

## Why is the Mitzvah of Tzedakkah in Nakh but Not in the Torah?

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### *Bread for the Hungry - A classic expression of tzedakkah...*

#### 1. Isaiah 58:3-7

No, this I the fast I desire: to unlock fetters of wickedness and untie the cords of the yoke, to let the oppressed go free, to break off every yoke. It is to share your bread with the hungry, and to take the wretched poor into your home; when you see the naked, to clothe him, and not to ignore your own kin.

The shall your light burst forth like the dawn, and you healing spring up quickly; your Vindicator shall march before you, the presence of the Lord shall be your rearguard. Then when you call, the Lord will answer; when you cry, He will say: Here I am. If you banish the yoke from your midst, the menacing hand and evil speech. And you offer your compassion to the hungry and satisfied the famished creature – Then shall your light shine in darkness and your gloom shall be like noonday.

#### ישעיהו פרק נח:ג-ז'

הלוֹא זֶה צוֹם אֲבָחֲרָהּוּ פָתַח חֲרָצְבוֹת רָשָׁע  
הִתַּר אֲגָדוֹת מוֹטֵה וְשָׁלַח רְצוּצִים חֲפָשִׁים וְכָל  
מוֹטֵה תִּנְתְּקוּ הֵלֹא פָרַס לְרַעֲב לְחֶמֶד וְעֲנִיִּים  
מְרוּדִים תְּבִיא בַּיִת כִּי תִרְאֶה עָרֹם וְכִסִּיתוּ  
וּמְבֹשָׁרָךְ לֹא תִתְעַלֵּם:

אִז יִבְקַע כְּשַׁחַר אוֹרָךְ וְאֶרְכָּתְךָ מִהֵרָה תִצְמַח  
וְהִלֵּךְ לְפָנֶיךָ צִדְקָךְ כְּבוֹד ה' יִאֲסָףְךָ: אִז תִּקְרָא  
וְה' יַעֲנֶה תִשְׁנֹעַ וַיֹּאמֶר הֲגִנִי אִם תִּסִּיר מִתּוֹכְךָ  
מוֹטֵה שְׁלַח אֲצַבֵּעַ וְדַבֵּר אֲנִי: וְתִפַּק לְרַעֲב  
נִפְשֶׁךָ וְנִפְשׁ נִעֲנֶה תִשְׁבִּיעַ וְזָרַח בַּחֲשֶׁךְ אוֹרָךְ  
וְאֶפְלָתְךָ כְּצֹהַר יָם:

### *In the Torah - Lending, not Almsgiving*

#### 1. Exodus 22:24

If you lend money to any of my people with you who is poor, you shall not be a creditor to him, nor shall you lay upon him interest

#### שמות פרק כב:כד

אם כֶּסֶף תִּלְוֶה אֶת עַמִּי אֶת הָעֲנִי עִמָּךְ לֹא תִהְיֶה לוֹ  
כְּנִשָּׂה לֹא תִשְׁיִמֹן עָלָיו נִשְׂאָךְ:

#### 2. Mechilta, ad. loc.

“If you lend money to any of my people” – this is an obligation. You say it is an obligation, but perhaps it is only a choice, the verse teaches “You shall surely lend him” – it is thus an obligation, and not a choice.

#### מכילתא שם

אם כֶּסֶף תִּלְוֶה אֶת עַמִּי וְגו', חוֹבָה; אֵתָה אֹמֵר  
חוֹבָה, אוֹ אֵינוֹ אֵלָא רִשׁוּת, תִּלְמוּד לֹמֵר הֵעֵבֵט  
תַּעֲבִיטְנוּ, חוֹבָה וְלֹא רִשׁוּת

#### 3. Rambam, Laws of Lending and Borrowing, 1:1

It is a positive mitzvah to lend money to a poor person from Israel, as it says, “If you lend money to my people, to the poor among you.” Perhaps it is only a choice? The verse teaches, “You shall surely lend him”.

