



**JUST GIVE
A LITTLE
TZEDAKAH**

Source Materials
Rabbi Efreim Goldberg
reg@brsonline.org

DEUTERONOMY (15) עֲדוּכִים (16)

כִּי־יְהִי־בְךָ אֶבְיוֹן מֵאֶחָד אֶחִיךָ בְּאֶחָד שְׁעָרֶיךָ
בְּאַרְצְךָ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נָתַן לְךָ לֹא תֹאמֵץ אֶת־לִבְּךָ וְלֹא תִקְפֹּץ
ח אֶת־יָדְךָ מֵאֶחִיךָ הָאֶבְיוֹן: כִּי־פָתַח תִּפְתַּח אֶת־יָדְךָ לוֹ וְהֶעֱבַט תַּעֲבִיטֵנוּ
ט רֵי מִחֲסָרוֹ אֲשֶׁר יִחְסַר לוֹ: הִשְׁמַר לְךָ פִּן־יְהוָה דְּבַר עִם־לִבְּךָ בְּלִיעַל
לֵאמֹר קִרְבָּה שְׁנַת־הַשְּׁבַע שְׁנַת הַשְּׁמִטָּה וְרַעַה עֵינֶךָ בְּאֶחִיךָ הָאֶבְיוֹן
וְלֹא תִתֵּן לוֹ וְקִרְא עָלֶיךָ אֶל־יְהוָה וְהָיָה בְּךָ חֶטָּא: נָתַן תִּתֵּן לוֹ
וְלֹא־יִרְעַ לִבְּךָ בְּתִתֶּנּוּ לוֹ כִּי בְּגִלְלֵי הַדְּבָר הַזֶּה יִבְרַכְךָ יְהוָה אֱלֹהֶיךָ
יב בְּכָל־מַעֲשֶׂה וּבְכָל מַשְׁלַח יָדְךָ: כִּי לֹא־יִחַדֵּל אֶבְיוֹן מִקְרַב הָאָרֶץ עַל־
כֵּן אֲנֹכִי מִצְוֶה לֵאמֹר פָּתַח תִּפְתַּח אֶת־יָדְךָ לְאֶחִיךָ לְעֹנֶה וּלְאֶבְיוֹנָה
בְּאַרְצְךָ:

⁷ If there shall be a destitute person among you, any of your brethren in any of your cities, in the Land that HASHEM, your God, gives you, you shall not harden your heart or close your hand against your destitute brother. ⁸ Rather, you shall open * your hand to him; you shall lend him his requirement, whatever is lacking to him. ⁹ Beware lest there be a lawless thought in your heart, saying, "The seventh year approaches, the remission year," and you will look malevolently upon your destitute brother and refuse to give him — then he may appeal against you to HASHEM, and it will be a sin upon you. ¹⁰ You shall surely give him, and let your heart not feel bad when you give him, for in return for this matter, HASHEM, your God, will bless you in all your deeds and in your every undertaking. ¹¹ For destitute people will not cease to exist within the Land; therefore I command you, saying, "You shall surely open your hand to your brother, to your poor, and to your destitute in your Land."

LEVITICUS (25) וִיקְרָא (כ"ה)

וְכִי־יִמּוֹךְ
אֶחִיךָ וּמָטָה יָדוֹ עִמָּךְ וְהִחְזַקְתָּ בּוֹ גֵר וְתוֹשֵׁב וְחִי עִמָּךְ: אֶל־תִּשָּׂא
מֵאֵתוֹ נֶשֶׁךְ וְתִרְבִּית וְנִרְאֵתָ מֵאֱלֹהֶיךָ וְחִי אִתְּךָ עִמָּךְ: אֶת־כִּסְפְּךָ לֹא־
תִתֵּן לוֹ בְּנֶשֶׁךְ וּבְתִרְבִּית לֹא־תִתֵּן אֲכֹלְךָ: אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר־
הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לָתֵת לָכֶם אֶת־אֶרֶץ כְּנָעַן לְהִיּוֹת לָכֶם
לְאֱלֹהִים:

³⁵ If your brother becomes impoverished * and his means falter in your proximity, you shall strengthen him — proselyte or resident — so that he can live with you. ³⁶ Do not take from him interest and increase; and you shall fear your God — and let your brother live with you. ³⁷ Do not give him your money for interest, and do not give your food for increase. ³⁸ I am HASHEM, your God, Who took you out of the land of Egypt, to give you the land of Canaan, to be God unto you.

