

THE TALMUDIC CONCEPT OF POVERTY--LEGAL AND ETHICAL ASPECTS

Submitted in partial fulfillment of  
the requirement for the degrees of Rabbi and M.H.L.

by

Moshe P. Machenbaum

Referee

Dr. Alexander Guttman.

12/78

[1947]

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## INTRODUCTION

This essay has for its object the systematic presentation of the concept of poverty in its theoretical principles as well as in the expressions which these principles found in the social, economic, and psychological manifestations of life during the Talmudic period. The aim is not only to register the facts in Judaism's religious and spiritual development, but to understand the historical evolutions of the form which, in spite of internal and external changes, has been preserved through the ages. The present work is designed to show the attempt of a people with its law who, in motion and evolution, fashioning its environment and being fashioned by it, created new conceptions and new ways of life to enact new conditions which functioned to uplift the downtrodden and to assist the financially suffering and struggling persons to economic rehabilitation and to social status, to self-support, and self-respect.

In the field of Talmudic research, relatively little of scientific value has been done. Some works are obsolete and others inadequate. It is not this writer's task to go into the details of the literature. In consideration of the inadequacy of the secondary literature, and for the reason that reference thereto would have entailed extensive polemics which would be outside of the plan of this enterprise, this essay relies for its material entirely on original sources. The absence of a scientific presentation hitherto of the subject under consideration can be accounted for by the fact that up to modern times the Rabbinical and philosophical literature of the Middle Ages sufficed for the needs of the student and a systematic exposition of the subject seemed unnecessary. The importance of economic

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and social studies have been recognized in our times more than before; and the significance thereof in private and religious life is greater than one would suspect without going into the sources. Research in this direction therefore needs no apology.

The presentation offered in these pages may also have some practical value beside the scientific as Judaism is a living faith, struggling for real values and forms which help to make sound progress and constructive reform in the religion and life of its people. A modified approach to poverty as it is dealing with external values would not be subject to the quantity and quality of criticism as evoked by the changes in the realm of ceremony which is fixed and frigid. In this field lies a greater consciousness of continuity which is not merely possible but advisable and necessary, as such matters are closely connected with life and its vicissitudes, developments and changes in that field would not find the doctrinal and other objections so prominent in ritualism.

In dealing with the problem of poverty, this short essay which discusses the varied and important phases of the subject: origins and backgrounds, motives and aims, trends and developments, reforms and results, cannot, of course, lay claim to completeness. It is therefore the earnest intention of the writer to continue the work, as he feels it would fill a need in this type of literature.

So far the method of research in this paper has consisted of collecting statements as occur sporadically in the Babylonian and Jerusalem Talmudim, as well as in the Halachic and Aggadic Midrashim, and also<sup>of</sup> an evaluation and methodical presentation of the compiled material. The weaknesses in this paper are attributable to the necessary limitation of time as well as of scope. It is hoped, nonetheless, that these pages will prove a source of information.

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It is more than a pleasant duty to acknowledge profound indebtedness to the able guidance and most helpful suggestions so generously offered by "Rabbee, Alofee Umyoodoe"--- Dr. Alexander Guttman, professor of Talmud at the Hebrew Union College.

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## DEFINITION OF POVERTY

Poverty is not an absolute, but a relative term. Its meaning varies in accordance with the specific needs of the indigent, and in correspondence to the particular charitable institution with its specialized service which is being solicited.

To the Tamhui<sup>2</sup> administration, which daily contributed victuals<sup>3</sup> to such as were in pressing need of food for the coming day, poverty constituted a condition whose quantity of food is insufficient to supply the indigent's two meals<sup>4</sup> each of which consists of a minimum ration of bread worth a pondion and made of wheat costing one sela for four seahs.<sup>5</sup>

The Kuppah<sup>6</sup> provision, which every Friday grants funds enough to provide the poor residents with meals for the entire<sup>7</sup> ensuing week, defines poverty as the lack of the wherewithal<sup>8</sup> to procure food for the week's consumption(14meals).

The agricultural poor-laws, which assigned to the needy the proprietors' seasonal field-gleaning, forgotten sheaf and uncut corner,<sup>9</sup> and also the two triennial tithes of the Sabbatical cycle,<sup>10</sup> paradoxically determined the meaning of poverty by the possession of capital: 1--though of limitless magnitude--<sup>11</sup> when either frozen<sup>12</sup> or inaccessible; 2--of 199 zuzim when uncirculating;<sup>13</sup> 3--of only 49zuzim --when rotating in trade.<sup>14</sup> Even the ownership of a mansion with golden and silver articles<sup>15</sup> of service did not legally necessitate the selling thereof in order to be eligible for the benefits of the agrarian charity stipulations.

Thus the concept of poverty was not suffered to be reduced to a mere designation of: absence of, or deficiency in, necessities; lack of some particular element or quality; state of demanding relief or service. The implications would, thereby, not be far reaching. Poverty signifies a condition ~~of~~ requiring rehabilitation by means of wise and dignified processes of assistance!

The definition of poverty is thus very flexible. It depends on a variety of conditions and considerations, on the particular type of recipient, and the specific claims made upon society with its different institutions of benevolence. Thus 'poverty' may be used at one extreme, as temporarily inaccessible opulence (or identified with possession of considerable ~~mans~~ <sup>mans</sup>), and at the other extreme, of utter destitution, or the state of barely having the necessities of life. The term embraces the strongest forms of human service, ranging from that accorded to the impoverished son of a noble family before whom Hillel, the <sup>subsequently</sup> famous president of the Sanhedrin, ran three miles, to that of the beggar going from door to door for whom all obligation was pro forma discharged by a single dried fig. <sup>27</sup>

It is significant to note that the benefit of charity was not regarded as one-sided. ~~Tzedakah~~ <sup>Tzedakah</sup> is a psychic and moral interaction. It is a form of communication whereby the recipient obtains relief, while the giver gains salvation. <sup>28</sup> If at all one-sided, the contribution of the poor is paradoxically by far the greater and more lasting than that of his benefactor. <sup>29</sup> The concept of poverty thus assumes the characteristics of strange and revealing import when denoting the quality of a situation which offers an opportunity on the part of the giver, to be granted salvation and blissfulness. <sup>30</sup> Poverty thus possesses a wealth of meaning.



## ATTITUDE TO POVERTY

"What has God been doing since He created the World?" asked a Roman matron. "The Holy One, praised be He," answered R. Jose, "constructs ladders whereby He elevates one person and ~~lowers~~ another, as it is said, "He humbleth one and He lifteth up another."<sup>1</sup> "He takes away wealth from one individual and gives it to another." The very reason why property is called nekasim is because it is concealed (Niksim) from some and revealed to others. Certain coins are called zuzim because they are removed (zazim) from one and given to another. Hannah's words: "The Lord maketh poor and maketh rich; He bringeth low, He also lifteth up,"<sup>2</sup> signify that through the very anger ("Af")<sup>3</sup> which God brings one one He lifts up another.

By this round about way of illustration, the Midrash indirectly offers a very interesting definition of God--as the everlasting prime mover of the cosmic wheel of fortune, as the continuous enricher and impoverisher of men, as the constant revealer and concealer of the world's good. From these and similar Rabbinic statements it is clear that God alone makes man descend the ladder of monetary success, and it is He and He alone who can make man ascend it.<sup>4</sup>

Other Talmudic sources, however, have different concepts as to God's continuous relationship to the individual's state of poverty. One opinion is expressed that the human being while yet in its embryonic state is already passed judgment upon for the rest of its life as to its being favored with wealth or cursed with poverty.<sup>5</sup> There is thus no repetitions<sup>u</sup> or periodic turning of wheels of fate. There is but one divine decision--forty days before birth, and all of the remainder of life is thereby affected.

Other opinions are recorded to the effect that God has nothing to do with determining poverty. Man is under planetary influence. Every human being has a star. The star decides, <sup>5a</sup> Not only the day, but even the hour of birth determines man's fate. Such fate even the Almighty himself is not mighty enough to <sup>6</sup> cōntract. A somewhat different view sees all other people rule by mazal, <sup>7</sup> but not the Israelites.

An oft-repeated doctrine, in the Talmud and Midrash, looks upon poverty as an inevitably recurrent cycle, by the very nature of the <sup>7a</sup> cosmos, affecting every person of his descendants. This world is like unto a rotating wheel of a well, the earthen ware vessels attached to it ascend full from below, and descend empty from above. Similarly not everyone who is rich to-day will remain <sup>8</sup> rich to-morrow, and he who is poor to-day need not be so to-morrow.

According to the foregoing considerations human influence has no bearing, at least in the initial stages, on this portion of destiny. But even with regard to this detail there is a variety of opinions. Among them are: that poverty and wealth are characteristics or proclivities which, like physical or <sup>9</sup> intellectual features, are handed down from father to son; that poverty is caused by the father's failure to be occupied with <sup>10</sup> Torah; that lack of wealth is due to disrespect shown to the <sup>10a</sup> wife, <sup>11</sup> to the father's inattentiveness to the mother or <sup>12</sup> to his neglecting to provide for the poor; poverty is due to <sup>13</sup> one's unnecessary utterance of the divine name; to the neglect <sup>14</sup> of Hallah, of tithing; to robbery; to delay or perversion of <sup>15</sup> judgment; <sup>16</sup> neglect of Torah <sup>17</sup> eating without washing the hands; <sup>18</sup> wife's curses; <sup>19</sup> urinating on the ground in front of the bed; <sup>20</sup> thrusting bread to the ground; <sup>21</sup> squandering money in wrathfulness; <sup>22</sup> drinking foam; <sup>23</sup> leaving crumbs lie around; <sup>24</sup> bran scattered in the house;

conceit; and to various other factors.