#### רמב"ם הלכות מלוה ולוה א:א

מצוֹת עֲשֵׂה לְהִלוּוֹת לְעַנְיֵי יִשְׂרָאֵל שֶׁנֶּאֱמַר  
אם כֶּסֶף תִּלְוֶה אֶת עַמִּי אֶת הָעֲנִי עִמָּךְ,  
יְכוּל רִשׁוּת תִּלְמוּד לֹמֵר הֵעֵבֵט תַּעֲבִיטְנוּ  
וְגו'

a) Loans are Annulled

4. Deuteronomy 15

At the end of every seven years thou shalt make a release. And this is the manner of the release: Every creditor that lends anything unto his neighbor shall release it; he shall not exact it of his neighbor, or of his brother; because it is called the Lord's release. Of a foreigner thou may exact it again: but that which is thine with thy brother thine hand shall release;

Save when there shall be no poor among you; for the Lord shall greatly bless thee in the land which the Lord thy God gives thee for an inheritance to possess it...

If there be among you a poor man of one of thy brethren within any of thy gates in thy land which the Lord thy God gives thee, thou shalt not harden thine heart, nor shut thine hand from thy poor brother: But thou shalt open thine hand wide unto him, and shalt surely lend him sufficient for his need, in that which he is lacking.

Beware that there be not a thought in thy wicked heart, saying, The seventh year, the year of release, is at hand; and thine eye be evil against thy poor brother, and thou give him naught; and he cry unto the Lord against thee, and it be sin unto thee. Thou shalt surely give him, and thine heart shall not be grieved when thou gives unto him: because that for this thing the Lord thy God shall bless thee in all thy works, and in all that thou puts thine hand unto. For the poor shall never cease out of the land: therefore I command thee, saying, Thou shalt open thine hand wide unto thy brother, to thy poor, and to thy needy, in thy land.

b) No Interest

5. Lev. 25:1-2, 35-38

And the Lord spoke unto Moses in mount Sinai, saying, Speak unto the children of Israel, and say unto them, When you come into the land which I give you, then shall the land keep a Sabbath unto the Lord...

And if your brother has become poor, and his means fail with you; then you shall cause him to be strengthened; though he may be a stranger, or a sojourner; that he may live with you. Take no interest from him, or increase; but fear your God; that your brother may live with you. You shall not give him your money for interest, nor lend him your food for profit. I am the

דברים פרק טו

(א) מקץ שבע־שנים תעשה שְׁמִטָּה: (ב) וְזֶה דְבַר הַשְּׁמִטָּה שְׁמוֹט כְּלִי־כַעַל מִשֶּׁה יָדוּ אִשְׁרֵי יִשְׂרָאֵל בְּרַעְיוֹ לֹא־יִגָּשׁ אֶת־רַעְיוֹ וְאֶת־אֶחָיו כִּי־קָרָא שְׁמִטָּה לֵה': (ג) אֶת־הַנִּכְרִי תִגְשׁ וְאִשְׁרֵי יִהְיֶה לָּהּ אֶת־אֶחָיו תִּשְׁמַט יָדָהּ:

(ד) אָפֶס כִּי לֹא יִהְיֶה־כָּהָ אֶבְיוֹן כִּי־בָרָךְ יִבְרַכְךָ ה' בְּאֶרֶץ אִשְׂרָאֵל אֶל־לִהְיוֹת נִתְּוֹלָה נִחְלָה לְרִשְׁתָּהּ...

(ו) כִּי־יִהְיֶה כָּהָ אֶבְיוֹן מֵאֶחָד אֶחָיו בְּאַחַד שְׁעָרָיו בְּאֶרֶץ אִשְׂרָאֵל אֶל־לִהְיוֹת נִתְּוֹלָה לָּהּ לֹא תִאֲמָץ אֶת־לִבְךָ וְלֹא תִקְפֹּץ אֶת־יָדְךָ מֵאֶחָיו הָאֶבְיוֹן: (ח) כִּי־פָתַח תִּפְתַּח אֶת־יָדְךָ לוֹ וְהִעֲבַט תַּעֲבִיטְנוּ דַי מִחֲסָרוֹ אִשְׁרֵי יִחַסֵּר לוֹ:

(ט) הַשְּׁמֵר לָּהּ פְּוִי־יִהְיֶה דְבַר עַם־לִבְךָ בְּלִיעַל לֵאמֹר קָרְבָה שְׁנַת־הַשְּׁבִעַ שְׁנַת הַשְּׁמִטָּה וְרַעְיוֹ עֵינֶיךָ בְּאַחָיו הָאֶבְיוֹן וְלֹא תִתֵּן לוֹ וְקָרָא עָלֶיךָ אֱלֹהֵי וְהָיָה כָּהָ חֲטָא: (י) נָתוּן תִּתֵּן לוֹ וְלֹא־יִרַע לִבְךָ בְּתַתָּהּ לוֹ כִּי בְגַלְל הַדְּבָר הַזֶּה יִבְרַכְךָ ה' אֶל־לִהְיוֹת בְּכָל־מַעֲשֶׂיךָ וּבְכָל מַשְׁלַח יָדְךָ: (יא) כִּי לֹא־יִחְדַּל אֶבְיוֹן מִקְרֵב הָאֶרֶץ עַל־כֵּן אֲנִי מִצְוֶיךָ לֵאמֹר פָּתַח תִּפְתַּח אֶת־יָדְךָ לְאֶחָיו לְעֲנֶיךָ וְלְאֶבְיוֹנְךָ בְּאֶרֶץ:

ויקרא פרק כה

(א) וַיְדַבֵּר ה' אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר: (ב) דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תִבְאוּ אֶל־הָאֶרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם וְשָׁבַתָה הָאֶרֶץ שַׁבָּת לֵה':

(לה) וְכִי־יָמוּךְ אֶחָיו וּמִטָּה יָדוּ עִמָּךְ וְהִחַזְקְתָּ בוֹ גַּר וְתוֹשֵׁב וְחֵי עִמָּךְ: (לו) אֶל־תִּקַּח מֵאֲתוֹ נֶשֶׁךְ וְתַרְבִּית וְיִרְאֵת מֵאֲלֵהֶיךָ וְחֵי אֶחָיו עִמָּךְ: (לז) אֶת־כֶּסֶף לֹא־תִתֵּן לוֹ בְּנֶשֶׁךְ וּבְמַרְבִּית לֹא־תִתֵּן אֶקְלָהּ: (לח) אֲנִי ה' אֱלֹהֵיכֶם אֲשֶׁר־הוֹצֵאתִי אֶתְכֶם

Lord your God, who brought you out of the land of Egypt, to give you the land of Canaan, and to be your God.

מֵאֶרֶץ מִצְרַיִם לָתֵת לָכֶם אֶת־אֶרֶץ פְּנֵעַן לְהִיּוֹת  
לָכֶם לְאֱלֹהִים:

### *But Are There Any GIFTS to the Poor?*

#### 6. Rambam, Laws of Gifts to the Poor: Introduction

Included in these laws are 13 mitzvot, 7 positive commandments and 6 negative commandments. Specifically: (1) To abandon (for the poor) the corner of the field. (2) Not to cut the corner of the field. (3) To abandon the droppings. (4) Not to gather the droppings. (5) To abandon the unformed grape clusters. (6) Not to gather the unformed grape clusters. (7) To abandon the grape droppings. (8) Not to gather the grape droppings. (9) To abandon the forgotten sheaf. (10) Not to return to take the forgotten sheaf. (11) To separate a tithe for the poor. (12) To give charity to one's ability. (13) Not to harden one's heart towards the poor.

#### רמב"ם הל' מתנות עניים, הקדמה

יש בכללן שלש עשרה מצות, שבע מצות עשה, ושש מצות לא תעשה. וזה הוא פרטן: (א) להניח פאה. (ב) שלא יכלה אותה. (ג) להניח לקט. (ד) שלא ילקט הלקט. (ה) לעזוב עוללות הכרם. (ו) שלא יעולל הכרם. (ז) לעזוב פרט הכרם. (ח) שלא ילקט פרט הכרם. (ט) להניח שכחה. (י) שלא ישוב לקחת השכחה. (יא) להפריש מעשר לעניים. (יב) ליתן צדקה כמסת' ד'. (יג) שלא יאמץ לבבו על העניים

### *What About Ma'aser?*

#### 7. Genesis, 14:18-20

And Malkizedek the king of Shalem brought out bread and wine, and he was a priest to the Most High God. And he blessed him and said to him, "Blessed be Avram to the Most High God, maker of Heaven and Earth. And blessed is the Most High God Who has handed over your enemies in your hands." And he gave him a tenth from everything.

#### בראשית י"ד:ח-כ'

ומלכי צדק מלך שלם הוציא להם ויין והוא כהן לקל עליון: ויברכהו ויאמר ברוך אברם לקל עליון קנה שמים וארץ: וברוך קל עליון אשר מגן צריך בידך ויתן לו מעשר מכל:

#### 8. Genesis, 28:22

And this stone which I have placed as a monument shall be a house of the Lord, and from all that You give me, I will give a tenth to You.

