentions lending of course but adds more options of assistance: a gift (i.e. between friends with the expected reciprocity, see previous class), forming with him a business partnership, or finding work for him. All these are aimed to ensure "that he will not fall and be in need.

It would seem then that the first and highest level of charity is actually assistance (not a free gift of charity) to the shame-faced poor who needs to be rehabilitated whereas the seven other levels are actual charity for the poor who has already uncovered his/her face and to a certain extent has made peace with his/her "structural" state of deprivation

10th

Summary Questions:

1. **What does Rashi's attempt to accomplish in commentary to the Bible?**

Rashi combined the two basic methods of interpretation, literal and nonliteral, in his influential Bible commentary. His commentary on the Talmud was a landmark in Talmudic exegesis, and his work still serves among Jews as the most substantive introduction to biblical and postbiblical Judaism. Rashi's Bible commentary illustrates vividly the coexistence and, to some extent, the successful reconciliation of the two basic methods of interpretation: the literal and the nonliteral. Rashi seeks the literal meaning, deftly using rules of grammar and syntax and carefully analyzing both text and context, but does not hesitate to mount Midrashic explanations, utilizing allegory, parable, and symbolism, upon the underlying literal interpretation. As a result, some of his successors are critical of his searching literalism and deviation from traditional Midrashic exegesis, while others find his excessive fondness for nonliteral homilies uncongenial. Yet it is precisely the versatility and mixture, the blend of creative eclecticism and originality, that account for the genius, the animation, and the unrivaled popularity of his commentary, which, symbolically, was the first book printed in Hebrew (1475).

2. **Why is Rashi's commentary to the Talmud so important?**

Rashi's commentary on the Talmud, based on the collective achievements of the previous generations of Franco-German scholars, reflects its genesis in the oral classroom instruction that Rashi gave in Troyes for several decades. The commentary, sometimes referred to

as *kuntros* (literally, "notebook"), resembles a living tutor; it explains the text in its entirety, guides the student in methodological and substantive matters, resolves linguistic difficulties, and indicates the normative conclusions of the discussion. Unlike Maimonides' commentary on the Mishna (the authoritative compendium of Jewish Oral Law), which may be read independently of the underlying text, Rashi's commentary is interwoven with the underlying text. Indeed, text and commentary form a unified mosaic.

3. **With regard to the originality of the project which of Rashi's commentaries (Bible +Talmud) is more innovative?**

Rashi's Bible commentary was the most innovative since its versatility and mixture, the blend of creative eclecticism and originality, accounted for the genius, the animation, and the unrivaled popularity of his commentary, which, symbolically, was the first book printed in Hebrew (1475). This because someone for the first time combined literal and nonliteral interpretation of text. Rashi's commentary on the Talmud, was based on the collective achievements of the previous generations of Franco-German scholars, and reflected its genesis in the oral classroom instruction that Rashi gave in Troyes for several decades. Therefore, it was not very original but it was based on something already existing.

4. **When where did Rashi live?**

Rashi, acronym **of Rabbi Shlomo Yitzḥaqi**, was born in 1040 in Troyes, Champagne and died in 1105 in the same place, Troyes.

Shlomo (Solomon) Yitzḥaqi (son of Isaac) studied in the schools of Worms and Mainz, the old Rhenish centers of Jewish learning, where he absorbed the methods, teachings, and traditions associated with Rabbi Gershom ben Judah (*c.* 960–1028/1040), called the "Light of the Exile" because of his preeminence as the first great scholar of northern European Judaism. Rashi then transferred his scholarly legacy to the valley of the Seine (*c.* 1065), where he was the de facto but unofficial head of the small Jewish community (about 100–200 people) in Troyes.

5. **How did Rashi explain the words of R. Elazar that charity is rewarded in accordance with hessed included therein?**

What exactly does it mean that charity with *hessed* is the test for the level of reward one receives? How does one combine kindness with the act of financial support? - this is explained by the famous commentator Rashi. He writes the following: "Only according to the hessed in it" — The giving is the charity (*tzedakah*) and the effort [of giving] is the hessed. For instance, delivering it to the other's house, or making an effort to ensure that it will be worth more to the recipient, such as giving baked bread; or clothes to wear; or money when produce is readily available so the latter will not waste the money; *that is, a person applies their heart and mind to the benefit of the poor person*.