But the normative view, however, seems to be that poverty is a divine creativeness, independent of man's desert. This concept has a very far-reaching effect. For then no man can be blamed for such a state of affairs. The poverty-stricken, consequently, can not be regarded as lazy, stupid, narrow-minded or incapable. Reality itself offers the greatest refutation to these charges. This world is, in the eyes of the sober, topsy-turvy. Neither wealth nor poverty can be fully and satisfactorily explained by sole logic or by mere human efforts and effects. Consequently, the indigents are therefore to be treated with sympathetic understanding, with kindness, and with a high regard for their feelings. To spare the sensibilities of the poor is the great maxim in the attitude toward the disinherited. Charity furthermore should be offered with joy and with gratitude that the present world disorder, the topsy turviness of the system inexplicably favors the lot of the giver.

It is interesting to note that poverty as such was not regarded one-sidedly--exclusively evil. Though in the Bible privation is blamed for dishonesty,<sup>29a</sup> and in the Talmud the state of insufficiency is held responsible for the absence of one's balanced judgment as well as one's lack of God-consciousness,<sup>29b</sup> yet frequent statements appear in the Aggaddah where poverty is paradoxically extolled, not merely as a virtue, but as the driving power of a higher civilization, as the creative agency of culture, as the foundation of human sympathy and the instrumentality of loving kindness.<sup>30</sup> For it is through one's own suffering and deprivation that one is more prone to appreciate the pain and misery and strivings of others. It is then that <sup>man</sup> he is prepared to sympathize, to cooperate and to serve. Human life thus becomes charitable, God-fearing, filled

with service, meaning and nobleness. Of the biblical verse:

"Behold I have refined thee but not as silver; I have tried thee in the furnace of affliction,"<sup>32</sup> the rabbis say that it teaches that the Holy One praised be He, went through all the good qualities in order to grant them to Israel, but He could find nothing so befitting this people as poverty. This accords with the popular saying: Poverty befits Israel like a red trapping a white horse.<sup>33</sup>

The poor therefore are the pure, or the automatically purified. They are not decayed by wealth; they are not spoiled by power;<sup>34</sup> they are not weakened by over-indulgence. They are cleansed by privation.<sup>35</sup> They who feel the pangs of poverty will be free from the pains of Gehinnom. From them Torah goes forth.<sup>36</sup> Through them the rich are offered an opportunity to do kindness and to gain the World to Come.<sup>37</sup> Through poverty, humaneness becomes possible and needful.<sup>38</sup> Because of the poor the ground is laid for the finer things in life, for devotion and loyalty; for contribution and creativity; and righteousness; in a word for religion and for God.<sup>39</sup> No wonder then that the poor are called "God's Children."<sup>40</sup> It is through these Children that the Father gains a meaningful place in the human realm.<sup>41</sup> It is through the poor that the world becomes filled with moral beauty and spiritual pleasantness.<sup>42</sup> Consequently, the poor are to be treated with corresponding appreciation.<sup>43</sup>

By creating poverty, God does not manifest his hate; but offers the world an opportunity to obtain salvation and bliss.<sup>44</sup> As the Father of all, He is fatherly to all. Poverty is thus kindness in a disguised and unique form.<sup>44a</sup> As the Giver of all blessings, the Lord claims from his gifts a share for the poor, His children.<sup>45</sup> As actual Owner of the land, He claims a certain

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portion of the produce for the fatherless, the widow, the stranger.  
Wealth is a loan from God, and the poor have a claim on the possessions  
which their father gave to the rich not as owners, but as managers  
and stewards of his bounty.

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"Give unto Him what is His," says the Mishnah, "for thou and  
what thou hast are His, as it is written in Scripture, "for all  
things come from Thee, and of Thine own have we given thee."  
The poor obtains not the rich man's contribution, but God's  
assignment. Charity is thus not a kindness, but a duty; not a  
voluntary gift, but a debtor's payment for which, in many cases,  
the poor needs not even offer thanks, because he accepts what  
divinely and therefore rightly belongs to him.

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In their great endeavor to seek solace for the destruction of  
the Holy Temple with its atoning cult, the Rabbis saw in philanthropy--  
which is necessitated and created by the existence of poverty--  
a substitute for the ancient sacrifice with its expiatory function.  
The gift to the poor is not a mechanical transfer of alms, but a  
sacrament. He who shows hospitality to a student of the Law, is  
as if he had offered the daily burnt offerings. The coin to the  
needy is the Temple's "Shekkel," the food to the hungry is the  
Temple's offering. Thus every benefactor is a priest, every  
table, whereat the poor is fed, is an altar, and every gift a sacrifice.  
Poverty thus conditions not only loving-kindness but offers also  
atonement. Other rabbinic declarations extol the attempts at  
alleviation of poverty even higher. Philanthropy is worth more  
than all sacrifices.

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It is evident that as the Rabbis saw some grain of good in evil  
generally, they found even higher good in the phenomenally greatest  
of all evils--poverty which they regarded not one-sidedly. Poverty

is not exclusively a curse afflicting humanity. It is an opportunity for the human to become humane. It is a challenge~~x~~ to wrest ~~external~~ physical and spiritual blessings out of the ashes of the continuous ruin of privation and depression. Poverty prepares the ground for the earthly man to be like unto the Heavenly God.

## DISCOURAGEMENT AND PREVENTION OF DEPENDENCE

Though the Torah, from its beginning to end, purposes to arouse in the human heart the sentiments of kindness and the feelings of sympathy with the downtrodden and the disinherited,<sup>1</sup> and moves its adherents to promote-organizationally and privately--diversified forms of charity in order to alleviate poverty's sufferings, there is, nevertheless, a definite awareness of the bitter lot of the impoverished. In spite of all the philosophies, and certain forms of practices, and theories which attempt to lift the morale of the poor, reality cannot be ignored, and the fact is, notwithstanding all human hospitality, that when a man eats his own bread his heart is gratified, but when he is constrained to eat from the possession of others his spirit is embittered and gloomy; yea, even if he eats from the most generous and overflowing table of his son or daughter.<sup>2</sup> The olive leaf in the mouth of the dove which returned to Noah's ark was, in the eyes of the Aggaddists, a symbolic expression of that creatures' feelings and prayerful exclamation: 'May my food, Oh Lord, be as bitter as the olive but entrusted to Thy Hand, rather than sweet as honey and dependent on a mortal, even like Noah.'<sup>3</sup> Among the prayers to be offered on rising, one, according to the school of Rabbi Jannai is: We beseech Thee, Oh Lord our God, cause <sup>our sustenance</sup> ~~us~~ not to be <sup>trivial, but whose humiliating is overwhelming.</sup> ~~delivered~~ <sup>4</sup> delivered to us through the hands of man whose gift is <sup>final.</sup> ~~final.~~

It is told of Job that when he was given a choice between poverty and the other forms of suffering, he selected the latter, because poverty is worse than fifty plagues; nay, its affliction is more torturous and more inclusive than all the world's suffering combined.<sup>5</sup> He who is necessitated to apply for charity

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to his fellow-man <sup>6</sup>as if two judgements were passed upon him--  
those of fire and water. The Rabbis said: if all of the human  
miseries would gather in one scale of the balance and poverty  
in the other, the latter would outweigh<sup>7</sup> them all. Not a  
single day in the life of the poor is good, including even  
the Sabbaths and festivals when food is normally more plentiful  
and tastier, because a change of diet is the beginning of sickness.<sup>8</sup>

No wonder then that the rabbis declared that "when receivers  
of gifts multi<sup>9</sup>plied the days of human life became fewer and years  
more shortened," for such a form of dependent and insecure existence  
ultimately undermines the foundation of one's being. But the Sages  
of old were not satisfied with mere lamentation. They went much  
farther. They encouraged self-support under the most trying  
conditions and at all sacrifice. They regarded the workingman  
higher than the God-fearer. The former can gain both worlds, while  
for him who fears Heaven only the World of Heaven is open.<sup>10</sup>  
They raised the dignity of labor, irrespective of slime, grime,  
and grease or other outward offensiveness, above all regard for  
station, grandeur or notableness. Rav commanded Rav K~~ah~~ahana to  
flay a carcass even in the middle of the street in the sight of  
all, and make a living therefrom without feeling sensitive about  
his rabbinic pride or <sup>11</sup>honor. Great is labor; it honors the  
worker.<sup>12</sup> Even Torah, the divine gift to Israel, when unaccompanied  
by the creativity of work yielding a livelihood, was not regarded  
as an abiding agency of prestige-bringing God's Torah without  
an occupation was looked upon by the rabbis as an instrumentality  
of ultimate demoralization. "Excellent is the study of the Law  
together with world<sup>13</sup> occupation, for the effort demanded by both



puts sin out of mind. But all the study of the Torah which is not supplemented by work must prove futile in the end, and may lead to iniquity."<sup>13</sup>