#### בראשית כ"ח:כ"ב

והאבן הזאת אשר שמת י מצבה יהיה בית אלהים וכל אשר תתן לי עשר אעשרנו לך:

#### 9. Numbers 18:21

And, behold, I have given the sons of Levi all the tenth in Israel for an inheritance, for their service which they serve, the service of the Tent of Meeting.

#### במדבר י"ח:כ"א

ולבני לוי הנה נתתי כל מעשר בישראל לנחלה חלף עבדתם אשר הם עבדים את עבדת אהל מועד:

## 10. Deuteronomy 26:12

When you have finished tithing all the tithes of your produce the third year, which is the year of tithing, and have given it to the Levite, the stranger, the orphan, and the widow, that they may eat inside your gates, and be filled.

## דברים כ"ו:י"ב

כי תכלה לעשר את כל מעשר תבואתך בשנה השלישית שנת המעשר ונתתה ללוי לגר ליתום ולאלמנה ואכלו בשעריך ושבועו

### *Why Lending and Gleanings Rather than Gifts?*

#### a) *Maintaining Dignity*

## 11. Pesachim 113a

And treat your Sabbath like a weekday rather than be dependent on your fellow-beings

## פסחים (ק"ג.)

ועשה שבתך חול ואל תצטרך לבריות

## 12. Rashi, Shabbat 63a

Greater is he who lends – because the poor person is not embarrassed in the matter.

## רש"י, שבת (סג ע"א)

גדול המלוה - לפי שאין העני בוש בדבר

## 13. Beit Yosef, Yoreh Deah, 249

In the chapter Baameh HaIsha (Shabbat 63a), "R. Abba also said in the name of R. Simeon b. Lakish: He who lends [money] is greater than he who performs charity; and he who forms a partnership<sup>39</sup> is greater than all." And Rashi explains there that this is because the poor person is not embarrassed... And the reason that one who does business with the poor person is greater than them all, is because one who lends money to his friend without any benefit to himself, in such a case the borrower is embarrassed, for he benefits from his friend in a matter which his friend does not benefit at all. But if one does business with him, in such a case he is not embarrassed at all, since both of them benefit

## בית יוסף יורה דעה סימן רמט

בפרק במה אשה (שבת סג.) אמר רבי אבא אמר ר"ל גדול המלוה יותר מן העושה צדקה ומטיל לכיס יותר מכולם ופירש רש"י לפי שאין העני בוש בדבר... והטעם שמטיל לכיס יותר מכולם מפני שהמלוה מעות לחבירו בלא ריוח הלואה בוש שהוא נהנה מחבירו בדבר שאין חבירו נהנה כלל אבל במטיל מלאי אינו בוש כלל מאחר ששניהם נהנים.

## 14. "Emergence of Hebrew Free Loan Societies," Shelly Tenenbaum, Social Science History Association, 13:3 (1989), pp. 228-229.

Julius Goldman of New Orleans was one who vigorously defended the practice of charging interest:

Why loans from \$50 to \$200 should be made without interest charged I do not understand. The fact that the borrower is placed in a position where he can get money easily and repay it in weekly payments is in itself a great help. Why place the self-respecting man in a position where he receives something for nothing? He would much rather pay a small interest charge, and not feel under the obligations to anyone.

[National Conference of Jewish Charities, 1914: 12]

A representative of the Jewish Loan Association of St. Louis added that one of the first questions to arise for his organization was whether or not to charge interest:

Some of the organizers wished to make a Free Loan Society. Others thought a small interest charge would be desirable. The speaker, acting as manager for the Association, argued in favor of charging interest. While the amount charged is small, it gives the transaction a business aspect. I argued at the time that the Association must be a philanthropic organization from the point of view of the members. It must be a business proposition to the borrower. [Ibid.: 12-13]

*b) Preventing Poverty and Generating Income*

15. Shabbat 63a

R. Abba also said in the name of R. Simeon b. Lakish: He who lends [money] is greater than he who performs charity; and he who forms a partnership is greater than all.

בבלי מסכת שבת דף סג עמוד א

ואמר רבי אבא אמר רבי שמעון בן לקיש: גדול המלוה יותר מן העושה, צדקה, ומטיל בכיס יותר מכולן.