6. **Why is giving money at a time when produce is readily available an example of charity and hessed?**

Giving money at a time when produce is readily available and, therefore, the price will be low, is an example of charity because the person is giving something but is also an example of hessed since the person applies their heart and mind to the benefit of the poor person by thinking intelligently how that money can be spent in the best way possible: by giving it at a time when produce is readily available the poor person will be able to buy more with less money

7. **How did we try to prove that Rashi understands the principle of charity +hessed as being the ultimate ideal of charity even if it is not anonymous?**

Let us note that in all these examples there is no explicit mention of anonymous giving. Of course all of them can to be accomplished incognito, however Rashi does not even bother to hint at the importance of giving in secret. It would seem that according to Rashi Rabbi Elazar ideal of combining charity and hessed is actually unrelated to the giving in secret. We tried to prove it through a fascinating story found in another part of the Talmud, this one in Ketubot 67b (that Rashi comments on) that I believe strengthens this argument –for Rashi the ideal of charity + hessed is unrelated to anonymous giving.

8. **Why was Mar Ukba upset?**

The tale goes like this: Mar 'Ukba had a poor man in his neighbourhood into whose door-socket he used to throw four *zuz* every day. Once the poor man thought: 'I will go and see who does me this kindness'. On that day it happened that Mar 'Ukba was late at the house of study and his wife was coming home with him. As soon as the poor man saw them moving the door he went out after them, but they fled from him and ran into a furnace from which the fire had just been swept (i.e. they run into the furnace in order to preserve the anonymity of the donor, Mar Ukba). Mar 'Ukba's feet were burning and his wife said to him: Raise your feet and put them on mine. **As he was upset (as the miracle occurred for her and not for him, as if to say that she was more righteous than he was!),** she said to him, 'I am usually at home and my benefit that I grant the poor (i.e. the charity I give) is immediate'.

Why was Mar Ukba wife's charity preferable to that of Mar Ukba?

So here we have a perfect tale that seemingly discusses our exact question – what is the idea kind of charity? Mar Ukba seems to follow Maimonides ideal of anonymity which itself has clear Talmudic sources, his wife however acts differently – she is clearly not giving anonymously as the poor come to her door to request assistance. He is upset because he thinks he has performed charity admirably by giving anonymously and does not think that his wife did any better than him. In contrast she clearly believes that her charity was preferable to that of her husbands – because the benefit she gives is immediate.

9. **Why is being at home make Mar Ukba's wife charity special according to Rashi?**

Rashi takes the wife's response ('I am usually at home and my benefit [that I grant] is immediate') and interprets both parts of her response. The first part "I am usually at home" – he adds: "and the poor know where to find me, therefore my merit is great is great". To the second part "the benefit I grant is immediate" he adds: "my benefit [that I grant the poor] is ready [for their use], as I supply them with bread, meat, and salt but you give money to the poor and *they* have to make the effort to buy a meal". From these words of Rashi I hear a clear echo of what Rashi himself wrote on the previous Talmudic source Sukka 49b. She makes the effort to gives something ready for use and thus "applies her heart and mind to the benefit of the poor person" whereas her husband gives money but leaves the *effort* for the poor person. The wife says in a sense is saying: "the charity I give is a combination of charity and hessed as I give something that the poor can use immediately. Your charity, my husband, however, is lacking (despite giving anonymously) in this element of kindness and consideration and is therefore less worthy than mine".

10. **Why did the couple run into the furnace?**

As soon as the poor man saw them moving the door he went out after them, but they fled from him and ran into a furnace from which the fire had just been swept **(i.e. they run into the furnace in order to preserve the anonymity of the donor, Mar Ukba). They were trying to hide Ukba's identify from the poor man.**

11. **What does the story of Mar Ukba and his wife seeming teach us about the highest level of charity?**

In short, we have seen today a new perspective which I have titled "Rashi and the highest level of charity". Based upon Rashi's comments on two Talmudic the passages (sukka and ketubot) it would seem that in addition and possibly even before "anonymous giving" there exists the ideal of combining charity and kindness. This means applying one's heart and mind to the benefit of the poor person, and includes some kind of effort, either physical or mental, which is beyond merely writing a check to the poor.