(11) מ"ז ק"ג (4) TALMUD BAVA BASRA (10a)

The Gemara continues to discuss the merits of giving charity: **It was taught in a Baraisa: R' MEIR WAS WONT TO SAY:** נש לו לבעל הדין להשיבך ולומר לך - THE LITIGANT⁽⁶⁾ HAS an argument TO ANSWER YOU AND TELL YOU, and it is the following: אם אלהיכם אוהב עניים הוא - IF YOUR GOD IS truly A LOVER OF THE POOR, מפני מה אינו מפרנסן - FOR WHAT REASON⁽⁷⁾ DOES HE NOT SUSTAIN THEM? Since God does not provide for them, they must have fallen into His disfavor; hence, you Jews certainly should not assist them with gifts of charity!

R' Meir provides us with the correct reply to this argument: כדי שניצול אנו בהן - However, you should SAY TO HIM: מפני מה אינו מפרנסן - God does not cause the poor to suffer because they are wicked; rather, He impoverishes people SO THAT WE MAY BE SAVED, THROUGH giving THEM charity, FROM THE JUDGMENT OF GEHINNOM.⁽⁸⁾ Thus, the poor may even be righteous individuals; they suffer poverty for our benefit!

The Gemara relates that this argument was, in fact, once advanced by a Roman general:

והו שאלה שאל טורנוסוריוס הרשע את רבי עקיבא - And this very question the wicked Turanus Rufus⁽⁹⁾ asked of R' Akiva: אם הוא אוהב עניים הוא - If your God is a lover of the poor, מפני מה אינו מפרנסם - for what reason does He not sustain them?

R' Akiva offered the reply previously mentioned: [R' Akiva] said to [Turanus Rufus]: God makes people needy in order that, through our giving them charity, we may be saved from the

judgment of Gehinnom.

Turanus Rufus took issue with this response: [Turanus Rufus] said to [R' Akiva]: On the contrary! - This giving of charity is what actually condemns you to be punished in Gehinnom!

Turanus Rufus explained himself allegorically: I shall illustrate this concept for you with a parable. למה הדבר דומה - To what is this matter similar? It is analogous to the case of a human king who was angry at his servant and confined [the servant] in prison and ordered that no one feed him or give him drink. And one man subsequently went and fed [the servant] and gave him drink in defiance of the king's order. When the king hears about this man's actions, is he not angry at [the man]? And you Jews are called servants of God, as it says: For unto Me the children of Israel are servants! Hence, by giving charity you actually violate the edict of God, your King, and so incur the judgment of Gehinnom.

R' Akiva countered with a parable of his own: R' Akiva said to [Turanus Rufus]: I shall illustrate the situation for you with a different parable. למה הדבר דומה - To what is this matter of giving charity similar? It is analogous to the case of a human king who was angry at his son and confined [the son] in prison and ordered that no one feed him or give him drink. And one man subsequently went and fed [the son] and gave him drink, thereby saving his life. When the king hears about this man's actions, does he not send [the man] a gift? And we Jews are called sons of God, as it is written: Sons you are to HASHEM, your God. Thus, although imprisoned in exile, the Jewish people are still God's children, and one who sustains the poor among them with gifts of charity earns God's gratitude and is thus absolved from the judgment of Gehinnom.

(11a) TALMUD SHABBOS (151a) מ"ז ק"ג (5)

רבי אלעזר הקפר אומר - It has been taught in a Baraisa: R' ELAZAR HAKAPPAR SAYS: לעולם יבקש אדם רחמים על מדה זו - A PERSON SHOULD ALWAYS ASK FOR MERCY from God REGARDING THIS FATE, poverty. That is, one should pray that he does not become poor, שאם הוא לא בא - FOR every family becomes poor sooner or later; IF HE DOES NOT COME to be poor, בא בנו - HIS

AND IF HIS SON DOES NOT COME to be poor, בן בנו בא - HIS SON'S SON MAY COME to be. FOR IT IS STATED: You shall surely give [the poor person], and let your heart not feel bad when you give him, FOR IN RETURN (biglal) FOR THIS MATTER, Hashem, your God, will bless you in all your deeds and in your every undertaking. And, in commenting on the word biglal, A BARAISA WAS TAUGHT IN THE ACADEMY OF R' YISHMAEL: גלגל הוא שחזור בעולם - [POVERTY] IS A WHEEL (gilgal) THAT REVOLVES IN THE WORLD, i.e. it is a cyclical phenomenon, never removed permanently from any individual. Therefore, if one is not poor now, he may one day become poor; and if it happens that he does not become poor, his descendants will become poor, for sooner or later poverty befalls every family.⁽⁴⁶⁾

[שלא נתבע חוב מעני שאין לו כסף לפרע]

10 שומנענו מלתבע החוב מן הלווה בעת שנדע שאינו יכול לפרע חובו לפי שאין לו, שנאמר: לא תהיה לו פנשה. ודע כי זאת המניעה תכלול גם כן שלא להלוות ברבית לישראל.