16. "Emergence of Hebrew Free Loan Societies," Shelly Tenenbaum, Social Science History Association, 13:3 (1989), pp. 228-229

Finally, an article in a Providence, Rhode Island, newspaper emphasized that the purpose of that city's free loan societies was "solely to provide means whereby the Jew can start in business for himself" (Providence Sunday Journal, 3 Mar. 1912: 10)... The centrality of this theme in their own self-definition corroborates previous evidence of the high percentages of applicants who borrowed for entrepreneurial purposes.

*So With Such a Great System – Why Did Things Change?*

17. Leviticus 26:34-35

Then shall the land enjoy her Sabbaths, as long as it lies desolate, and ye be in your enemies' land; even then shall the land rest, and enjoy her Sabbaths. As long as it lies desolate it shall rest; because it did not rest in your Sabbaths, when ye dwelt upon it.

ויקרא פרק כ"ו

(לד) אַז תִּרְצֶה הָאָרֶץ אֶת שְׁבֻתֶיהָ כֹּל יְמֵי הַשְּׁמָה וְאַתֶּם בְּאֶרֶץ אֲיִבֵיכֶם אִז תִּשְׁבֹּת הָאָרֶץ וְהִרְצַת אֶת שְׁבֻתֶיהָ: (לה) כֹּל יְמֵי הַשְּׁמָה תִשְׁבֹּת אֶת אֲשֶׁר לֹא שְׁבַתָּה בְּשִׁבְתֵיכֶם בְּשִׁבְתֵיכֶם עָלֶיהָ:

18. Yirmiyahu 34:12-16

12 Therefore the word of the Lord came to Jeremiah from the Lord, saying, 13 Thus says the Lord, the God of Israel; I made a covenant with your fathers in the day that I brought them forth out of the land of Egypt, out of the house of bondmen, saying, 14 At the end of seven years let ye go every man his brother an Hebrew, which hath

ירמיהו פרק ל"ד

(יב) וַיְהִי דְבַר ה' אֶל יִרְמְיָהוּ מֵאֵת ה' לֵאמֹר: (יג) כֹּה אָמַר ה' אֱלֹהֵי יִשְׂרָאֵל אֲנֹכִי כְרַתִּי בְרִית אֶת אֲבוֹתֵיכֶם בְּיוֹם הוֹצֵאִי אוֹתָם מֵאֶרֶץ מִצְרַיִם מִבֵּית עַבְדִּים לֵאמֹר: (יד) מִקֵּץ שִׁבְעַת שָׁנִים תִּשְׁלְחוּ אִישׁ אֶת אָחִיו הָעִבְרִי אֲשֶׁר

been sold unto thee; and when he hath served thee six years, thou shalt let him go free from thee: but your fathers hearkened not unto me, neither inclined their ear. 15 And ye were now turned, and had done right in my sight, in proclaiming liberty every man to his neighbor; and ye had made a covenant before me in the house which is called by my name: 16 But ye turned and polluted my name, and caused every man his servant, and every man his handmaid, whom he had set at liberty at their pleasure, to return, and brought them into subjection, to be unto you for servants and for handmaids

### 19. Nehemiah 5:7-11

7 Then I consulted with myself, and I rebuked the nobles, and the rulers, and said unto them, Ye exact usury, every one of his brother. And I set a great assembly against them. 8 And I said unto them, We after our ability have redeemed our brethren the Jews, which were sold unto the heathen; and will ye even sell your brethren? or shall they be sold unto us? Then held they their peace, and found nothing to answer.

9 Also I said, It is not good that ye do: ought ye not to walk in the fear of our God because of the reproach of the heathen our enemies? 10 I likewise, and my brethren, and my servants, might exact of them money and corn: I pray you, let us leave off this usury. 11 Restore, I pray you, to them, even this day, their lands, their vineyards, their olive yards, and their houses, also the hundredth part of the money, and of the corn, the wine, and the oil, that ye exact of them. 12 Then said they, We will restore them, and will require nothing of them; so will we do as thou says. Then I called the priests, and took an oath of them, that they should do according to this promise.

### 20. Amos 8:4-8

4. Hear this, O ye that swallow up the needy, even to make the poor of the land to fail, 5 Saying, When will the new moon be gone, that we may sell corn? and the Sabbath, that we may set forth wheat, making the *ephah* small, and the *shekel* great, and falsifying the balances by deceit? 6 That we may buy the poor for silver, and the needy for a pair of shoes; yea, and sell the refuse of the wheat? 7 The Lord hath sworn by the excellency of Jacob, Surely I will never forget any of their works. 8 Shall not the land tremble for this, and every one mourn that dwells therein? and it shall rise up wholly as a flood; and it shall be cast out and drowned, as by the flood of Egypt.

