

Profound Lessons in Charity

“דִּי מַחֲסָרוֹן”

The generous giving of Tzedakah (charity) is one of the extraordinary attributes of the Jewish people. Worldwide, Tzedakah is responsible for the critical support of the needy as well as for maintaining the Jewish community’s infrastructure – schools, synagogues, *mikvaos*, hospitals, and orphanages, etc.

A 2010 study at the University of Indiana revealed that individual Jewish philanthropy in the US far exceeds that of any other group. However, as popular as Tzedakah is, few may have examined the extent of its centrality in Jewish character, the philosophy behind it, and its guidelines. This session will discuss the following questions:

- **How much *tzedakah* am I supposed to give and to whom?**
- **From where does this intense propensity for giving stem?**
- **Do I have to give *tzedakah* to anyone and everyone who asks?**
- **Is *tzedakah* limited to money, or does it include other charitable forms of giving as well?**
- **What’s the minimum amount that’s required?**

1 – SENSITIVITY TO ANOTHER’S NEEDS

Source 1. Devarim 15:8-9 – The basic obligation of giving charity: according to the receiver

<p>“If there is a needy person among you, one of your brothers 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 brother.”</p> <p>“Rather, you must open your hand and lend him sufficient for his deficiency in that which is deficient for him”</p>	<p>כִּי־יְהִיֶּה בְּךָ אֶבְיֹן מֵאַתָּה אַחֲיֶיךָ בְּאַתֶּךָ שְׁעָרֶיךָ בְּאַרְצֶךָ אֲשֶׁר־יְהִנֶּה אֲלֵיךָ נָתַן לְךָ לֹא תִאֲמָץ אֶת־לִבְּבֶךָ וְלֹא תִקְפֹּץ אֶת־יָדְךָ מֵאֶחִיךָ הָאֶבְיֹן: כִּי־פָתַח תִּפְתָּח אֶת־יָדְךָ לּוֹ וְהֵעַבְטָה תַעֲבִיטְנוּ דֵי מִחֲסָרוֹ אֲשֶׁר יַחְסֵר לוֹ:</p>
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What does it mean exactly to “*open ones hand in that which is deficient for him*”? The Talmud gives some extraordinary examples:

Source 2. Kesubos 67b – Even a horse!

<p>The Sages taught: Concerning an orphan boy who has come to marry, the community rents a house for him, arranges for him a bed and all his utensils, and thereafter they find him a wife, as it is stated: “<i>But you shall surely open your hand to him, and shall surely lend him sufficient for his deficiency in that which is deficient for him</i>” (Deuteronomy 15:8). With regard to the phrase “<i>sufficient for his deficiency,</i>” this is referring to the house. “<i>Which is deficient</i>”; this is referring to a bed and table. “<i>For him [lo]</i>”; this is referring to a wife, as we find similarly in the verse (regarding when G-d created a wife for Adam): “<i>I will make him [lo] a helpmate for him</i>” (Genesis 2:18)</p> <p>The Sages taught: “<i>Sufficient for his deficiency</i>”; this teaches that you are commanded to support him, but you are not commanded to make him wealthy. However, the verse also states: “<i>Which is deficient for him</i>”; this includes even a horse upon which to ride and a servant to run in front of him.</p> <p>The Gemara relates: They said about Hillel the Elder that he obtained for a poor person of noble descent (i.e. someone who was accustomed to a luxurious life-style, who became impoverished) a horse upon which to ride and a servant to run in front of him. One time he did not find a servant to run in front of him, and Hillel himself ran in front of him for three miles</p>	<p>ת"ר יתום שבא לישא שוכרין לו בית ומציעין לו מטה וכל כלי תשמישו ואחר כך משיאין לו אשה שנאמר (דברים טו, ח) די מחסורו אשר יחסר לו די מחסורו זה הבית אשר יחסר זה מטה ושלחן לו זו אשה וכן הוא אומר (בראשית ב, יח) אעשה לו עזר כנגדו: תנו רבנן די מחסורו אתה מצווה עליו לפרנסו ואי אתה מצווה עליו לעשרו אשר יחסר לו אפילו סוס לרכוב עליו ועבד לרוץ לפניו אמרו עליו על הלל הזקן שלקח לעני בן טובים אחד סוס לרכוב עליו ועבד לרוץ לפניו פעם אחת לא מצא עבד לרוץ לפניו ורץ לפניו שלשה מילין:</p>
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Amazing! ¹Let's imagine the wealthy fellow who has lost his fortune. He suddenly must leave his luxurious home and move into a small apartment; all of his valuable furnishings are gone as well. He has made peace with all of this. One thing, however, still bothers him. Not only has he lost his luxury automobile, he has no car at all. He must now make his way each day by public transportation or by foot. He leaves his house each day in shame and returns humiliated. He would never consider asking someone for a car, even the simplest model available. Nevertheless, we are obligated to understand his silent request on our own; we should be sensitive enough to pick up on the fact that this is truly what he is lacking.