The greatest emphasis was thus laid upon the significance of employment. Finding bread that was the thing which primarily mattered. That was the basis on which hope for a better world, for an improved mankind could have a justifiable expectation. As an antidote to the miserable condition of Jews and to some of the popular conceptions relating poverty, ~~that~~ the importance of making a living had to be stressed. ~~Thus~~ Poverty was regarded as unpreventable.<sup>14</sup> Even when Messiah will come that affliction will still plague the world.<sup>15</sup> No man can feel free from its clutches. If it does not grasp him, it will reach his descendants;<sup>16</sup> as this world with its fortunes is a revolving wheel and Whosoever is rich to-day will not remain so on the morrow or the morrow's morrow.<sup>17</sup> Under the then prevalent economic conditions it was most natural to think in the biblical phrase: "the poor shall never cease from the midst of the land."<sup>18</sup> In the face of the then existing scarcity it was most difficult to eke out a living. The labouriousness of supporting oneself doubles the laboriousness accompanying childbirth; it is as hard as the bring<sup>ing</sup> about of the national redemption; nay, as miraculous as the splitting of the Red Sea.<sup>19</sup> It was perhaps nearing the time when man would make peace with his bitter lot and continue to suffer and weaken under his burden and ultimately deteriorate under the influence of the harmful idea that it is all Providential, ~~when~~ <sup>that</sup> the rabbis saw fit and timely to stress the importance and glory of work. It is only when man enslaves himself to the soil that he will have sufficient bread but not otherwise.<sup>20</sup> Every manner of labor

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was indiscriminately recommended and enjoined-- even as far almost as bringing oneself to be hired out as a priest to idol-worship, rather than be in need of the help of one's fellow-<sup>21</sup> creatures. Nothing was looked upon as uncongenial, nothing as too low or undignified. Such a healthful attitude to life, such a sane sense of reality was inescapable an necessity ~~for~~ Jewish survival.

Very far-reaching reforms were consequently introduced; reforms even of a theologic~~ic~~ and religious nature, especially in reference to the form of honoring the Sabbath and holidays. Though the Sabbath and festivals are to be honored with delicious food and wine,<sup>and</sup> though it was believed that man's annual income is definitely assigned to him by heaven during the period between Rosh H~~o~~ashanah and the Day of Atonement, except his expenses for the Sabbaths and festivals for which purposes one who spends little is assigned<sup>22</sup> little, while one spends much obtains an increase," notwithstanding it, the charge was heard again and again: "Make thy Sabbath meals as plain as on a week-day, lest thou come to depend for support on others."<sup>23</sup> Thus is the retention of one's savings to be maintained. Similarly a control was placed upon the expression of charitableness. Liberality in the extension of assistance to others must, for practical reasons, considerably be curbed, lest it bring in its train new problems and it intensify the burden. At Ushah it was ordained that not more than twenty per cent of the benefactor's income be given to charity; lest by extravagant squandering the benefactor might hims~~e~~lf become a<sup>24</sup> recipient.

In the same vein all individual self-mortification and self-afflicting fasting was outlawed, lest one's body become so weakened

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as to fall<sup>25</sup> burden upon the public which would then need to sustain the self-victimized, impractical ascetic. The preservation of health was exalted to the ideal and religious duty of serving God who granted us a body, and of manifesting to Him our gratitude by taking care of his gift. The human body was to be treated with a sense of reverence since it was regarded as the dwelling-place<sup>26</sup> of the divine spirit--the soul. Poverty, due to the neglect or mistreatment of one's physical form, was thus effectively eliminated.

To lay the foundation of each individual's economic stability, the Rabbis imposed upon every father the duty of teaching his son a trade. According to R. Judah anyone who does not perform this incumbent obligation of teaching his son a trade, though he even give him a commercial training, is as if he were instructing his<sup>27</sup> offspring in burglary. A skilled handicraft withstands the<sup>28</sup> effect of repeated economic crises.

As a safeguard against failure in new enterprises R. Johanan froze the worker to his ancestor's trade. One should not deviate from an habituated occupation. Though it be not particularly comfortable or remunerative, however, it offers bread; while<sup>29</sup> a new one, may not yield even that. To invigorate this dissuasion, the rabbis submit the following practical maxim for consideration; "A man should always teach his son a cleanly craft, and let him pray to Him to Whom riches and possessions belong, for there is no craft wherein, there is not both poverty and wealth; for neither poverty comes from one's craft, nor riches from one's<sup>30</sup> craft, but all is according to one's merit." This consciousness puts an end to human restlessness which seeks improvements or fortunes at the risk of incurring penury. However, to him who

is badly off, a change of quarters or even emigration from the country into a more favorable or promising place is heartily recommended.  
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In its unique form of reasoning, the Beraitha adduces the following argumentation to deter a new enterprise in the hope of evading undue anxiety or difficulty: Hast thou ever seen a wild animal or a bird practising a craft?--a deer dry figs in the field, a lion carry bundles, or a fox a store-keeper?--yet they obtain their sustenance without worry and without care, though they were created to serve me. But I was created to serve my Maker, how much more should I be able to support myself without any trouble? But I have wrought evil and my form of sustenance has been affected; thus I forfeited my right to a livelihood without care.  
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An elaborate program relating to a proper balance of one's budget has been devolved. He who possesses a passive capital of one hundred zuz may include in his menu a pound of vegetables. A hundred zuz in active investment, however, allows for meat and wine every day. For his daily meals, <sup>he</sup> who has a thousand zuz, may get a pound of fish; five thousand zuz gives place for a pound of meat; ten thousand zuz provide the possibility for a potful of daily consumption of meat. This luxury of a daily potful of meat is allowable to the others, mentioned heretofore, on Sabbaths only.

It is not permitted to habituate one's sons to meat and wine, because of the adjustment necessary when the wheel of fortune takes a turn.  
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To spend wisely on food was regarded as essential for the prevention of poverty. "Eat onions they are cheap and dwell in the protection of your house" (which you'll then be able to

afford). Eating of fowls and geese cultivate a greedy habit. A Palestinian proverb says: "He who eats the fat tail(allitha) must hide in the loft(alitha<sup>o</sup>); he who eats cress may be in the town's assembly without fear of creditors. <sup>34</sup>

In dealing with employees one should always superintend them to prevent their deficiency. <sup>35</sup> Even if a man has in his house a ste<sup>w</sup>ard on whom he can rely, he should tie up and count out any money that he hands to him. <sup>36</sup>

The possession of land producing grain was considered as a form of economic security. Agricultural labor is healthful, but business is more profitable. <sup>37</sup> Numerous sound business suggestions are offered. These teachings are named "worldly wisdom," in the words of Rab to his son, Abihu, about to enter into business: to sell the wares immediately he returns from buying; though he regret selling, lest prices advance<sup>d</sup>, yet wine should be sold without compunction for it might have turned, while waiting, into vinegar; to pocket the money for a purchase before delivering it; to earn little near home, rather than much far away; to brew beer of the dates that are in the bag lest they be eaten in the interim and thus be unproductive; to feel distrustful of a bill which has not been collected, as in every credit sale the payment is doubtful, and even when forthcoming, it may be bad money, as the payment is often made in small instalments <sup>38</sup> the money may be fritted away.

Another form of business advice which would avoid unnecessary loss is that a field may be traded for goats, but not vice versa, because these beasts give milk and wool which offer diversified gratification for one's needs. <sup>39</sup> For the sake of prudence the advice is offered: "Fill in time the whole in the wall, to save

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repair. Repair even expensively, but do not rebuild; for whoever engages in building grows poor. Sell thy garments before thou sinkest in poverty, in order to be enabled to make investments. 40

The farm owner was counselled to have his field divided into three equal portions of cereals, olives, and wines, so that an occasionally unfavorable weather annihilate not everything at one time. 41

The business man is similarly cautioned to divide his wealth in three parts; one third in land investments, one third in merchandize, and the other third ready cash on hand.

This was a precaution that market fluctuations will not easily destroy the speculator, and if one kind of investment is lost, the others will be likely to remain safe. 42

In like manner is the instruction that one's money should be ready to hand not bound up in another's keeping, in order that easy and immediate advantage may be taken as soon as a trading bargain becomes available. 43

On entering into a partnership the advice is: "Ally with him upon whom fortune is smiling; rub shoulders with the rich, for behind a man of wealth chips are dragged along. 44

Lending was always a risky affair, that which requires collecting hinges on insecurity. 45 The business man is told that in every credit sale, it is doubtful whether payment will be forthcoming; and when it does come, it is bad money, because the payment is frequently made in small investments and the money may meantime be fritted away. 46

In this direction the suggestion is made that no money is to be lent away without witnesses or a written note. No man, to prevent dependence, should transfer his property to his children in his life time, as he will be among those whose cries for help are not heard. 47 Money is guarded

when placed in the ground; under the roof beams; within the void  
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spaces between bricks, or in a wall.

A very important reform of far-reaching religious, social and economic effects is the prudential advocacy which the Rabbis emphasize in a Beraitha: "The Torah teaches a rule of conduct that a man should first build a house, plant a vineyard and then marry a wife."<sup>49</sup> Many of the familiar domestic and other problems would rarely arise, if this precaution had been heeded.