יִמְכַר לְךָ וְעֶבְדְּךָ שֵׁשׁ שָׁנִים וְשִׁלַּחְתּוֹ חֲפָשִׁי  
מֵעִמָּךְ וְלֹא שָׁמְעוּ אֲבוֹתֶיכֶם אֵלַי וְלֹא הָטוּ אֶת  
אָזְנָם: (טו) וַתֵּשְׁבוּ אִתָּם הַיּוֹם וַתַּעֲשׂוּ אֶת  
הַיָּשָׁר בְּעֵינַי לְקִרְאָה דָּרוּר אִישׁ לְרַעְהוּ וַתִּכְרְתוּ  
בְרִית לִפְנֵי בַבְּיַת אֲשֶׁר נִקְרָא שְׁמִי עָלָיו: (טז)  
וַתֵּשְׁבוּ וַתַּחֲלִלוּ אֶת שְׁמִי וַתֵּשְׁבוּ אִישׁ אֶת  
עַבְדּוֹ וְאִישׁ אֶת שִׁפְחָתוֹ אֲשֶׁר שִׁלַּחְתֶּם חֲפָשִׁים  
לְנַפְשָׁם וַתִּכְבְּשׂוּ אִתָּם לְהִיּוֹת לְכֶם לְעַבְדִּים  
וְלִשְׁפָחוֹת:

### נחמיה פרק ה'

(ז) וימלך לבי עלי ואריבה את החורים ואת  
הסגנים ואמרה להם משא איש באהיו אתם  
נשאים נשים ואמת עליהם קהלה גדולה: (ח)  
ואמרה להם אנהנו קנינו את אחינו היהודים  
הנמכרים לגוים כדי בנו וגם אתם תמכרו את  
אחיכם ונמכרו לנו ויחרישו ולא מצאו דבר:

(ט) ויאמר ואומר לא טוב הדבר אשר אתם  
עשים הלווא ביראת אלהינו תלכו מקרפת  
הגוים אויבינו: (י) וגם אני אחי ונצרי נשים  
בהם כסף ודגן נצובה נא את המשא הזה:  
(יא) השיבו נא להם כהיום שדתיהם פרמיהם  
ויתיהם ובתיהם ומאת הכסף והדגן התירוש  
והיצהר אשר אתם נשים בהם: (יב) ויאמרו  
נשיב ומהם לא נבקש פן נעשה כאשר אתה  
אומר ונקרא את הכהנים ואשביעם לעשות  
כדבר הזה:

### עמוס פרק ח

(ד) שמעו זאת השאפים אביון ולשבית עניי  
ארץ: (ה) לאמר מתי יעבר החדש ונשבירה  
שבר והשבית ונפתחה בר להקטין איפה  
ולהגדיל שקל ולענות מאוני מרמה: (ו) לקנות  
כסף דלים ואביון בעבור נעלים ומפל בר  
נשכיר: (ז) נשבע ה' בגאון יעקב אם אשפח  
לנצח כל מעשיהם: (ח) העל זאת לא תרגז  
הארץ ואבל כל יושב בה ועלתה כאר פלה  
ונגרשה ונשקה ונשקעה כיאור מצרים:

## 21. Biblical verses on Imitating God and Protecting the Needy and Weak

[God] upholds the cause of the fatherless and the widow, and loves the stranger, providing him with food and clothing. (Deut. 10:18)

עֲשֵׂה מִשְׁפֹּט יְתוֹם וְאֶלְמָנָה וְאָהֵב גֵּר  
לְתֵת לוֹ לֶחֶם וְשִׂמְלָה: (דברים  
י"ח)

A father to the fatherless, a defender of widows, is God in his holy dwelling." (Psalms 68:6)

אָבִי יְתוּמִים וְדֹנֵן אֶלְמָנוֹת אֱ-לֹהִים  
בְּמַעוֹן קִדְשׁוֹ: (תהלים ס"ח:ו')

Defend the cause of the weak and fatherless; maintain the rights of the poor and oppressed. Rescue the weak and needy; deliver them from the hand of the wicked." (Psalms 82:3-4)

שְׁפֹטוּ דַל וְיִתוֹם עֲנִי וְרֵשׁ הַצְּדִיקוּ:  
פִּלְטוּ דַל וְאֶבְיוֹן מִיַּד רְשָׁעִים הַצִּילוּ:  
(תהלים פ"ב:ג-ד')