11th

1. **What did we learn from Maimonides commentary to a Mishnah in Avot?**

   He comments on a Mishnah in Avot emphasizing the repetition of acts and not their greatness- "the great NUMBER of deeds" and not the "greatness of the deed". He connects this to a psychological truth that only repetitive acts have a chance to affect man's character (he calls this "a strong acquisition" which we would translate as "a lasting impact" on man's character"

2. **How did we explain Maimonides overall approach to encouraging Jews to give charity in his Mishneh Torah?**

   Maimonides has a philosophical approach and for him the importance of the commandment is that it contains an educational element for the giver, in addition to the actual assistance given to the recipient. For Maimonides charity is not only about helping the poor but also about transforming the recipient into a more generous, merciful, kind individual. From his Mishneh Torah one can clearly see how important the impact on the donor is for him, and not just the assistance to the recipient

3. **What was Maimonides main goal in writing about how to encourage Jews to give?**

   Maimonides' goal was to help the poor and to transform the donor into a more sensitive and generous personality – for him it was important that society had an order and that the religious Jew had proper behaviors and morals, he wants to perfect the character traits of the individual Jews

4. **What were Maimonides tactics in getting the Jew to be generous as found in his Mishneh Torah?**

   For Maimonides it is not enough to simply give charity, he wants that one should give with the proper feelings of generosity and kindness. He seems to be using 2 tactics to arouse the Jews sympathy and spirit of generosity

   A. One is to "shame" him/her
   B. The second is by arousing a spirit of sympathy and solidarity within the community

5. **How does Maimonides try to "shame" the Jew into being a generous person?**

Maimonides tries to "shame" him/her by stating that whoever does not have these traits is suspected of not being a Jew, a descendant of Abraham but a pagan, an idol worshipper

6. **How does Maimonides try to arouse the emotion of sympathy and solidarity in the Jew?**

Maimonides tries to arouse the emotion of sympathy and solidarity in the Jew by painting a dramatic picture of the poor Jew who has nowhere to run but to one of his brothers, his fellow Jew. He is here trying to arouse a spirit of sympathy and solidarity within the community

7. **What was Jacob b. Asher main goal in writing about how to encourage Jews to give?**

Jacob ben Asher is in contrast to Maimonides: he seems mainly interested in getting the Jew to do the act of charity. He wasn't interested in arousing sympathy for the fellow Jew in his treatise.

8. **What were Jacob b. Asher tactics in getting the Jew to be generous as found in his work Tur Yore Deah?**

His tactics were:

- Saying that if you don't help the poor blood can be spilled
- Saying that as one is always asking G-d to give him wealth, he must listen to the cries of the poor as the poor are close to God and God listens to them
- Saying that it is worth to pay charity since the fortune of the man changes continuously, the wheel of fortune is constantly spinning: one day you're at the top and tomorrow you could be at the bottom and you could be the person that needs charity
- Deposit theory
- Most powerful tactic: it is worth from a purely investment perspective to be generous, as one only gains wealth and honor by giving charity and will not lose at all

9. **What did we derive from Talmud Bava Batra (and other tractates) in explaining the approach of Jacob b. Asher?**

We derive that no matter the motivation, it is the act of giving that is paramount, not the motivation behind the act! For Jacob one can see this approach in the various arguments he presents: they are all focused upon the result → convincing the Jew of the utility of giving. Jacob is quite happy if the Jew gives charity, the final result it enough for him (therefore he utilized every possible argument to convince the Jew to give) and he doesn't care like Maimonides if the Jew gives in a proper way and has a good character (for Maimonides it wasn't enough to give, one had to give in a proper way)

10. **What is the "deposit theory"?**

Deposit theory: your money is not actually yours and it is only a loan from God and if you don't follow God's will and use it also for the needs of the poor, you cannot expect that you will retain your wealth

11. **What does Jacob b. Asher learn from offerings (*terumah*) and tithing (maaser)?**

Jacob b. Asher says: "From the bringing of the offerings (terumah) to the House of the Lord, he shall eat, be seated, and his plentitude shall abound, for the Lord has blessed his nation". It is also written "Bring the enrire tithe (maaser) to the warehouse and it shall be a food store in my house. "Test me regarding this" said the Lord of Hosts, "if I will not open my heavenly attic and empty its boundless blessing upon you". The Sages said that it is forbidden to test the Lord other than in this, as written: "Test me regarding this". Most powerful tactic: it is worth from a purely investment perspective to be generous, as one only gains wealth and honor by giving charity and will not lose at all