(Obviously, his need for a car will not take precedence over others' needs for basics such as health care, food, clothing and shelter.² But if we would have enough resources, we would certainly be obligated to spend money on a new car for this unfortunate man.)

One's instinctive reaction upon hearing about a formerly wealthy man who "needs" charity for a new car might be one of anger. "How dare he think that we should spend money on him when there are people in the world with 'real' needs, such as putting bread on the table!" The Torah teaches, however, that since he is pained by his situation, one must learn to appreciate that for *him* this is truly a need.

Profound Lesson #1:

In the field of Tzedakah needs are based on subjective standards, relative to each individual. Just as people differ in their personalities, so too do their needs differ. Someone who wishes to be a true practitioner of loving-kindness (חסד) must train himself to see and listen to what the *other* is lacking.

¹ This paragraph is translated from Rabbi Shlomo Wolbe, Alei Shur, Volume II, p. 198

² The orders of precedence in giving tzedakah ("דיני קדימה") are beyond the scope of this study session. For more information in this topic, see "The Laws of Tzedakah & Maaser" by R' Shimon Taub, or שו"ע ס' קנ"א ס' ג-ז

2 – THE PROPENSITY TO GIVE

Source 3. Kesubos 50a – *Takanas Usha*: One-fifth of ones assets

<p>Rabbi Ila'a said: In Usha the Sages instituted that one who dispenses his money to charity should not dispense more than one-fifth. That opinion is also taught in a baraisa: One who dispenses his money should not dispenses more than one-fifth, lest he render himself destitute and need the help of other people.</p> <p>Rav Nachman said, and some say it was Rav Aha bar Ya'akov who said: What is the verse that alludes to this maximum amount of charity? <i>“And of all that You shall give me, I will surely give a tenth of it [aser a'asrenu] to You”</i> (Genesis 28:22). [The double use of the verb that means to donate one-tenth indicates that Jacob, who issued this statement, was actually referring to two-tenths, i.e., one-fifth]</p>	<p>א"ר אילעא באושא התקינו המבזבז אל יבזבו יותר מחומש תניא נמי הכי המבזבז אל יבזבו יותר מחומש שמא יצטרך לבריות... אמר רב נחמן ואיתימא רב אחא בר יעקב מאי קרא (בראשית כח, כב) וכל אשר תתן לי עשר אעשרנו לך</p>
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The Sages instituted a rule to prevent people from giving *too much* Tzedaka (since it may lead to a situation where they themselves could become dependent on others).

Wow! Usually, rules have to be made in order to **force** people to part with their money, not to prevent them from **giving too much!**

Where does this intense, inner-propensity for giving stem from? The Rambam explains:

Source 4. Rambam Matnos Aniyim 10:1-2 – Tzedakah is the trademark of the descendants of our Patriarch Abraham.