Because of the oppression of the weak and the groaning of the needy, I will now arise, says the LORD, I will protect them from those who malign them. (Psalms 12:6)

מִשֵּׁד עֲנִיִּים מֵאֲנָקַת אֶבְיוֹנִים עָמָה  
אֶקוּם יֹאמֶר ה' אֲשִׁית בְּיָשַׁע קְפִיחַ לוֹ:  
(תהלים י"ב:ו')

### The Rabbinic Period

22. "Towards a Modern Idea of Charity," Joseph Isaac Lifshitz, *Conversations on Philanthropy*, vol. IX, 2012, pp. 88-89.

But besides this commandment (to give / loan money) and others that demand that one be considerate of the poor when it comes to legal actions and collecting loans, the Torah does not mention the commandment to donate money to the poor many times. On the other hand, the Torah does mention many agricultural-social commandments. It commands to leave a *pe'ah*—a corner—of the field for the poor, to leave them also *leket* (stray wheat stalks that fall from the hand of the harvester) and *shichechah* (stray bushels left behind in the field); a further commandment is to leave the poor the small bunches of grapes as well. The Torah also commands to set aside one tenth of the crops for the poor in the third and sixth years of the Sabbatical Year cycle.

It is possible that until the time of the Mishnah, the Jewish society being a basically agricultural one, these measures were sufficient for supporting the destitute. But the changes wrought by the Hellenistic period, specifically the creation of an urban society, caused the poor to lose their sources of livelihood, and this brought the sages to fill in what was missing by expanding the commandment to give charity; it became not only a matter of providing food for the needy but also giving money and other means of subsistence.

The changing of the commandment to give charity from one that has a connection to rural life to one connected to urban living is apparently what added a public and monetary aspect to it, as opposed to the personal and agricultural aspect that this commandment had until then. This was the background to the appearance of the institution of charity collectors (*gabba'ei tzedaka*) and the right of the community to force individuals to give charity in the Mishnah and the Talmud. The term "*gabbai tzedakah*" appears already in the Mishnah and the Tosefta as a known entity, and there are even rules laid down regarding ethics and transparency. Talmudic law even mandates the establishment of a charity organization in every town... (BT Sanhedrin 17b)

### 23. Mishna Peah, 8:7

One must not give the wandering poor man less than a loaf worth a pondion at a time when four se'ahs [of wheat cost] one sela. If he spends the night [at a place], one must give him the cost of what he needs for a night. If he stays over the Shabbat he is given food for three meals. He who has the means for two meals, must not accept anything from the charity dish; and if he has for fourteen meals, he may not accept any support from the communal fund. The communal fund is collected by two and distributed by three people.

### 24. Rambam, Laws of Gifts to the Poor: Introduction

(12) To give charity to one's ability. (13) Not to harden one's heart towards the poor.

### 25. Tosafot, Ta'anit 9a, s.v., Aser

It states in the Sifrei (the following does not appear in our editions of the Sifrei): "You shall surely tithe all the grain of your field year by year" (Deut. 14: 22) – I only know that the grain is obligated in tithe, whence do I know interest and business profits and all other gains? The verse teaches: "all" – for it could have said merely "your grain", why did it add "all"? – to include interest and business profits and all matters of profit.

### משנה מסכת פאה פרק ח משנה ז'

אין פוחתין לעני העובר ממקום למקום  
מככר בפונדיון מארבע סאין בסלע לן  
נותנין לו פרנסת לינה שבת נותנין לו מזון  
שלש סעודות מי שיש לו מזון שתי סעודות  
לא יטול מן התמחוי מזון ארבע עשרה  
סעודות לא יטול מן הקופה והקופה נגבית  
בשנים ומתחלקת בשלשה:

### רמב"ם הל' מתנות עניים, הקדמה

(יב) ליתן צדקה כמסת יד. (יג) שלא יאמץ  
לבבו על העניים

### תוספות, תענית (ט.) ד"ה עשר

עשר תעשר - הכי איתא בסיפרי עשר תעשר  
את כל תבואת זרעך היוצא השדה שנה שנה  
אין לי אלא תבואת זרעך שחייב במעשר רבית  
ופרקמטיא וכל שאר רווחים מנין ת"ל את כל  
דהוה מצוי למימר את תבואתך מאי כל לרבות  
רבית ופרקמטיא וכל דבר שמרויח בו