משרשי המצוה לקבוע לנו מדת החסד והחמלה, וכשיהיו קבועות בנו אז נהיה ראויין לקבלת הטובה וישלם חפץ השם בנו שחפץ השם להטיב בעולם הזה ובבא.

מדיני המצוה, מה שאמרנו וזכרנום לברכה: מנין לנושה בתכרו מנה יודע שאין לו שאסור לעבר נגד ביתו, שנאמר "לא תהיה לו פנשה". ומה שאמרנו גם כן במכילתא, "לא תהיה לו פנשה" שלא יראה לו בכל זמן, ודברים אחרים הנאמרים בענין הזה במציעא ובמקומות בתלמוד.

ונוהגת בזכרים ונקבות בכל מקום ובכל זמן. והעובר עליה נתבע הלואתו לתכרו יודע שאין לו ותובעו כדי לצערו עובר על לאו זה, והוא כעובר על מצוה מלך.

SEFER (3) 780 ה'תש"ו
HA'CHINUCH '10 '16

(Mitzvah 67)

[NOT TO DUN A POOR MAN UNABLE TO PAY HIS DEBT]
67 that we were prohibited from demanding payment of a debt by a borrower at a time when we know that he cannot pay the debt because he does not have the means—for it is stated, *you shall not be to him as a creditor* (Exodus 22:24). And know that this prohibition also includes [an injunction] not to lend money at interest to a Jew.¹

At the root of the precept lies the purpose to firmly inculcate the qualities of kindness and compassion in us. When they will be firmly set within us, we will be ready, worthy to receive good reward, and what the Eternal Lord desires for us will be fulfilled—for it is the Lord's wish to do good [for us] in this world and the world-to-come.

Among the laws of the precept there is what our Sages of blessed memory said:² How do we know that if someone seeks to collect a *maneh*³ from his fellow and he knows the other does not have the means [to pay it], he is forbidden to pass by opposite the other's house?—for it is stated, *you shall not be to him as a creditor*. Then there is what they said, further, in the Midrash *Mechilta*: "you shall not be to him as a creditor"—[this means] that he should not appear in his sight all the time.⁴ Other points are stated about this subject in the tractate *Bava M'tzi'a* and other places in the Talmud.

It applies to both man and woman, in every place and in every time. If a person transgresses it and demands payment of his loan from his fellow knowing that he has not the means [to pay it], and yet he duns him in order to make him suffer, he violates this negative precept; and he is as a person who violates the commandment of a king.⁵

ל' כל המרחם על העניים הקב"ה מרחם עליו : (ד) ויחן כלדם אל לבו שהוא מנקה כל שמה מנכסיו מהקב"ה וכו' שהוא מנקה מהקב"ה יצמח שופמו כך הוא יצמח שופמו עניים (ד) גם יתן אל לבו כי הוא נגלה כחור נעולם וסוף כלדם שיגא הוא לו בני או בן בנו לירי מכם זו וכל כפרתם על אצאים מרחמין עליו (פלוטין ספוד) :

(67b) TALMUD KESUBOS (7) מ' מאקו (50)

The Rabbis taught in a Baraisa: "וי מקסרו" - The verse states with regard to assisting the poor: *Open up your hands, etc. [and provide for] THE EXTENT OF HIS NEEDS.* אָתָּה - This teaches that YOU ARE COMMANDED REGARDING [A PAUPER] TO SUPPORT HIM, i.e. to provide him with his basic needs, BUT YOU ARE NOT COMMANDED TO MAKE HIM RICH. "אֲשֶׁר יִחְסַר לוֹ" - The verse continues: *WHATEVER IS LACKING TO HIM.* אָמִילוּ סוּס לְרִכּוּב עָלָיו - EVEN if he is lacking A HORSE TO RIDE UPON AND A SERVANT TO RUN BEFORE HIM, you must provide these for him.^[7] אָמְרוּ עָלָיו עַל הַלֵּל הַזֶּקֶן - THEY SAID ABOUT HILLEL THE ELDER THAT HE ONCE TOOK FOR A PAUPER FROM AN ARISTOCRATIC FAMILY - A סוּס לְרִכּוּב עָלָיו וְעַבְד לְרוּץ לְפָנָיו - ON ONE OCCASION [HILLEL] COULD NOT FIND A SERVANT TO RUN BEFORE [THE PAUPER], וְרַץ - SO [HILLEL] himself RAN BEFORE HIM FOR THREE MILLIN.^[9]

