

Tzedakah and G'milut Hasadim

פי-יְהִיָּה בְּךָ אֶבְיוֹן מֵאֶחָד אַחֶיךָ, בְּאֶחָד שְׁעָרֶיךָ, בְּאֶרְצְךָ, אֲשֶׁר-יְהוּדָה אֶלְהִיָּךְ נָתַן לְךָ--לֹא תִאֲמָץ אֶת-לִבְּךָ, וְלֹא תִקְפֹּץ אֶת-יָדְךָ, מֵאֶחֶיךָ, הָאֶבְיוֹן. כִּי-פֶתַח תִּפְתַּח אֶת-יָדְךָ, לוֹ; וְהֶעֱבַט, תַּעֲבִיטְנוּ, דֵּי מַחְסְרוֹ, אֲשֶׁר יִחְסַר לוֹ.

If, however, 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. Rather, you must open your hand and lend him sufficient for whatever he needs.

--Deuteronomy (*Devarim*) 15:7-8

הֲלוֹא פָּרַט לְרַעֵב לַחֲמֶה, וְעֲנִיִּים מְרוּדִים תְּבִיא בֵּית: כִּי-תִרְאֶה עָרֹם וְכִסְיֹתוֹ, וּמִבְּשָׂרְךָ לֹא תִתְעַלֵּם.

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.

--Isaiah (*Yeshayahu*) 58:7

אָמַר רַב הוּנָא: בּוֹדְקִין לְמִזּוֹנוֹת וְאִין בּוֹדְקִין לְכִסּוֹת; אִי בְּעִית אִימָא קָרָא, וְאִי בְּעִית אִימָא סְבָרָא; אִי בְּעִית אִימָא סְבָרָא: הָאִי קָא מַבְזֵי וְהָאִי לֹא קָא מַבְזֵי; אִי בְּעִית אִימָא קָרָא: «הֲלֹא פְרוּשׁ לְרַעֵב לַחֲמֶה» (ישעיהו נח) בְּשִׁי»ן כְּתִיב -- פְרוּשׁ וְהִדְרָה הֵב לִיָּה, וְהִתֵּם כְּתִיב: «כִּי תִרְאֶה עָרֹם וְכִסְיֹתוֹ» (ישעיהו נח), «כִּי תִרְאֶה» - לְאַלְתֵּר. וְרַב יְהוּדָה אָמַר: בּוֹדְקִין לְכִסּוֹת וְאִין בּוֹדְקִין לְמִזּוֹנוֹת; אִי בְּעִית אִימָא סְבָרָא, וְאִי בְּעִית אִימָא קָרָא; אִי בְּעִית אִימָא סְבָרָא: הָאִי קִמְצַעְרָא לִיָּה וְהָאִי לֹא קִמְצַעְרָא לִיָּה; אִי בְּעִית אִימָא קָרָא: הִכָּא כְּתִיב: «הֲלֹא פְרוּשׁ לְרַעֵב לַחֲמֶה» -- פְרוּשׁ לְאַלְתֵּר, וְכִדְקָרִינוּן, וְהִתֵּם כְּתִיב: «כִּי תִרְאֶה עָרֹם וְכִסְיֹתוֹ» -- בְּשִׁירָאָה לָךְ. תִּנְיָא כְּוֹתִיָּה דְרַב יְהוּדָה: אָמַר «פְּסוּגִי» -- בּוֹדְקִין אַחֲרֵי, «פְּרִגְסוּגִי» -- אִין בּוֹדְקִין.

The Gemara now discusses which applicants for assistance must be investigated:

Rav Huna said: We investigate the eligibility of a pauper that asks **for food**, but we do not investigate the eligibility of an inadequately dressed pauper that asks **for clothing**. Rather, we fulfill his request immediately.

Rav Huna offers two sources for his ruling: **If you wish, say** that my ruling is established by a Biblical **verse**, or **if you wish, say** that it can be deduced by **rational argument**. **If you wish, say** that it can be deduced by **rational argument**, as follows: **This** inadequately clothed applicant **debases himself** by appearing before the charity administrators in his woeful attire. If he were not truly in need, he would not do so. Thus, there is no reason to investigate whether he owns proper clothing. **And this** other applicant **does not debase himself** by merely *claiming* that he is hungry. Thus the administrators much investigate whether he is telling the truth.

Rav Huna now advances his Scriptural source: **If you wish, say** that the ruling is established by the following **verse**: “**Will you not break your bread for the hungry?**” (Isaiah 58:7). The word “break” (*paros*) is written with the letter *sin* and not *samech*, so that it can be read a *parosh*, “clarify.” Thus, the verse instructs us first to investigate and **clarify** whether the supplicant is truly hungry, **and then give him** food if he is deserving. **But there**, with regard to those who lack adequate clothing, **it is written**: “**When you see the naked, you shall cover him**” (Isaiah 58:7). This verse implies that clothing should be provided “**when you see**” him—that is,

immediately upon being apprised of his need, without first investigating whether it is authentic.

Interpreting the two verses differently, Rav Yehudah reverses Rav Huna's ruling:

And Rav Yehudah said: We investigate the eligibility of an inadequately dressed pauper that ask **for clothing, but we do not investigate** the eligibility of a pauper that asks **for food**.

Rav Yehudah also offers two sources for his ruling: **If you wish, say** that my ruling can be deduced by **rational argument, or if you wish, say** that it is established by a Biblical **verse**. **If you wish, say** that it can be deduced by **rational argument**, as follows: **This** one who asks for food is possibly **suffering** the pangs of hunger, and we should not prolong his suffering while we verify his claim. **But this** one who requests clothing **does not suffer** physically. Hence, he must wait while we authenticate his claim.