The pre-requisite was emphasized in spite of the statement that he who is twenty years old and unmarried spends his days in impure thoughts; and that the Holy One waits for the youth until the age of twenty to be married, as soon as that age is passed without marriage, the Lord pronounces the curse: "May his bones decay!"<sup>50</sup> It is reasonable to assume that in most cases a youth of twenty cannot succeed in obtaining a home and a vineyard. It seems evident that the economic pressure forced a revision in the concept of marital purity with its religious, moral, and social implications. That this economic factor was the dictatorial power prevalent in marital consideration is clearly noted from the following Halachic emphasis of the Beraitha taught by the Rabbis: "When an orphan wants to marry, the charity fund first rents a house for him, has it furnished and then provides for a wife for him, as it is said: 'Sufficient for his need which requireth for him,' 'Sufficient for his need,' menas a house, 'which requireth,' means a bed, table etc. 'for him,' refers to a wife, and so says the passage: 'I will make him a help mate for him.'<sup>51</sup>

In relation to marriage and poverty, it is interesting to take note<sup>of</sup> a precaution sounded by R. Joshua b. Leir<sup>vi</sup>: "Beware of your wife with her son-in-law." The reason given is that she may not infrequently, be fond of him, and consequently be likely to lavish her husband's money<sup>on</sup> the son-in-law.<sup>52</sup>

A great advance toward the prevention of dependence is made by stressing the effectiveness of aiding the poor before they are beginning to become broken by the yoke of circumstances. A person can often be<sup>be</sup> more easily and less expensively helped to remain on his feet while they still hold<sup>hold</sup> him, than to be lifted after he has already fallen into ruin--economic and subsequently psychic." Strengthen him that he sink not, weighed down by penury and want."<sup>53</sup>

When the financially stricken has already fallen, almsgiving is only an immediate and temporary but, by far, financially and psychically insufficient relief. True Tzedaka has to be more than that. It must be far-sighted and intelligent. True ~~#~~Zedakah does not strive merely at relief, but at restoration. The highest degree~~ee~~ of charity is that form of help which is meritorious enough to offer an opportunity of employment or some remunerative occupation, or an open door to share in traffic or commerce ultimately leading to self-support.<sup>54</sup> Charity is that wise extension of assistance which will make additional assistance unnecessary. Charity brings the kind of help which undoes further requirement of help. It is the form of succor which exempts the need of soliciting succor. An advancement of a loan, or credit, or ~~pro~~viding an employment, or a new opportunity for an investment in a good business is the greatest expression of philanthropy, and ultimately the least expensive and the most effective.



An other far-reaching regulation in the direction of eliminating dependence is R. Hosh b. Johanan's maxim:<sup>55</sup> "Let the poor be the members of thy household." This statement attempted to discourage the taking advantage of the then prevalent institution of slavery. It recommends to employ the needy as servants for a wage, rather than have them go around idle, unemployed and thus be coerced to beg.

^ Until the early days of the second generation in the Tannaitic age the occurrence of death in a family added impoverishment to tragedy in the life of the survivors. Burial expenses were customarily so extravagant that they affected the relatives worse than the incident of death; and consequently, the survivors would abandon the dead body and run away from the burden of expenditure. Then a broad-minded leader appeared in the person of Rabban Gamaliel who set the example of disregarding the extravagance, and according to his request was buried in a simple linen<sup>56</sup> shroud, whereupon the public adopted ~~this~~ custom, and thus a heavy burden, because of Jewish simplicity of interment, has since been evaded and poverty's pangs not inconsiderably diminished.

So much for the ways and means of the problem under discussion in relation to individuals, and their activities. There are however other measures--social and communal in character which were put into effect as contributing solutions to our problem. These will now claim our attention.

To make the economic life ~~to~~ flow unhindered a number of reforms were necessary to be made in the ancient code of laws pertaining especially to monetary matters which, due to changed conditions--from agricultural to commercial--were no longer in

harmony with reality. Instead of furthering progress, some of the outmoded practices of an era gone by would, if permitted to continue, be a constant impediment in the realm of economics. In the Talmudic period a world of commerce rose which life-blood is credit. It is clear that the Shmittah institution which prescribed the release of all debts every seventh year brought about the harmful consequence that people refused to loan one another and thus credit reached a stand-still, and the poorer class who, through an advance, would perhaps be enabled to remain self-supporting were the sufferers. Hillel's classic Prosbul then came into being to save the situation. The Prosbul is a declaration made in court prior to the execution of a loan, to the effect that the law requiring the release of debts upon the entrance of the Sabbatical year shall not apply to the loan about to be transacted. Thus both rich and poor were benefitted. The rich were protected against the loss of property, and the poor could obtain a loan whenever needed.

For similar purposes changes had to be made in the judiciary system. According to biblical regulation monetary like capital cases must be conducted with thorough inquiry and examination. Before evidence is accepted witnesses are to be questioned and cross-examined as to the exact day, hour and attendant circumstances in order to corroborate thereby the veracity of their statements. This is the procedure in the matter of capital cases. Monetary suits were conducted in like form, because of the Biblical command: "Ye shall have one manner of law." But such procedure discouraged lending, as it placed difficulties in the way of creditors. A new note appeared which brought harmony between the letter of the book and the demand of life: 'Derisha V'hakirah' in monetary

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cases was abolished, so that "the door be not locked in the face  
of borrowers." 58

For the very same reason and in that same judiciary direction another stride was made. The requirement of specially ordained judges to adjudicate in monetary cases was deleted. Any three laymen, when acceptable to the litigants, were regarded as competent to adjudicate in monetary cases. Yet, these lay judges must, when arriving at an erroneous decision, compensate the wronged party to the law suit. Both the abolition of Mumhim and the requirement of compensation when misjudgment is rendered are to discourage the 'bolting of the door against borrowers; to advance the facility of credit, and to remove the potentiality of poverty. 59

A similar change was made in the law relating recovery of a loan. According to the Pentateuch either a loan secured by a bond or verbal loan may be recovered from free property only. But the rabbis' ordinance is that a loan secured by a bond is recoverable even from sold property, in order that the door may not be locked in the face of borrowers. 60 None would consent to lend any money, if no land security were available.

In like manner is the other statement related to the subject under concern. The law is that a verbal loan may be recovered from the debtor's heirs. As none would be able to obtain a loan, if creditors could not be assured of recovering it from the debtor's heirs, the law had to become reality-conscious. A verbal loan, in consideration of the necessity of an unhampered flow of credit as a basis for a healthful economic system, may therefore be recovered from the borrower's heirs. 61

Another human section which invaded the legal realm was the market which usually keeps poverty and wealth in the balance, and

can, if misdirected or uncontrolled, swing the pendulum of want to a most dangerous degree. Though room ~~m~~<sup>o</sup>st be given for free competition in a sound economy, legal devices were resorted to in order to control an undue rise in prices on~~e~~, and a speculative hoarding of, edibles which are life's necessities, as wines, oats, flour, fruit, etc. Even wages were fixed. Thus the regulation is that in the midst of liberty the ownspeople may fix weights, measures, prices and wages; and inflict penalties for the infringement of their rules. These regulations are, of course, primarily in the interest of the class in low financial brackets.<sup>62</sup>

For the reduction of the endurance of dependence, the rabbis gave special consideration to the females. In the case, for instance, when a man died and left sons and daughters, and the property was small, the daughters received maintenance and the sons go a-begging.<sup>63</sup> In almost any economic system it is much easier for the male to free himself from the throes of poverty than for the weaker sex.

To discourage dependence even the expressed command of the dead is ignored. Thus when one in dying condition gave instruction~~that~~ he be not buried at the expense of his estate, but at the public cost, he is not obeyed. One cannot, in such manner throw oneself upon the public.<sup>64</sup>

In their own unique way the rabbis<sup>4</sup>old created laws and changed laws, and, when seeing fit, abolished even Biblical regulations; revised customs and modified society; made enactments and formulated plans which would function both publicly and individually, for the sake of leading the person throughout his days--almost from the cradle to the grave--away from the path of dependence and poverty.

The ancient Law declares: "And when ye reap the harvest of your land, thou shalt not wholly reap the corner of thy field... thou shalt leave (it) for the poor and the stranger<sup>1a</sup>". On this Scriptural basis the rabbis ruled that all crops whether they be reaped or plucked up by the root, whether they be from the field or from the trees, Peah--the corner--of it belongs to the poor.<sup>2</sup> This law is biblically binding in Palestine only, for the Scripture says: "when you reap the harvest of your land." According to the statutes of the Sages, however, this regulation was extended to reach the Israelites dwelling outside of the Holy Land as well.<sup>3</sup> This enactment, undoubtedly, had in view the poverty-stricken Israelites in the Diaspora. Perhaps this ordinance inteded also to discourage evasion of the law, the deprivation of the local poor, as well as emigration from Palestine on the part of some landowners.<sup>4</sup>

As a minimum prerequisite for Peah obligation is the space<sup>5</sup> of ground large enough to need two strokes of the sickle. A field though it be the property of partners or of a corporation is a subject to the Peah provisions, for it is written: "when ye reap the harvest of your(plural) land," that is to say, though it belongs to many.<sup>6</sup>

If a field was reaped by Gentiles or by robbers, or if ants nibbled the crop, or if winds or cattle have laid it waste, it is exempt from Peah, since the owner's liability applies only to the crop as standing corn.<sup>7</sup>

When the harvest is reaped before it reaches ripeness, i.e. prior to its having arrived at the first third degree of maturity, it is Peah exempt. So with the fruits of trees, if they have not ripened to third degree of maturity, they are not liable.<sup>8</sup>

If the owner transgressed by reaping the whole of the field or by gathering the whole of the fruits, the poor are not the losers. The field owner is to separate a part from that which is reaped or from that which is gathered and give it to the poor. If he threshed and winnowed it, yea though he may have ground it into meal, and have kneaded it, and baked it into loaves, yet out of it shall be given to the poor the portion of the "corner." So also with regard to the various transformations of the fruits of the trees.

Only from the products which comes within the following five criteria is Peah granted: namely 1) if it grows from the soil; 2) if it is all reaped together; 3) if it is kept watch over; 4) if it is brought in for storage; 5) if it is used for food. Grain and pulse come within this general rule.