12. **What did we learn from Maimonides personal biography that helps us understand his approach to charity?**

It is well-known that Maimonides did not have it easy growing up. While still young, the Almohads invaded Spain and made life unbearable for all non-Muslims. Jews had to choose between converting, expulsion or death. His family migrated to North Africa to save themselves. But in North Africa they did not have it easy either as the country was ruled by the same people who invaded Spain (they thought that things were more easy-going there) and there as well they had to hide their Judaism from the authorities. With time they packed their bags again this time towards the Land of Israel and finally to Egypt- there they found some peace and quiet. He had an unsettling life. He was agitated by the distress of his time, with the exile and the fact that he had been driven from one end of the world to the other.

I would like to suggest that these traumatic travels were at least partially behind Maimonides' formulation of the laws of charity: "and if a brother will not have compassion for his brother, who will have compassion for him? And to whom will the poor of Israel lift their eyes? To the gentiles who hate them and pursue them? their eyes look only towards their brothers" – these lines were written by a person who experienced exactly what he was writing about- gentiles pursuing him and no one to turn to besides his fellow Jews.

13. **What did we learn from Jacob b. Asher's personal biography that helps us understand his approach to charity?**

Jacob b. Asher also travelled around from Germany to Spain. But the important element is his economic well-being in his new home of Spain: it would seem from one passage in his work that if not being actually poor, he for sure was not self-sufficient and needed to be supported– we learn this from a question he asked his father regarding his obligation to eat the third-meal of Shabbat. With this in mind we can argue that he understood, better than most other scholars the mind-set of the poor. What he understood is that the poor person is willing to forgive all lack of sensitivity or common manners just as long as he/she can bring back bread to home and feed the children. With such an attitude we can better understand his "non-ideal" approach towards convincing the Jew to give. He utilizes all possible

arguments in order to motivate the Jew to give, including an emphasis on the utility of the act for the giver, the profit that he will receive in this world if he gives charity

14. **Why did we bring in the law of "better make your Shabbat like a weekday" and not have to ask for assistance from your fellow man?**

According to the law a pauper (a poor person) is exempt from the third Shabbat meal as the Talmud states: better to make your Shabbat like a weekday (and in a weekday we only eat 2 meals instead of 3 like Shabbat) and not have to ask for assistance from your fellow man - we brought in this law because it was the case of Jacob ben Asher: in a work he says that he discussed this matter with his father because he had very little of his own, not enough to subsist, and he needed the assistance of others. For this reason, he asked his father if he was included within the category of those for whom the law says "better make your Shabbat like a weekday or not", and his dad did not give a clear-cut response

15. **For what purpose did we bring from Maimonides Hebrew Prologue to Epistle to Yemen?**

Maimonides writes this in his Hebrew Prologue to Epistle to Yemen: "I am one of the lowliest of the scholars from Spain whose glory was lowered in exile. Although I always study the ordinances of God, I did not attain to the learning of my forbearers, for evil days and hardships overtook us; we did not abide in tranquility; we labored and had no rest. How could we clarify the law, when we were being exiled from city to city and from country to country. Only recently I found a home"

12th

1. **What does Rav Soloveitchik derive from the law of "*dei mahsaro*" of giving "sufficient for his need"?**

Soloveitchik says:

The foregoing discussion leaves us uncertain as to whether the Halakhah concerns itself only with the external action of extending help to another or considers the subjective correlative to be important as well

In the context of tzedakah, there is the special rule of "sufficient for his need" (that Maimonides explains as: you are commanded to give to the poor man according to what he lacks- if he was used to riding a horse you should provide him a horse)- here the obligation of tzedakah encompasses psychological as well as physiological needs (since a horse is a matter of honor and social prestige and is not a vital need such as good and clothing, but it must be provided anyways) → Therefore, we see that the Torah drew no distinction between physical and psychological needs, between a hungry body and a hungry soul (even if the soul's craving are excessive and unjustified)

We are not to judge the poor person or determine what is appropriate and what is unnecessary for him, because the Halakhah commands us to sustain the entire personality, both physical and spiritual, and not merely to maintain its vital needs