RAMBAM (8) ח' ח' (2:5)

ג לפי מה שחסר העני אתה מצווה ליתן לו. אם אין לו כסות מכסין אותו. אין לו כלי בית קונין לו כלי בית. אין לו אשה משיאין לו אשה ואם היתה אשה משיאין אותה לאיש. אפילו היה דרכו של זה העני לרכוב על הסוס ועבד רץ לפניו והעני וירד מנכסיו קונין לו סוס לרכוב עליו ועבד לרוץ לפניו. שני די מחסורו אשר יחסר לו. ומצווה אתה להשלים חסרונו ואין אתה מצווה לעשרו :

RAMBAM (9) חזקת ה' (10)

ז שמנה מעלות יש בצדקה זו למעלה מזו. מעלה גדולה שאין למעלה ממנה זה המחזיק בידי ישראל שמך ונותן לו מתנה או הלואה או עושה עמו שותפות או ממציא לו מלאכה כדי לחזק את ידו עד שלא יצטרך לבריות ולא ישאל. ועל זה נאמר והחזקת בו גר ותושב וחי עמך כלומר החזק בו שלא יפול ויצטרך: ח פחות מזה הנותן צדקה לעניים ולא ידע למי נתן ולא ידע העני ממי לקח. שהרי זו מצוה לשמה. כגון לשכת חשיים שהיתה במקדש שהיו הצדיקים נותנין בה בחשאי והעניים בני טובים מתפרנסין ממנה בחשאי וקרוב לזה הנותן לתוך קופה של צדקה. ולא יתן אדם לתוך קופה של צדקה אלא אם כן יודע שהממונה נאמן וחכם ויודע לנהוג בה כשורה כחנניה בן תרדיון: ט פחות מזה שידע הנותן למי יתן ולא ידע העני ממי לקח. כגון גדולי החכמים שהיו הולכין בסתר ומשליכין המעות בפתחי העניים. וכזה ראוי לעשות ומעלה טובה היא אם אין הממונין בצדקה נוהגין כשורה: י פחות מזה שידע העני ממי נטל ולא ידע הנותן. כגון גדולי החכמים שהיו צוררים המעות בסדיניהן ומפשילין לאחוריהן ובאין העניים ונוטלין כדי שלא יהיה להן בושה: יא פחות מזה שיתן לעני בידו קודם שישאל יב פחות מזה שיתן לו אחר שישאל יג פחות מזה שיתן לו פחות מן הראוי בסבר פנים יפות יד פחות מזה שיתן לו בעצב טו גדולי החכמים היו נותנין פרוטה לעני קודם כל תפלה ואחר כך מתפללין שני אני בצדק אחזה פניך:

If one finds some employment for him in industry or service, this, too, will fall within the scope of the mitzvah, as is found in the Rambam's Code. The rule is that one should exert himself to the fullest extent to save the next person from financial collapse. One should do whatever one can, since sometimes, by merely encouraging others to do something for him, one assists this person in his affairs. I have seen God-fearing individuals lend money to such people as free loans and then allow the debtors to repay in weekly installments, instead of all at once. They do these unfortunates a great favor, since the debtor can repay the loan and still maintain his economic independence. It would be different if the debtor was pressed to repay the entire amount in one lump sum. He would be reduced to his previous poverty.

We find this topic discussed in the Gemara (Avodah Zarah 4a): "He who lends his neighbor 1,000 zuz shall, if he loves him, allow him to repay a little at a time." One should follow the example of business practice. The creditors allow their debtors this courtesy, so their money is preserved and profits thereby increased. So should one behave with these distressed souls by granting them free loans, thereby properly to perform God's will. The good name, with which God will crown the donor in the world to come on this account, will obtain greater honor for him than the insignificant profits the money lender gains in his transactions. (So the Gemara [Shabbath 104a] asserts: "Learn wisdom; show kindness to the poor... and if you do this, the Holy One blessed be He will sustain you... and bind a crown on you in the world to come." Apparently this is the meaning of Avoth [4.13]: "And the crown of a good name is better than all.")