The exempted articles, therefore, are: 1) Saffron and madder--because they are not articles of food; 2) mushrooms and other fungi--because they derive not their nourishment from the earth after the manner of other produce. 3) figs --because they are not all simultaneously gathered (the time difference between the ripening of one fig and another upon the same tree, may be that of many days) 4) pot-herbs--because they <sup>are</sup> not brought in for storage; and 5) ownerless produce because it is not kept watch over. Among trees, sumach, carob, walnut trees, almond trees, vines, pomegranate trees, olive trees, and palm trees are subject to the law of Peah.

To make sure that the "corner" of the field be left uncut, not only the owner but also the laborers were enjoined from reaping the whole of the field. In like manner the Mishna does not encourage the transmission of reaping to non-Jews, because they are not acquainted with the laws pertaining to Peah and unknowingly deprive

the poor of their gifts. However, if the Gentile workers did reap the entire field, the poor have not forfeited the Peah privileges.<sup>13</sup>

In supplying grants for the poor precautionary safety measures were taken on behalf of the indigents. According to the Bible, Peah is granted from the crop which is still joined to the ground. It is not distributed to the poor; it is left for them to help themselves, as it is said: "Thou shalt leave them for the poor," Bitter experience, however, proved the necessity of enacting strict safety measures. Thus the Mishna provides that the poor may not cut the Peah with sickles or uproot it with spades, lest they strike one another. Similarly since laymen cannot, without great danger, seize upon the corner of the vine or the palm tree hanging<sup>y</sup> on high, it becomes, therefore, the duty of the owner to fetch down the fruit, and distribute it to the poor.<sup>14</sup>

In order that all the needy regardless of their detaining characteristic or circumstance, be given an opportunity to obtain Peah, three fixed periods were set for the indigent's daily visits to the fields: in the morning, at the midday and at sunset. Thus all categories of needy people would be enabled to obtain a share. Among the unprivileged were thus considered: the poor mother, whose suckling child requires feeding in the early morning hours; the impoverished children, for whom early morning rising is difficult and do not come to the field till mid-day; the helpless aged folks, whose plodding the roads delay their reaching the fields till the later parts of the day--about the time of sunset.<sup>15</sup>

The Bible has not fixed any determinate measure of the "corner." Accordingly, if but one ear<sup>be</sup> left, the letter of Scriptural rule will have been obeyed.<sup>16</sup> But the later statutes of the Sages require that

the Peah ought be not less than one-sixtieth part of one's harvest. Over and above this fixed portion, an addition is to be made in accord with 1: the extent of the field; 2: the yield of the harvest; ~~and~~ 3: the multitude of the poor, and 4: the severity of poverty. Thus if the field be very small, one-sixtieth part of it would yield but little to the poor; therefore the Peah should be enlarged. In like manner, when there are many poor, the gift should be augmented; or where poverty is severe Peah should be abundant. If little was sown and much gathered, it is recommended that an increase be granted to the impoverished on account of the owner's blessing. There is no limit at the enlargement, but whose adds to the extent of the "corner," to him shall reward be given. <sup>17</sup>

Not all "poor" people are entitled to the Peah benefits. The law has its own criterion of determining who is to be regarded as poor in relation to Peah; and permits only those who possess: 1-less than 50 zuz in trade, 2-less than 200 zuz frozen ; 3- even an unlimited sum when it is pledged to creditors or is security for the wife's Ketubah, or is temporarily inaccessible. <sup>18</sup>

In the realm of Zedakah there is no place for the practice of religious or national bigotry. All poor irrespective of their race or faith may share the gifts. Though the term "stranger" in the verse, "thou shalt leave them for the poor and the stranger" is not all-inclusive, but embraces only the convinced proselyte, <sup>19</sup> nevertheless, the Mishnah orders that for the sake of peace, the poor of the Gentiles shall not be excluded from these gifts, but shall receive a share with the poor of Israel. <sup>20</sup>

The portion which the needy obtains is not a result of the good-naturedness of the landowner, or of his sense of generosity. <sup>21</sup> It is God's, not the giver's gift. The owner of the field offers no kindness by permitting the poor to get their Peah. He is simply



paying his debt which he owes to the impoverished segment of society. He owes it to them as a matter of religious duty; and they collect it by divine grace.<sup>22</sup> As these gifts, therefore, belong to them as a matter of right, no thanks are in any wise due to the owner of the crop, as a performer of an act of benevolence.<sup>23</sup> The needy shall come and shall receive Peah even against the will of the owner. Yea, even though that owner be himself the poorest in Israel, yet shall those gifts be taken out of his hands.<sup>24</sup>

It should, however, be emphasized that the poor have no right to the "corner" until the owner shall have specified definite assignment of his purposed appropriation. Therefore it is to be deemed an act of theft on the part of the poor to touch the "corner" which they see at the end of a field, until it is specifically known to be such according to the intention of the owner.<sup>25</sup>

When there are no needy, the owner may keep the Peah without being obliged to give its value to the poor, because it does not say that he shall "give to" but that he shall "leave for" the poor. Nor is it commanded to leave them for the beasts and birds, but for the poor; yet behold! no poor are to be seen.<sup>26</sup>

For the sin of withholding Peah, the punishment is pestilence.<sup>27</sup>

## b. GRAIN GLEANING ("LEKKET")

Gleanings<sup>1</sup>--another benefit granted to the needy--is based on the Biblical commandment: "And when ye reap the harvest of your land ... thou shalt not gather the gleanings of thy harvest. And thou shalt not glean thy vineyard, ... thou shalt leave them for the poor and for the stranger." Thus the Scriptural law enjoins<sup>1</sup> him who reaps or gathers the produce into sheaves, not to pick up the ears which had fallen at the time of reaping.

As a clear and exact definition of "gleanings" the Mishnah submits the following formula: That which falls from the sickle at the time of reaping, or that which falls from the hand of the reaper in grasping the ears of corn, provided it be not more than two ears that drop down. If three ears fall together they belong to the owner of the field. That which falls from the back part of the sickle, be it only one ear, is not to be deemed as gleanings.<sup>2</sup>

If a man gathers his crop by hand, without the use of a sickle, that which falls from his hand is not gleanings, but if he plucks up that which is customary to pluck up, whatever falls from his hand is gleanings.<sup>3</sup>

If the wind scattered the sheaves and mingle the corn cut-down with the gleanings, a measure is to be taken of the field, so that its quantity of gleanings may be estimated, and this the poor obtain. That quantity is four Kab of corn for each space which requires a Kor of seed.<sup>4</sup>

If the owner heaps his crop upon the ground where lie the uncollected gleanings of the poor, the original gleanings thus becoming indeterminable, then the entire heap shall be moved to another place and all the ears which touch the ground become the property of the poor. Whatever is uncertain concerning the gifts

of the poverty-stricken, they get the benefit of the doubt. No consideration is given to the estimable quantity of gleaning, because the transgressor who covers the gleanings of the poor deserves to be fined. Though he may have acted through error; and even when the gleanings be barley and what is heaped is wheat and thus easily recognizable and separable; although he may have sent for the poor and they have not come; though it hath been done without the knowledge of the owner; nevertheless, all the ears<sup>5</sup> of corn which touch the ground belong to the poor.

To protect the poor in the face of the needfulness to manure the field before its gleanings have been gathered, the law lays down the following provision: If by the omission, the loss to the owner would be greater than the loss to the poor, then manuring is permissible; but if the loss of the gleanings be the greater,<sup>6</sup> manuring is prohibited.

To collect the gleanings and lay them by the side of the hedge until the poor arrive to receive them, is the charitable<sup>7</sup> way. To safeguard the rights of the needy the rabbis declared that no field may be regarded as ownerless by its proprietor, though he declare it as such, when the greater part of the crop is already cut down; for then the poor are entitled to the gleanings over which<sup>8</sup> the owner has no longer any right.

He who refuses the gleanings to the poor, or discriminates by permitting it to one indigent and prohibiting to another, or aids one in preference to another, is a defrauder of the poor. Of such a one it is written: "Remove not the landmark of them that come up."<sup>9</sup>

It is forbidden to place in the field a dog or a wild beast<sup>10</sup> to frighten away the poor.

If there appear those who ought not to take the gleanings, let the owner expel them, if he can, by force; but<sup>11</sup> if he cannot, for the sake of peace let them be suffered to remain.

c. ~~FALLEN FRUITS~~ ('PERET')

Gathering the fallen fruit of a vineyard('Peret') is another privilege belonging to the poor."Thou shalt not gather the fallen fruit of thy vineyard; thou shalt leave them for the poor and for the stranger,"<sup>1</sup> is the Biblical command.

The Mishna's definition of Peret is: One or two grapes which have parted or have have been broken off from the bunch at the time of vintage; but three grapes falling at once shall not be deemed 'peret.' This ruling is according to the School of Hillel. But the School of Shammai says:where there are three grapes they belong to the poor; where there are four, they belong to the owner.<sup>2</sup>

If during the vintage the gatherer cut off a cluster which became entangled in the leaves and fell from his hand to the ground, and berries fall off, they belong to the owner. But if the cluster be purposely thrown upon the ground, though upon removal one half of it be found to be broken off, it shall be deemed Peret: even though the entire cluster be thus broken, it is peret.<sup>3</sup>

He who puts a basket beneath the vine at the time of gathering is a defrauder of the poor. Of him it is written:"Remove not the landmark of them that come up."<sup>4</sup>

d. VINE GLEANING ("OLELOTH")

Gleaning of the vineyard is a further contribution which Judaism made to the poor. "Thou shalt not glean thy vineyard. " "Thou shalt leave them for the poor and for the stranger,"<sup>1</sup> scripture declares.