2. **What does Rav Soloveitchik derive from the use of Maimonides of the verse Then you shall uphold him; as a stranger and a settler shall he live *with you* ... that your brother may live *with you*"?**

Maimonides' defines the commandment of tzedakah by using that verse (then you shall uphold him and he shall live with you etc.) and Soloveitchik derives from it that the commandment of tzedakah is essentially the reinforcement and facilitating of a proper way of life based on equal rights and equal importance of each individual ("with you" in the verse means at the same level, with no distinctions) so you must not act as if you are better than the poor person- it thus appears that the pleasing countenance constitutes an integral part of the commandment, and this bond with the poor person is so important that Maimonides favored a gracious gift of less than the proper amount over a gift of the proper amount reluctantly given. Accordingly, even when a person does not have available means to provide concrete financial support for a poor person, he is obligated to comfort and encourage him and provide spiritual support, because that too is an important aspect of tzedakah

3. **What does Rav Soloveitchik mean when he writes about *the donor* "the Halakhah must take into account a person's psychological state as well"?**

The Halakhah must take into account a person's psychological state as well: some people are naturally heard-hearted, lacking in empathy and in sensitivity to another's suffering. When they encounter poverty and deprivation, they do not participate in the victim's misery. Although they recognize their obligations and their consciences require them to give, they cannot do so joyfully because they are stingy by nature. Do such people, when they contribute, fail to fulfill the commandment of tzedakah? On the contrary, their reward for giving should at times be even greater than that of the kind and generous person who gives happily and derives pleasure from giving. The kindly person by his nature gives happily, while the stingy person, who must overcome his inclination and avarice, gives unhappily; but whose merit is greater? Soloveitchik says that he knows people who deny themselves their most vital needs and generously give tzedakah, but when they give their handshakes with worry and pain. He says that in truth he has always respected such people, holding them in higher regard than philanthropists whose generosity in engrained in their nature and who spend lavishly on themselves as well as on others. At times, self-transformation is beyond people's capabilities and they can accomplish only one thing: self-coercion- a normative awareness impels a person to external action- taking a dollar from his pocket and contributing it to tzedakah, but this awareness cannot temper a frozen, hardened heart and soften it with feelings of sympathy

4. **How does Rav Soloveitchik resolve the contradiction within Maimonides Mishneh Torah?**

In today's class we shall see how Rabbi Soloveitchik is able to derive meaning and significance through a contradiction within Maimonides writings.

I will present here the contradiction and then allow you to read Rav Soloveitchik resolution in his own words. Both laws are found in *Mishneh Torah*, Gifts to the poor, chapter 10 which have been discussing during the last couple of weeks.

In law 4 Maimonides writes: “One who gives charity to a poor person with a bad countenance, and his face staring at the ground even if he gave a thousand

gold pieces he has destroyed his merit and lost it, rather [we must] give with a cheerful expression and gladly, and commiserate with him about his troubles ....”

It would seem that one who acts such,” with a bad countenance” – has lost any merit at all, as if he had not given charity!

In contrast when he discusses the various levels of charity (Rambam’s ladder) which we studied earlier he writes at law 14 which is the lowest level of charity “One level lower is to give to **שיתן לו בעצב**)” him sadly

From this passage it would seem pretty clear that giving this way **is** considered charity - even if it’s not being conducted in the most exemplary fashion. So which is it? Like law 4 “he has destroyed his merit....” Or merely a low level of charity...?

As we have already said, Maimonides thinks that the donor and the poor must be considered as equals, as brothers, so giving charity with joy and good intensions is essential

On the other hand, one cannot say that if one gives grudgingly he has failed entirely to fulfill the commandment. Such a premise would ring false, for when all is said and done, there are times when a poor person would be willing to waive his dignity and forgive any slight as long as he can get what he needs to feed his family. Example: a mother trying to save her only son from death would sacrifice her dignity and willingly suffer insult and embarrassment in order to scrape together the money needed to obtain medical treatment for the child. Accordingly, a ruling that a person who gives grudgingly is better off not giving would betray a misunderstanding of the goal of tzedakah

The solution is:

- First, the obligation to give is constant. The “how” of the giving (whether with generosity or with sadness) does not cancel the underlying obligation; financial aid must be made available to the poor person
- Second, even though the physical assistance does not depend on the psychological correlative, the latter is nonetheless very important and constitutes one of the fundamental elements of tzedakah. This is why Maimonides ruled that it is better to give less than appropriate in a gracious manner, than to grudgingly give the proper amount (still, one must not disregard the obligation to give on the grounds that one cannot give happily)
- Third, it is forbidden to embarrass the poor person or tarnish his dignity. That is an absolute prohibition. It is necessary to distinguish between a joyless state and a posture that actually demeans and offends the poor person. One who gives unhappily does not intend to insult or embarrass the poor person; he fails to fulfill the commandment in its entirety and loses out on the aspect of “sufficient for his need”; but his action at least fulfills the element of “open your hand”. But one who aggrieves the poor person and brings shame on him not only fails to fulfill the commandment, he actually violates a serious prohibition

5. **How does Rav Soloveitchik differentiate between the two types of giving, mentioned by Maimonides in laws 4 and 14?**

   The wording of Maimonides in law 4 is “He who gives tzedakah to a poor man with a hostile countenance and with his face averted to the ground, loses his merit and forfeits it”. In other words, anger and annoyance that cause embarrassment and grief entail the transgression of a serious commandment, it follows that the reward for fulfilling the commandment of “open your hand” is erased by the donor’s transgression or the prohibition against demeaning the poor person

But in law 14, Maimonides carefully formulates the lowest degree of tzedakah as "giving tzedakah sadly". The formulation is precise, for it is not antithetical parallel to "with a friendly countenance" used in the preceding halakha. Had Maimonides wanted to say that the lowest degree of tzedakah is providing funds even in a way that insults and impairs the poor person's dignity, he would have used the antithetical parallel and formulated the lowest level as "giving with a hostile countenance". But he did not do so, instead altering the wording and using the term "sadly" to differentiate between this lowest degree of tzedakah and the very different situation referred to in law 4

6. **Why is the giving in law 4 so problematic according to Rav Soloveitchik?**

One who gives "sadly" fails to fulfill the commandment willingly, generously and graciously, but he does not disparage and torment the poor person in the manner suggested by "with a hostile countenance". It follows that one who gives sadly fulfills the commandment of "open your hand" but not the obligation of "sufficient for his need"- he has impaired his performance of the commandment of tzedakah but he has not transgressed any prohibition. The manner in which he gives does not manifest sympathy with the poor person, but the donor's merit is not annulled- the very fact of his giving attests to it. But when he gives "with a hostile countenance" his merit is annulled despite the aid he has provided, for he has insulted and embarrassed the poor person. He fulfilled the commandment of tzedakah and should have been rewarded for it, but the transgression he committed by embarrassing the recipient cancels his merit. Maimonides accordingly continues this idea in the halakha that follows: "it is forbidden to yell at a poor man or to raise one's voice in a shout at him, seeing that his heart is broken and crushed... woe unto him who shames the poor! Woe unto him!" – Maimonides is dealing with one who embarrasses the poor and causes him pain

13th

1. **What is the central insight of Monotheism according to Jonathan Sacks?**

The central insight of monotheism: if God is the parent of humanity, then we are all members of a single extended family

2. **In what way does the religious approach differ from the enlightenment in their approach to humanity?**

The Enlightenment gave us the concept of universal rights, but this remains a "thin" morality, stronger in abstract ideas than in its grip on the moral imagination. Gar more powerful is the biblical idea that those in need are our brothers and sisters and that poverty is something we feel in our bones. Every year on Passover Jews eat the bread of affliction and the bitter herbs of slavery. On the festival of Sukkot, they leave the comfort of their homes to live in shacks, as a reminder of what it feels like to be without a solid roof, exposed to the elements, living as millions do today in Calcutta o Caracas. The great faiths do more than give abstract expression to our shared humanity; they move us to action and give compelling shape to the claims of others upon us

3. **What is the theology of Judaism regarding ownership according to Jonathan Sacks?**