Rav Yehudah now advances his Scriptural source: **If you wish, say** that the ruling is established by a Biblical **verse**: **Here**, regarding one who requests food, **it is written**: **“Will you not break your bread for the hungry?”** The verse implies that one must break the **bread** for him **immediately; just as we read** the word **“pros.”** The administrators may not delay feeding the supplicant in order to investigate him. **But there**, regarding those who lack adequate clothing, **it is written**: **“When you see the naked, you shall cover him,”** which implies that only **when it is apparent to you** that the supplicant is not deceiving (i.e., after you have investigated the matter) may you provide him with the garments he requests.

The Gemara offers corroborations of Rav Yehudah's position:

It was taught in a Baraisa [an earlier rabbinic text] **like** the opinion of **Rav Yehudah: If [a pauper] said, “Clothe me,” we investigate him** to determine if he is truly needy. If however, he said, **“Provide me with sustenance,” we do not investigate.**

--Babylonian Talmud, Bava Batra 9a

(Translation: *Talmud Bavli*, The Schottenstein Edition, Mesorah Publications)

תנא: ביקור חולים אין לה שיעור. מאי אין לה שיעור? סבר רב יוסף למימר: אין שיעור למתן שכרה. אמר ליה אביי: וכל מצות מי יש שיעור למתן שכר? והא תנן: הוי זהיר במצנה קלה בבחמורה, שאין אתה יודע מתן שכרן של מצות! אלא אמר אביי: אפילו גדול אצל קטן. רבא אמר: אפילו מאה פעמים ביום.

The Gemara cites a ruling in regard to visiting the sick:

It has been taught in a Baraisa [an earlier rabbinic text]: **Visiting the sick** is a mitzvah that **has no limit**.

The Gemara analyzes this statement: **What** does the Baraisa **mean** that **“it has no limit”**?

Rav Yosef thought to say it means **there is no limit to the reward** that Heaven will bestow upon someone who visits the sick. **Abaye said to him: And in regard to all other mitzvos is there then a limit to their reward** of which we are aware? Certainly not, because God withheld this information, **for we have learned in the Mishnah: Be as scrupulous in regard to the performance of a “minor” mitzvah as you would be in regard to the performance of a “major” mitzvah, for you do not know the reward bestowed for the respective mitzvos.**

The Gemara offers another interpretation:

Rather Abaye said: “It has no limit” means that **even a great person** must visit **a lesser person** who is ill. There is no limit to the disparity between the status of the visitor and the status of the sick person.

Another explanation: **Rava said:** There is no limit in regard to how often one should visit the sick, **even one hundred times a day**, as long as one does not inconvenience the sick person.

--Babylonian Talmud, Nedarim 39b

(Translation: *Talmud Bavli*, The Schottenstein Edition, Mesorah Publications)

וְתַנִּי רַבִּי חִיָּיא בַר רַב מְדִיפְתָּי, רַבִּי יְהוֹשֻׁעַ בֶּן קֶרְחָה אָמַר: כָּל הַמְעַלִּים עֵינָיו מִן הַצְדָּקָה -- כְּאִילוּ עוֹבְדֵי עֲבוּדָה זָרָה. כְּתִיב
הַכָּא «הַשְׁמִיר לָךְ פֶּן יִהְיֶה דְבָר עִם לְבָבְךָ בְּלִיעֵל» וְגו' (דְּבָרִים טו') וְכְתִיב הֵתָם «יֵצְאוּ אַנְשֵׁים בְּנֵי בְלִיעֵל» (דְּבָרִים יג'), מֵהַ
לְהֵלֵן עֲבוּדָה זָרָה -- אִף כָּאֵן עֲבוּדָה זָרָה. תַּנּוּ רַבִּנָּן: הַמְסַמָּא אֶת עֵינָיו, וְהַמְצַבֵּה אֶת בִּטְנוֹ, וְהַמְקַפֵּחַ אֶת שׁוּקוֹ -- אֵינּוּ נִפְטָר
מִן הָעוֹלָם עַד שְׂיָבֵא לְיָדָי כֶּף. הַמְקַבֵּל צְדָקָה וְאֵין צָרִיף לָכֶךָ -- סוּפוֹ אֵינּוּ נִפְטָר מִן הָעוֹלָם עַד שְׂיָבֵא לְיָדָי כֶּף.

And R' Chiya bar Rav from Difti taught in a Baraisa [an earlier rabbinic text]: R' Yehoshua ben Korchah says: Whoever averts his eyes from charity is considered as if he worships idols. For it is written here: “Beware lest there be an irresponsible (*b'liyaal*) thought in your heart (Deuteronomy 15:9).” And it is written there: “Irresponsible (*bliyaal*) men went out [to entice the inhabitants of a city into committing idolatry] (Deuteronomy 13:14).” Just as there in the second verse, the term *bliyaal* is associated with idolatry, so too here in the first verse, the term *b'liyaal* is associated with idolatry: Refusing to assist the poor is akin to idol worship.

The Gemara cites a Baraisa that discusses swindlers who masquerade as paupers:

The Rabbis taught in a Baraisa: One who blinds his eye, bloats his stomach, or shrivels his leg, in order to solicit charity, will not depart from the world until he indeed experiences such an affliction. One who accepts charity, but does not truly need it, his end will be that he will not depart from the world until he experiences such a need.

--Babylonian Talmud, Ketubot 68a

(Translation: *Talmud Bavli*, The Schottenstein Edition, Mesorah Publications)