Whoever acts in this manner fulfills the words of the verse (Ps. 41.1): "Happy is he who considers the poor. God will deliver him in the day of evil." The verse praises his consideration of the circumstances and degradation of the poor, his effort to see whether he can to some extent extricate the poor from his penury and need. This verse has many other ramifications, as we shall, please God, explain

21

PROVIDING SUPPORT TO FORESTALL COLLAPSE

So far we have dealt with the normal *gemiluth chesed* that benefits one's neighbor, poor or rich. Now we shall discuss another subdivision of this class. Someone's financial condition has deteriorated. With the loan extended to him, he is able to maintain himself, to save himself from collapse and dependence on others. This support is greater than the ordinary type of *gemiluth chesed*, for here one also fulfills the Scriptural command (Lev. 25.35): "And if your brother be waxen poor, then you shall uphold him; even if he be a stranger and a settler, he shall live with you." (As for the Scriptural expression, "with you", this can be explained by reference to the verse [Prov. 22.2]: "The rich and the poor meet together; God is the Maker of them all," as expounded by *Chazal*. "When the poor approaches the rich and says, 'Support me,' then if the latter does support him, well and good. If not, 'God is the Maker of them all'—He who made this one rich can make him poor...") So when a poor person approaches you, you should imagine that you yourself had become financially unstable, since, if you do not help him, your security too, might, God forbid, collapse. If, however, you help him to stabilize his position, both of you will live and endure. This is the meaning of "and he shall live with you." Now if God grants the beneficiary some profit through this loan and he earns a livelihood for his household and himself, then God will regard the lender as having preserved the life of the borrower and his family. So we have explained previously on the authority of the Midrash.

further on, and what we have said here also falls within its scope.

The worthy conduct we have described does not only include loans granted by individuals, but public *gemiluth chesed* activities as well. I have seen several communities where such holy societies, conducted in this manner, have recently been established. These organizations bear the name *Somech Nofelim*, since they support the poor and prevent them from collapsing [God forbid]. They proceed in this manner. They advance a certain sum specified in their by-laws for a stipulated period of time. The burden of repayment is lightened by the borrower returning a small amount each week. The guardians of the fund appoint an honorary or paid official who goes to the borrowers to collect their weekly installments, so the treasury is hardly ever depleted. This procedure also confers an added advantage. At the time the loan is made, the mitzvah of "and you shall strengthen him" is fulfilled. This is the primary virtue of the mitzvah of *zedakah*, as the Code of the *Rambam* and the *Yoreh Deah* (Chap. 249) explain. In addition, at the time of repayment, *chesed* is manifested, since the debtor is treated with kindness. *Chazal's* remark is well known (Sukkah 49b): "R. Eliezer said: Charity is rewarded in proportion to the *chesed* it manifests."

Know, too, that the *Yoreh Deah* (Chap. 249) rules that a gift which stabilizes a person's financial condition when he is on the verge of collapse is also a fulfillment of this mitzvah. So when a misfortune befalls a person (the animal with which he plies his trade dies, or similar cases of loss) and he cannot himself replace the loss — or when a woman becomes widowed and unable to support herself, and if she is granted a sum of money, she will be able to engage in some occupation, great care should be taken to help them. All acts of this type are a great mitzvah. Long life is granted in recompense, as the Midrash explains in expounding the verse (Prov. 19.17): "He that is gracious to the poor lends to God". A similar case is found in Bava Bathra (11a), in the incident involving Benjamin the righteous.

Know further, that the provision of gainful employment, or similar assistance to the poor, fulfills the mitzvah of "And you shall uphold him," according to the legal authorities. This is an open reprimand to those who are not particular in giving the employment to a Jew when they require unskilled labor. These workers are certainly not rich. They are almost paupers. The verse (Lev. 25.35): "And if your brother be waxen poor" certainly describes their circumstances. Furthermore, even where the man is known to be rich, and is not referred to by this verse, nevertheless, as a Jew he takes priority over a non-Jew, in buying from him, selling to him, and the like. So we find in the *Sifra*. Know too, that the *Rama* in his *Responsa* (Chap. 6) rules that even where there is a slight difference in price, a Jew is to be preferred to a non-Jew, and we have transcribed his remarks (Part I, Chap. 5, Par. 6). He refers to any Jew, and the same certainly applies to a poor laborer to whom the mitzvah of "And you shall uphold him" refers. So the law certainly appears to be, as explained above.

A person should put his trust in God. He should believe that for the mitzvah of "And you shall uphold him", the highest form of *zedakah* (*Yoreh Deah*, Chap. 249), God will cause him to prosper in the home he is building or on the journey he undertakes, besides reserving the due reward for him in the world to come. We have described to the reader the many ways in which this "upholding" can be accomplished. The wise will be able to make the proper application to all relevant situations. He should, also, realize that the mitzvah is not fulfilled once and for all by any single act. Every time someone needs support to save him from collapse, he must be helped. So the Midrash explains (*Sifra, Behar*): "Even if you have upheld him four or five times, uphold him once more, since Scripture declares, 'And you shall uphold him.'" (A similar deduction is made [*Sifrei*, Deut. 15.8]: " 'You shall open, open your hand' — even many times are meant.")