<p>We must be more meticulous about the mitzvah of Tzedakah than about any of the other positive commandments. Tzedakah is the trademark of the righteous descendants of Avraham, our forefather, as it is written, <i>“For I [God] have chosen him [Avraham] because I know he will pass on his heritage to his progeny, and they will thus keep the path of God, doing justice and Tzedakah.”</i> The throne of Israel and the true faith only stand upon the merit of Tzedakah ...</p> <p>Someone who is cruel and shows no compassion casts doubt upon his Jewish ancestry ...</p>	<p>חייבין אנו להזהר במצות הצדקה יותר מכל מצוות עשה שהצדקה סימן לצדיקי זרע אברהם אבינו שנאמר כי ידעתיו למען אשר יצוה את בניו ואת ביתו אחריו ושמרו דרך ה' לעשות צדקה ומשפט. ואין כסא ישראל עומד ודת האמת עומדת אלא בצדקה. וכל מי שהוא אכזרי ואינו מרחם יש לחוש ליחוסו...</p>
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Profound Lesson #2:

The Jewish people's intense propensity for giving (particularly in the realm of Tzedaka) is an inheritance from Avraham. It's built in to the basic spiritual-DNA of the Jewish people.

3 – SEEKING OUT CHARITABLE OPPORTUNITIES

The following gemara presents a difficulty on the previous rule of “Takanas Usha”:

Source 5. Taanis 24a – Chasing down tzedaka opportunities

Whenever the charity collectors would see **Elazar of Bartosa** (a village), they would hide from him, as any money Elazar had with him he would give them, and they did not want to take all his property. One day, Elazar went to the market to purchase what he needed for his daughter’s dowry. The charity collectors saw him and hid from him.

He went and ran after them, saying to them: I adjure you, tell me, in what mitzvah are you engaged? They said to him: We are collecting money for the wedding of an orphan boy and an orphan girl. He said to them: I swear by the Temple service that they take precedence over my daughter! He took everything he had with him and gave it to them. He was left with one single dinar, with which he bought himself wheat, and he then ascended to his house and threw it into the granary.

Elazar’s wife came and said to her daughter: What has your father brought home? She said to her mother: Whatever he brought he threw into the granary. She went to open the door of the granary, and saw that the granary was full of wheat, so much so that it was coming out through the doorknob, and the door would not open due to the wheat (The granary had miraculously been completely filled). Elazar’s daughter went to the study hall and said to her father: Come and see what your He Who loves You, the Almighty, has performed for you. He said to her: I swear by the Temple service, as far as you are concerned this wheat is consecrated property, and you have a share in it only as one of the poor Jews. [He said this because he did not want to benefit from a miracle. **Rashi**]

אלעזר איש ברתותא כד הוו חזו ליה
גבאי צדקה הוו טשו מיניה דכל מאי
דהוה גביה יהיב להו יומא חד הוה סליק
לשוקא למיזבן נדוניא לברתיה חזוהו
גבאי צדקה טשו מיניה

אזל ורהט בתרייהו אמר להו
אשבעתיכו במאי עסקיתו אמרו ליה
ביתום ויתומה אמר להן העבודה שהן
קודמין לבתי שקל כל דהוה בהדיה ויהב
להו פש ליה חד זוזא זבן ליה חיטי
ואסיק שדייה באכלבא

אתא דביתהו אמרה לה לברתיה מאי
אייתי אבוך אמרה לה כל מה דאייתי
באכלבא שדיתיה אתיא למיפתח בבא
דאכלבא חזת אכלבא דמליא חיטי וקא
נפקא בצינורא דדשא ולא מיפתח בבא
מחיטי אזלא ברתיה לבי מדרשא אמרה
ליה בא וראה מה עשה לך אוהבך אמר
לה העבודה הרי הן הקדש עליך ואין לך
בהן אלא כאחד מעניי ישראל

An interesting story, indeed, but let’s look closely here: Elazar of Birta gave away nearly *all* of his money for tzedaka, but wait...

Question: what happened to *Takanas Usha* – the limitation of 1/5th?!? Why should Elazar be exempt?!?

What do you think??