What counts as "Oleloth"? Any cluster that lacks both shoulder<sup>2</sup> and pendant,<sup>3</sup> Where there is a single grape it is deemed Oleloth.

If a vine produces nothing but Oleloth, the whole of it belongs to the poor, for it is said:"and thou shalt not glean thy vineyard," i.e. even though there be but small-bunches.<sup>4</sup>

The poor shall not receive the Oleloth until the owner has commenced his vintage, according to the words,"When thou gatherest the grapes of thy vineyard, thou shalt not glean it afterwards."<sup>5</sup>

What quantity is to be gathered before the poor are to glean? Three clusters which suffice to make a Rebiita of wine.<sup>6</sup>

The owner of the field is not obligated to gather the Oleloth to give them to the poor people. They themselves should do the gathering.<sup>7</sup>

If a Gentile sells the crop of a vineyard to an Israelite, it is liable to Oleloth. If an Israelite and a Gentile be partners in a vineyard, the part belonging to the Israelite has to contribute Oleloth to the needy; that belonging to the Gentile is exempt.<sup>8</sup>

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e. FORGOTTEN SHEAF ("SHIKHA")

The forgotten sheaf("Shikha") offers another item of interest for the poor, as it is enjoined: "When thou reapest thy harvest in thy field, and has forgot a sheaf in the field, thou shalt not go back to fetch it."<sup>1</sup> If he transgress by taking it away, even though he have ground it, and have baked it, yet shall he give it to the poor, for it is said: "It shall be for the stranger, the fatherless and the widow."<sup>2</sup>

The law concerning portions of the crop harvest left through forgetfulness is applicable to sheaves, standing-corn, and whatever part of a crop be forgotten and left unrequited, and as well as to all sorts of trees, according to the words: "When thou beatest thine olive tree, thou shalt not go over the boughs again; it shall be for the stranger, for the fatherless, and for the widow."<sup>3</sup>

The rabbis offer the following definition of produce\* left through forgetfulness: any sheaf that the hand cannot again reach to take it up. In a vineyard, when a vine or vines are passed-by and the fruit thereof is forgotten. With regard to the palm tree, when the gatherer had descended from the tree. With regard to all other trees, when the gatherer had turned away and departed from them. Two sheaves separated from each other may be a thing of forgetfulness; but three are not to be so considered. In like manner when the sheaves are collected into larger bundles, two of these bundles separated from each other may be a thing-left-of-forgetfulness; three however are not to be so considered. Two heaps of olives or of pulse, three bundles of green flax, two vines, two of other trees are things-of-forgetfulness. But three are not so to be regarded: for it is said: "Thou shalt leave them for the poor, and for the stranger,"<sup>4</sup> i.e. if there be two; one being, indeed, for the poor,

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and one for the stranger<sup>part</sup> .

If for the most <sup>part</sup> single sheave contain a kab of seed, and there chance to be one among them forgotten, containing four kab, it is a thing-left-through-forgetfulness. But if <sup>it</sup> contains more than four kab, it is not a thing-~~left-of-forgetfulness~~. Similarly, if single sheave contain in general two kab, and there chance to be one amongst them forgotten, containing eight kab, it is not a thing-left-of-forgetfulness. When a sheaf containing two seahs of seed is forgotten, though all the other sheaves are of similar quantity, it does not belong to the poor, for it is said: "When thou has forgot a sheaf in the field," not a heap. But if two sheaves <sup>are</sup> together contain two seahs, these are a thing-left-through-forgetfulness. 6

If a tree be forgotten, even though it contains several seahs of fruit; or if two trees be forgotten, they are Shikha. Three, however, are not to be so considered. That applies only in the case where the tree among its other trees is not well-known, nor particularly remarkable on account of the place where it stands, for example as when it is near a wine press, or near a gap in a wall; nor remarkable on account of great productiveness or of a well-known name, such as Shapacnensain or Basanensain olive tree, or other sorts famous for their productiveness. In either of these three cases it is not Shikha, for it is said: "If thou has forgotten a sheaf," a sheaf wholly forgotten and in no wise recollectable except by one's returning and seeing it. Wherefore, that which may afterwards be remembered without returning to it, is exempt, since it is well-known and remarkable. 7

Any tree is regarded as impressive on the mind or remarkable if it stand near a date-tree; or if there are Netphean olive-trees standing near each other. But if the whole field be of that type

of trees, and one or two of them be forgotten, that is Shikha.

This applies only in the case when no part of the remarkable tree's product has yet been gathered. But if a beginning has been made and a part subsequently forgotten, then Shikha is applicable, even though the tree be remarkable; provided the remainder of the fruit be less than two Seahs. If, however, there be two <sup>8</sup>Seahs left, it is not Shikha unless the entire tree be forgotten.



## f. THE POORMAN'S TITHE ("MA'ASER ANI")

Out of the seed of the earth, there is yet a sixth gift which belongs to the poverty-stricken, namely, the Poorman's tithe ("Ma'aser Ani") which is offered twice-trienially<sup>1</sup> during the septennial cycle, or on the third and sixth years of the Heptaeterid.

The following is the order of tithing. After the harvesting of the seed of the earth, and the gathering of the fruit of the tree, and the completion of the work thereto related, one-fiftieth part is separated as the great Truma, which goes to the priest, according to the biblical prescription: "The first-fruits of thy corn, of thy wine and of thine oil, and of the first of the fleece of thy sheep, shalt thou give him."<sup>2</sup> From the remainder, one-tenth, called "First-Tithe", is given to the Levite, concerning whom it is written: "The tithes of the children of Israel which they offer as an heave-offering unto the Lord, I have given to the Levites to inherit. Therefore I said unto them among the children of Israel they shall have no inheritance;" and again,<sup>3</sup> "I have given the children of Levi all the tenth in Israel." After the separation of the first-tithe, the poor-man's tithe is given from the remainder of the produce to the needy, in accord with the scriptural verse: "At the end of three years thou shalt bring forth all the tithe of thine increase the same year, and shalt lay it up within thy gates. And the Levite, and the stranger, and the fatherless, and the widow, who are within thy gates, shall come, and shall eat and be satisfied."<sup>4</sup> Concerning these, it is also said: "When thou hast made an end of tithing, and hast given it unto the Levite, the stranger and the fatherless, and the widow, that they may eat within thy gates and be filled."<sup>5</sup>

Emphasizing the biblical words "they shall eat and be satisfied," the Rabbis ordained that the poor, when applying for "Maaser Ani" should be given a sufficient quantity that shall have filling potentiality.<sup>6</sup> The following formula was, consequently, offered to be in accord with the principle of this law:

If the tithe be of wheat, the poor is to be given not less than half a Kab; of barley, not less than a Kab; of spelt, not less than a Kab; of lenten-figs, not less than a Kab; of cake-figs, not less than the weight of twenty-five sicli: of rice not less than a quarter-part of a Kab. If it be of olives, a pound-weight shall be given, which weighs thirty-five denarii; of pulse, three Kab; of nuts, ten nuts; of peaches, five of them; of pomegranates, two; of citrons, one. Of any other sort of fruit, not less shall be given, than what may be sold for a sum which will buy food sufficient for two meals.

In what case it is said that the poor shall not receive less than what is a satiating quantity? Only when the tithes are in the field. There the poor is not likely to find other persons who may be of relieve and satisfy his hunger. But if the owner have the tithes at his house, he may offer to each applicant any quantity, though it be no more than a single olive.<sup>7</sup>

When the owner's produce in the field be limited and the poor so numerous, that he cannot give to each of them according to the prescribed measure, he may bring forth the whole of the tithe and place before the poor who shall then divide it among themselves.<sup>8</sup>

When a man and a woman solicit Maaser Ani, the woman should first be given attention, and afterward the man is considered.<sup>9</sup>

The owner who distributes Maaser Ani in the barn, shall receive no thanks for it, as for a benefit conferred. The poor may come and obtain their due share even against his will. Although he

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be one of the poorest men in Israel, they shall take it out of his hands. But if the owner distributes the poor-man's tithe at his house, thanks shall be given to him as for a benefit conferred, because there he may grant Maaser Ani to whomsoever among the indigents that <sup>10</sup> he desires.

To protect the poor and to ascertain that they be not done out of their share for one reason or another, the law provides that out of this tithe debts shall not be collected nor recompense be made for any benefits. Albeit, out of it something may be given as voluntary benevolence, it is required that he to whom it is given shall be informed that <sup>it</sup> comes from the tithes of the poor. Even captives <sup>shall</sup> not be redeemed therewith, nor shall it be laid out on nuptial feasts for the poverty-stricken, nor shall <sup>11</sup> aught be taken out of it, not even alms.

Outside of Palestine, where the laws relating the Sabbatical year do not prevail and the ~~fields~~ are considered not ownerless then, and thus closed to the poor, the rabbis, for the protection of the ne~~edy~~, ~~made~~ the following important enactments relating the Septennial period: Egypt, Ammon, and Moab are nigh unto Palestine, whose poor turn to them for aid, the Jewish field owners of those lands shall separate Maaser-Ani during the Shemitta year. To lend stronger binding power to this Tannaitic innovation, the Mishna says: By the constitution (Halachah) of Moses at Mount Sinai, the Israelites in the land of Ammon and Moab are bound to separate <sup>12</sup> the tithe of the poor during the Sabbath year.