Tzedakah is an unusual term because it means both justice and charity, and it arises from the theology of Judaism, which insists on the difference between possession and ownership. Ultimately, all things are owned by God, creator of the world. What we possess, we do not

own, we merely hold it in trust for God. The clearest example is the provision in Leviticus "The land must not be sold permanently because the land is mine; you are merely strangers and temporary residents in relation to me"- If there were absolute ownership, there would be a difference between justice (what we are bound to give others) and charity (what we give others out of generosity). Justice would be a duty and charity would be a moral obligation. In Judaism, however, because we are not owners of our property but merely guardians on God's behalf, we are bound by the conditions of trusteeship, one of which is that we share part of what we have with others in need. What would be regarded as charity in other legal system is, in Judaism, a strict requirement of the law and can be enforced by the courts. What tzedakah signifies, therefore, is what is often called "social justice", meaning that no one should be without the basic requirements of existence, and that those who have more than they need must share some of that surplus with those who have less. This is the basic in the society of the Israelites where everyone must have equal rights: a society in which a few prosper and have something to eat but many starve is not a place of liberty.

4. **According to Rabbi Sacks what are the essential features of the "Seventh year" and the Jubilee?**

Indebtedness is a form of servitude. To ban loans altogether would condemn people to poverty and deprive them of the chance to start their own enterprise. This is why, from a biblical perspective, micro-lending is essential. Nothing is more effective in alleviating poverty than giving individuals the chance to create small businesses. But to allow debts to accumulate is also wrong: the economic system must encourage freedom, not financial slavery- That is why periodic debt release is necessary. It enables people to begin again, freed of the burdens of the past. A similar idea lies behind the institution of the Jubilee year: everyone must have a share in the land. 1 year in 50 all land is to be returned to its original owners so that no one is denied his or her ancestral inheritance. Explicit connection between economic equity and political freedom. The sabbatical and Jubilee years break the cycle of poverty and dependence

5. **What does Rabbi Sacks derive from the law of giving charity "sufficient for his need in that which he lacks", "*Dei Mahsaro*"?**

"Sufficient for his need"- for Rabbi Sacks means: that you are commanded to maintain him, but you are not commanded to make him rich. "That which he lacks": means even a horse to ride on and a slave to run before him. There are 2 kinds of poverty according to Hillel's interpretation (of the horse and slave): the first ("sufficient for his need") refers to an absolute subsistence level (food, housing, basic furniture and pay for a wedding), the second ("that which he lacks") means relative poverty- relative not to others but to the individual's own previous standard of living. This is the first indication of something which plays an important role in the rabbinic understanding of poverty. There is physical need but over it there is a psychological dimension. Poverty humiliates, and a good society will not allow humiliation. Protecting dignity and avoiding humiliation was a systematic element of rabbinical law

6. **Jewish law states that even the poor are obligated to give charity – why is this so important to Jonathan Sacks?**

Even a person dependent on tzedakah must himself give tzedakah. The rule may seem absurd but what Rabbis understood is that giving is an essential part of human dignity, "the hand that gives is always uppermost; the hand that receives is always lower"

7. **According to Rabbi Sacks what is the basic religious and social problem of the huge disparities of wealth, exploitative practices, harsh conditions of employment?**

Huge disparities of wealth, exploitative practices, harsh conditions of employment, the existence of what some today call an "underclass": these are fractures in human solidarity. They create a divided society. They destroy the notion of the common good as something we share and in which we all participate, that is not something from which we can hide on the grounds that it is not our responsibility. If we admit that the individual is in some measure conditioned or affected by the spirit of society, an individual's crime discloses society's corruption.

8. **What is Rabbi Sacks bottom line in regard to treating the problems that have arose from globalization?**

Economic growth is more powerful than simple redistribution, but that is true only if there is a genuine willingness on the part of those who gain to ensure that the losers also benefit; and that does not happen through the market mechanism on its own. No religion can propose precise policies for the alleviation of hunger and disease. What it can do, and must, is to inspire us collectively with a vision of human solidarity and with concepts, such as tzedakah within the Jewish tradition and its counterparts in other faiths, that serve as a broad moral template for what constitutes a fair and decent world. Globalization divides as much as it unites, it is a new freedom for some but a cruel fate for others. More and more of the economic surplus should be invested to help eradicate extreme poverty etc. As with tzedakah, the aim should be to restore dignity and independence to nations as well as individuals. The freedom of the few may not be purchased at the price of the enslavement of the many to poverty, ignorance and disease