4 – ABSTRACT VS TANGIBLE KNOWLEDGE

In order to resolve this Gemara, the Chofetz Chaim³ observes that the Rambam (and Shulchan Aruch) *also* seem to say that Takanas Usha does not apply in certain circumstances. We'll try to find the common thread:

Source 6. Rambam, explanation of Mishna Peah 1:1

<p>That which it says in the Mishna “Acts of kindness have no limitation”, is referring to helping others with ones body. However, regarding ones financial resources, there is in fact a limit, which is 1/5th of his money. One is not required to give more than 1/5th of his money, unless he’s doing so beyond the ‘letter of the law’, as the sages said “They established in Usha: a person should set aside a 5th of his assets for tzedaka” [Yerushalmi, Peah 1:1]. The explanation of this is the following: when a person observes captured individuals, whom he’s obligated to rescue, or hungry or barren indigents, whom he’s obligated to feed and clothe – as it says, in the verse “<i>sufficient for his deficiency in that which is deficient for him</i>”, that is to say, to fulfill their lacking’s – one need only give a 5th, and it will not be considered an iniquity on his part that he’s not totally fulfilled the others needs, since they are greater than a 5th.</p>	<p>ומה שאמר בכאן גמ"ח אין לה שיעור רוצה לומר לעזור האדם בגופו אך שיעזור אותו בממונו יש לו שיעור והוא חמישית ממנו ולא יתחייב לתת יותר מחמישית ממנו לבד אם עשה כן במדת חסידות ואמרו (כתובות דף נ.) נמנו באושא להיות אדם מפריש חומש נכסיו למצוה וביאור זאת ההלכה אצלי מה שאומר והוא כשהאדם יראה שבויים שהוא חייב לפדותם כאשר צוה הקב"ה או רעבים או ערומים שהוא חייב להשביעם ולכסות מערומיהם כמו שאמר די מחסורו אשר יחסר לו (דברים טו) ופירושו למלאות חסרונו כשיהיה מה שיחסר להם או מה שיצטרכו לפדיונם פחות מחמישית ממנו או כפי חמישיתו אבל אם יצטרך לתת להם יותר מן החומש יתן חמישית בלבד ויסתלק מלתת עוד ולא יהיה עון עליו בהמנעו להשלים כל מה שצריך להם לפי שצרכם יותר מן החומש</p>
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The Rambam does in fact say that there are circumstances in which one is allowed to give away *more* than a 5th to tzedaka – beyond the letter of the law – but there’s a specific context: the indigents are known. (“קיימא עניים”)

Let’s look closely at the wording of Takanas Usha (Source 3): “One who dispenses his money to charity should not dispense more than one-fifth”. The word “המבזבז” is very awkward: it literally means to ‘disgrace’ – in this context, to ‘throw away’ ones money (in a positive sense). Why would the sages not simply say “One who is allocating or giving tzedaka...”??

The Chofetz Chaim explains: Takanas Usha, limiting one to a 5th, is referring specifically to a scenario where there is no immediate tzedaka obligation on one’s radar-screen – he’s simply ‘throwing away’ his money; setting it aside to future chesed-opportunities, as they may arise.

³ אהבת חסד פרק י"ט ס"ד בהג"ה, בהסבר שיטת הרמב"ם וגר"א. כל המשך דברינו וביאור הסוגייה הוא ע"פ דבריו המופלאים ע"ש ותמצא נחת

However, when there are actual, real, tzedakah opportunities/obligations within ones immediate range-of-vision (“היכא דקיימא עניים”), Takanas Usha does not apply⁴. In such a scenario, the Sages imposed no limit on one’s ability to fulfill the mitzvah of “די מחסורו” to its full capacity. **This explains R’ Elezar’s behavior (source 5)**: in so far as he was dealing with charity-collectors, representing actual, real-time tzedaka needs, Takana’s Usha did not apply!!

What’s the Difference??

Why should this be so?

There’s a fundamental difference between the scenario where one is simply setting aside his money for charitable purposes, as opposed to when there are needy people right there in front of him: the prior is **abstract**, whereas the latter is **tangible**.⁵

We see this manifest elsewhere in the realm of Tzedaka: Chazal⁶ expound from the verse “אל-יָשֹׁבֶנָה גְּדֹלִים” (Tehillim 74:21) – “do not turn back the oppressed in shame,” that one is not allowed to turn away an indigent without giving him *at least* something. Even a person who already gave away all of his tzedaka money for the year cannot send an impoverished person away empty-handed.