For the sake of the Palestine's poor, the Rabbis decreed that no Maaser Ani may be exported from the Land of Israel, into a foreign country, as it is said: "And lay it within thy gates," and again: "that they may eat within thy gates and be filled." <sup>13</sup>

As a divine punishment for neglecting the poorman's tithe of the third and sixth years of the Septennial cycle, pestilence increases during the years immediately following--the fourth and <sup>14</sup>seventh of the Haptaeterid.

g. SEPTENNATE ("SH'MITTAH")

The Septennate (Shmittah) revolutionized the economic system in favor of the poor. "The seventh year shall be ...a Sabbath for the Lord"<sup>1</sup> during which one shall neither sow nor reap, as hitherto, for one's private gain; but all members of the community-- the owner, his servants, and strangers shall share in consuming the natural or spontaneous yield of the soil. "And six years thou shalt sow thy land, and gather in the increase thereof; but the seventh year thou shalt let it rest and lie fallow, that the poor of thy people may eat"<sup>2</sup> So important were the laws regarding the Sabbatical year that like the Decalogue, it was ascribed to the legislation on Mount Sinai.<sup>3</sup>

The Shemittah institution applies only to the land of Palestine, as it is written: "When ye come into the land which I give you."<sup>4</sup> Shemittah was not inaugurated before the Holy Land had been conquered and apportioned among the tribes and their families.<sup>5</sup> The first Shemittah year is said to have occurred twenty-one years after Israel arrived in Palestine.<sup>6</sup>

That the Sabbatical year was observed during the time of the second Temple is evident from the history of the Maccabees.<sup>7</sup> The Mishnah includes, in the examination of witnesses, questions as to dates, relating which there must be given, the specific Sabbatical cycle of the Jubilee and the exact year of the current Shmittah cycle, as well as the month, day, and hour of the incident considered by the court.<sup>8</sup>

By the Mosaic law, according to R. Hudah, Shemittah is dependent on the Jubilee, and ceases to exist when the Jubilee institution is non-existent. As the jubilee year prevails only when all the tribes are in possession of the Holy Land, that

institution was accordingly ignored in post-exilic times. Yet the Shemittah was, by special rabbinical enactment, insisted upon to be observed.<sup>10</sup> No doubt poverty was the great factor responsible for it.<sup>11</sup> As Jubilee falls but semi-centennially, the long interval of the institution did not warrant specific legislation for its survival. Perhaps Yobed<sup>1</sup> did not by its very nature--the reversal of soil to the original owners--prove particularly practical, as it is conducive to overthrow too abruptly the economic status correspondingly requiring an extremely strenuous social as well as economic re-adjustment unlikely to be successfully realized. For similar reasons even Shemittah did not prove pragmatic, as evidenced from the necessity of the birth of Hillel's Prosbul.<sup>12</sup>

The area of the Holy Land over which the Shemittah was in force included, in the period of the First Temple, all the possessions of the Egyptian emigrants ("Olay Mizrayim") whose territory extended south to Gaza, east to the Euphrates, and north to the Lebanon mountains. (Ammon and Moab in the southeast were excluded.) But in the period of the Second Temple the area of the Babylon emigrants ("Olei Babel") was restricted to the territory west of the Jordan and northward as far as Acre (Acco.).<sup>13</sup> In order not to tempt the settlers of the Holy Land to emigrate to Syria, Palestine's nearest exit, the Rabbis extended the Shemittah thither.<sup>14</sup>

The duration of the Shemittah was from autumn to autumn, beginning with New-year's Day; but as a precaution against any infringement of the law, the Rabbis extended the time, and prohibited sowing and planting thirty days prior to Rosh Hashannah.<sup>15</sup>

The penalty for non-observance of the Shemittah year is exile.<sup>16</sup>

## h .JUBILEE ("YOBEL")

The Yobel<sup>or</sup> fiftieth year, i.e. the year that comes after the completion of seven Sabbatical cycles marks the reversal and compulsory restoration of real estate property to their original owners or their legal heirs. All land alienated for a money consideration to relieve poverty, was to be returned to the original owners without restoration of the amount which has been advanced.<sup>1</sup> Thus the poor received a new opportunity to stand on their feet and begin~~in~~ life anew.

The jubilee was instituted primarily to keep intact the original allotment of the Holy Land among the tribes, and to discountenance the idea of servitude to men.<sup>2</sup> Like Shemittah, Yobel was not inaugurated before the Holy Land had been conquered and apportioned among the tribes and their families.<sup>3</sup> The first Yobel is said to have occurred sixty-four years after the arrival of the Hebrews in Palestine.<sup>4</sup>

The verse relating the proclamation of the jubilee "throughout all the land unto all the inhabitants thereof"<sup>5</sup> served to qualify that only when all the tribes were in possession of Palestine was the jubilee observed, but not after the period when the tribes of Reuben and Gad, and the half-tribe of Menasseh had been exiled.<sup>6</sup> Nor was the jubilee institution observed during the existence of the second Temple, when the tribes of Judah and Benjamin had been assimilated.<sup>7</sup> After the conquest of Samaria by Shalmanesser the jubilee was observed merely nominally, in the expectation of the return of the tribes--according to some authorities, Jeremiah brought them back--until the final exile by Nebuchadnezzar.<sup>8</sup>

In post-exilic times the jubilee was subsequently ignored, though the strict observance of Shmittah was steadily insisted upon.<sup>8</sup>

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2a. FOOD

Feeding the poor <sup>been</sup> ~~was~~ practised since the very dawn of Jewish history. It is ascribed to Abraham and Job that they built public inns on the high road to offer shelter and food to the poor wayfarers and the homeless. The houses of Abraham and Job had their four doors open on four <sup>1</sup> sides, in order that the weary passer-by, through <sup>h</sup> whichever direction he pass, might easily find an open door, <sup>not</sup> ~~and being~~ constrained to seek round about the edifice for an entrance. Throughout the history of Israel strict attention was given to provide for the hungry. Even Micah, <sup>2</sup> the Ephraimite idolator, had his bread available to the wayfarers. Ben Kalba Sabbua, the rich and prominent man of Jerusalem who flourished about the year 70 B.C., obtained his name from the fact that whoever entered his house hungry as a dog (Kalba) would <sup>3</sup> leave satiated (Sabbua). Among the enactments ordained by Ezra was that the housewife rise early to bake bread, in order that there be bread for the poor in time. <sup>4</sup> Later on in Babylon Huna bar Hanilai kept an inn, which had its four doors open on four sides, exactly like those of Abraham and Job, to all passers-by; sixty bakers being kept busy baking bread in the day time and sixty at night for the bashful poor who would not be seen asking bread by day. <sup>5</sup> Among the Hebrews bread was the principal article of food, while meat, vegetables, or liquids served only to supplement the meal. <sup>6</sup> In the Talmudic period the synagogue building (not the place of worship proper) served as a home for the wayfarers as therein they ate, drank, and even slept. <sup>7</sup>

It was an established principle that as long as the Temple was in existence, the altar was the means of atonement for Israel; but now each man's table is the means of his atonement. <sup>8</sup> Consequently



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it was advised to prolong the meal, so that the poor be given more time to come in and share the food.<sup>9</sup> It was the habit of the mother of R. Tanhum, when she went to the market to buy one pound of meat or one bundle of vegetables for her son, that she purchased a double quantity-one portion for him and the other<sup>10</sup> for the poor. When R. Huna had a meal, he would open the door wide and declare, "Whosoever is in need let him come and eat."<sup>10a</sup>

So much for private charity in the matter of food. But as a matter of public administration, maintaining the poor came under an organized system. The recognition of the needs of suffering people calls into existence a body of men who take charge of the functions required for the maintenance of society. To feed the hungry was not merely a voluntary attitude on the part of the community. According to Jewish tradition the body of elders of each city is held responsible for every case of neglect of human life which may lead to disastrous consequences.

The biblical command that the elders of the city "next unto the slain man" whose body has been found shall proclaim "our hands have not shed this blood,"<sup>11</sup> is faced by the rabbis with the query: "Could it ever enter our minds that the elders of a court of justice are shedders of blood?" The meaning given is that the elders announce that "the man found dead did not come to us for help and we dismissed him; we did not see him and let him go without supplying him with food" which drove him to acts of desperation resulting in his being murdered.<sup>12</sup> Here the principle is laid down that charity is a matter of public safety and public administration.

The following system of relief was established in Mishanic times. Every community had its "Kuppa Shel Zed akah" containing the funds for the support of the indigent townsmen who received

every Friday money for the fourteen meals of the whole week; as well as the charity for the transient poor, who obtained only as much as was needed for the day, and on Sabbath eve<sup>13</sup> for three meals: also a charity-bowl (Tamhoi) for the keeping of victuals needed for immediate relief. The victuals for the Tamhoi were both collected and distributed for immediate use by three officers. The collections for the Kuppah were made weekly. <sup>13</sup> A residence in the city for 30 days obliged <sup>at</sup> contribution to the Kuppah; of three <sup>14</sup> months, to the Tamhui.

Not everybody is eligible to obtain help from the Tamhui. That was available only for the poorest of the poor. He who had food for one day, i.e. even for two meals only, may not take <sup>15</sup> aught from the Tamhui. The Baraitha says: "whoever has a piece of bread in his basket and says, 'what shall I eat to-morrow?' <sup>16</sup> belongs to them who have little faith.