What we see from these examples is a common thread which is simple, and perhaps even quite intuitive, but profound nonetheless: the Torah recognizes the fact that tangible, experiential knowledge of a problem demands a different response. *While there may be limitations on one’s charitable-giving in an abstract context, when there are real people that need your help – ‘in your face’ – that’s a whole different ball-game.*

Profound Lesson #3

Tangible, real-time tzedaka scenarios have a whole different set of rules. Faced with an actual problem, ones sense of compassion towards those less fortunate requires him to act with more generosity than he would in an abstract situation.

⁴ The parameters of “קיימא עניים” – “poor people in front of you”, requires elaboration: does the indigent need to be actually present, or is knowledge of an indigent sufficient to be categorized as “in front of you”? For more information, see “The Laws of Tzedaka and Maaser”, by Rabbi Shimon Taub, pg. 11. R’ Ari Belsberg, who asked R’ Yitzchak Berkowitz *shlita* this question, was told that nowadays, in the global-village in which we live, “לא קיימא עניים” is hardly applicable.

⁵ לא מצאתי הסבר לחילוק זה בפירוש, אבל נ"ל שכן י"ל. אח"כ הסכים לי מו"ר הגרש"מ שליט"א, מ"מ הוסיף דעוד יש להסביר דאיכא דקיימא עניים חל האיסור של "לא תאמץ את ירך" (דברים טו:ז)

⁶ מובא ברמ"א יו"ד ס' רמ"ט סע' ד'

EXAMPLES

1. It's challenging times for Joe: he's recently become unemployed, and is feeling quite down and out. The time of year that Joe and his family are used to going on a family-vacation is approaching. Shimon, who doesn't know Joe so well personally, but is aware of his financial troubles, is considering donating a chunk of travel-points to help Joe out with the tickets. *Is this, in fact, a scenario of "tzedaka" that Shimon **should** help out with? After all, it's only a vacation...*

2. The Life of Mordy #1 – Mordy is obsessed with gadgets: big, small, cheap, or expensive, Mordy just can't seem to hold back from spending his money on all sorts of gadgets. As Mordy's heading home one day – hands and bag filled with his daily-dose of electronic gadgets – he passes a indigent individual in the subway station. "Can you spare a dollar, sir? G-d bless." Mordy, though, has literally no money left in his pockets, having spent it all on gadgets. *What should Mordy do tomorrow when the same scenario presents itself: keep spending for his 'hobby', or put aside some cash for tzedaka?*

3. The Life of Mordy #2 – Since we last met him, Mordy's since turned his life around, as far as giving tzedaka is concerned. No more gadgets! In fact, Mordy's is now obsessed with giving as much tzedaka as he can. One day, at the office, Mordy receives a call from his wife: "Mordechai, dear, someone from our mortgage company called today. They said that if we miss one more payment, they're going to take away our house!" It seems that Mordy's been going a bit overboard with the tzedaka stuff. *What advice would you suggest to Mordy to allow him to allocate his financial resources more responsibly?*

4. George is quite generous with his money, having been blessed with much more than his own personal needs require. One day, George is approached by a member of the community, who asks if he can arrange a time to meet privately. During their meeting, this individual describes his financial-plight to George, explaining that despite his external, put-together appearance, he is in fact in need of significant financial assistance: he needs \$25'000 promptly. *Is George personally responsible to cover this man's needs (assuming he can afford to do so), or can he throw the burden upon other individuals as well?*

5. Ari is on a trip to Israel, and has brought some cash along with him to exchange. As he's walking through Meah Shaarim, he passes a poor individual on the street, who asks him if he has any change. Ari does *not* have any change, but he *does* have a \$100-bill in his pocket, which he was planning on using for food and basic-spending...*what should he do??*