The minimum to be given to a poor man who is on his way from one place to another is a loaf which costs a Pundion when <sup>17</sup> four seahs of wheat are sold for a selah. If he stays overnight he is given his requirements for the night--a bed, a pillow, oil, <sup>18</sup> pulse, fish, and vegetables. On the eve of Passover, when every Jew must drink four cups of wine the charity overseer should also <sup>19</sup> give to the poor not less than the quantity of wine required. Though it is advised to treat the Sabbath like a week day in the matter of food and drink rather than depend on charity, yet on Passover, in honor of the great national freedom, the poor are <sup>20</sup> encouraged to apply for wine even from the Tamhui fund.

It should be noted that these portions are only for the average and normally healthy individual. But charity is to provide each poor person with what is sufficient, in the matter of food, for his need in accordance with what he lacks. The

principle therefore is that he who needs bread is granted bread; he who needs dough is given dough; he who is in need of grain is given grain; and he who stands in need of being given food into the mouth, is fed in that manner.<sup>21</sup> Each case is judged on its own merits. Thus the aristocrat is given the food to which he is habituated. The delicate person is provided with according to his standards.<sup>22</sup>

That this was not merely beautiful expression, but an adopted policy observed<sup>and</sup> practiced by the charity administrations is evidenced from the following accounts recorded in the Talmud.

"Our Rabbis taught: It once happened that the people of Upper Galilee bought for a poor member of a good family of Sepphoris a pound of meat daily. According to the various interpretations, it was a pound of fowl's meat, or ordinary meat for a pound of money; or the place was a small village where there are no buyers and no consumers; thus every day a beast had to be spoiled for his sake."<sup>23</sup>

Another story illustrating the special consideration shown to the delicate is told of "Mar Ukba who used to send regularly to a poor man in his neighborhood four hundred zuz on the eve of every Day of Atonement. Once he sent them through his son who returned and said that the indigent does not need help. "What did you see, my son?" asked Mar Ukba. "I saw," answered he, "that they were spraying old wine before him," "Is he that delicate?" the father said, and, doubting the amount, he sent it back to him."

That some of the poor were aware of their rights to demand special and individual consideration is very clear from the experience of Raba who once queried an applicant for maintenance: "What do your meals consist of?" "Of fat chicken, and old wine," the other replied. "Don't you consider the burden of the community?"

the rabbi questioned. Immediately the answer came: "Do I eat their food? I eat God's food; as it is inferred from, 'Thou givest them their food in his season.' not in their season, to teach that the Holy One, praised be He, provides every person his food in accordance with his own want and habits." Meanwhile Raba's sister who had not seen him for thirteen years, arrived and brought him a fat chicken and old wine. 'What a remarkable incident!' Raba exclaimed; and then he said to the poor applicant: 'I apologize, come and eat.'"<sup>25</sup>

There were other Rabbis however who reacted quite negatively to such individuals and incidents.

R. Hanina<sup>n</sup> had a poor man in the neighborhood to whom he regularly sent four zuz on the eve of every Shabbos. One day he sent that sum through his wife who came back and said, "that man was in no need of it." "What did you see?" asked R. Hanina. "I heard," she said, "that he was asked 'on what will you dine, with silver vessels or with the gold vessels?' " "It is in view of such cases," R. Hanina remarked, "that R. Eleazar said: Let us be grateful to the rogues, if not for them, refusing charity would be daily and deadly sin."<sup>26</sup>

When an applicant once said that his meals consist of fat meat and old wine, R. Nehemiah asked him: "Will you consent to live with me on lentils?" The poor man did, and as a result of that diet, died. "Alas for this man whom Nehemiah has killed!", said the rabbi, "he ~~should~~<sup>27</sup> not have cultivated his luxurious habits to such an extent."

The benefactary is admonished not merely to give, but to give joyfully, and to feel happy at his table when the hungry are benefitted therefrom.<sup>28</sup>

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Any obstacle between the poor and befactory is strongly discouraged. It is told of a pious man with whom Elijah used to converse until he made a porter's lodge (lit. 'a gate house' which prevented the cries of the poor from being heard within the courtyard). Thereafter Elijah conversed with him no more. <sup>29</sup> IN the name of R. Simon b. Meir it is said: "whosoever breeds a wild dog in his house, keeps loving kindness away from that house, as the needy are afraid to call, and he can show no hospitality." <sup>30</sup>

## 2b. FINANCIAL AID

In the system of relief the "Kuppah" or charity chest occupies since time immemorial a most important place. According to the Mishna there was in the Temple a "chamber of secrets" into which the devout used to put their gifts in secret and the poor of the family received support therefrom in secret.<sup>1</sup> In later times the charity box was called "Kuppah Shel Zedakah" i.e. charity basket or receptacle for the communal fund which contributed to provide sustenance for the poor.<sup>2</sup> In a city where there is no alms-box for the impoverished no disciple of the wise is permitted to reside.<sup>3</sup>

A three month resident was required to contribute to the Kuppah, a six-month-resident is liable to the clothing-fund; and he who lives in a city nine months has to contribute to the burial fund.<sup>4</sup> Collections were made from all in the measures of their financial capacity and in consideration of the current need.<sup>5</sup>

Though there is no biblical measure prescribed as to the quantity of the contribution, the early Tannaim regarded the ancient Levitic tithing system as a criterion,<sup>6</sup> and recommended that ten per cent of one's profit be annually given to charity.<sup>7</sup> None was permitted to give more than twenty per cent of one's income. This measure was taken as a precaution, lest by super-kindness the benefactor himself turn into beneficiary, and would thus add another case to the problem of relief.<sup>8</sup> However, no amount was considered too trivial. Huge sums are composed of but small coins.<sup>9</sup> The rule, however, was to give not less than a third of a shekel per year. The basis of this criterion was the Temple cult in which connection is written: "We made ordinance for us to change ourselves partly with the third part of shekel for the service of the house of our Lord."<sup>10</sup> As charity was looked

upon as the substitute for the Temple and the replacer of sacrifices,<sup>11</sup>  
 or as the gift to the poor in lieu of the Shekel to the Temple  
 for atonement,<sup>12</sup> the ancient Temple cult with its particulars  
 consistently served as a guide for the institutionalization of  
 charity and as an establishment of precedents relating the various  
 newly developed phases of the problem under consideration.

In addition to the regularly communal collections for charity,  
 the periodical fast days in the religious calendar were utilized  
 as occasions for contributions to the impoverished. The merit of  
 fasting is the extension of charity which is therefrom to proceed.<sup>13</sup>  
 R. Eleazar did not wait for a fast in order to favor\* the indigents.  
 His system was to give a coin to a poor man before beginning  
 the daily prayers, quoting the psalmist: "With charity shall I  
 behold thy face."<sup>14</sup>

From time to time special rabbinic committees used to travel  
 from community to community to collect moneys for the support  
 of the students of Torah<sup>or</sup> for other meritorious purposes.<sup>15</sup>

The communal collections came from the conviction that  
 charity is a matter of public responsibility and public administration.  
 The body of elders of each city is answerable for every case of  
 neglect of human life which may lead to disastrous consequences.  
 According to the Biblical concept all the elders of the city,  
 which was near the slain man whose body has been found should,  
 among other ceremonies, wash their hands and proclaim: "Our hands  
 have not shed this blood, neither have our eyes seen it."<sup>16</sup> Their  
 declaration indicates that they have not failed to provide properly  
 for either the victim or the desperate murderer.

Upon the community fell the support of the impoverished  
 and the orphan, the seeing of them married and launched in life  
 for themselves by furnishing for them homes and providing dowries.<sup>17</sup>

An orphan bride is given not less than fifty zuz. If funds are available she is fitted out in accordance with the dignity of her position.<sup>18</sup>

Provisions were also made for ~~the~~ <sup>the</sup> redeeming <sup>of</sup> captives, caring for the sick, burying the dead. To such <sup>needy</sup> cases financial aid was extended.<sup>19</sup>

As far as the funds were available the assistance which was rendered was sufficient for the particular need of the particular individual. The system was that relief must adjust itself as much as possible to the requirements of the individual applicant considered.<sup>20</sup> His dignity, social position, former habits of life were given careful attention.<sup>21</sup> The average poor man was granted aid from the Kuppa for a week's sustenance--fourteen meals.<sup>22</sup> For a poor man of noble descent the community of Sepphoris used to buy special meat daily at a pound of money. Mar Ukba used to send 400 zuz annually to a poor man. When Mar Ukba was informed that they were spraying old wine before the beneficiary, he doubled the amount, saying that if the needy is that delicate he requires additional wherewithals.<sup>23</sup> To another poor man the same Rabbi used to grant even more--four zuz daily.<sup>24</sup> Rabbi Chanina sent four zuz weekly to an indigent.<sup>25</sup> ~~To him~~

To him who felt ashamed to accept charity, financial aid is extended in the form of a loan which, of course, is never collected. This is done in order to spare the sensibilities of the needy.<sup>26</sup> In similar manner are all needy, except the beggars,<sup>27</sup> helped financially.

The highest of all charity is preventative charity, which lays hold of ~~man~~ who is failing and keeps him from falling and from becoming a public charge, by helping him <sup>in</sup> the form of offering him a gift or a loan or a business partnership, or by finding for him



an occupation. Such a man, according to the Sifra, is like a load resting on the top of a wall; as long as it rest in its place, even one person can take hold of it and keep it there; once it is fallen to the ground, five persons cannot raise it up again.

The most effective financial support is that which aids the poor to self-support.

# ADMINISTRATION

Relief of the poor, in order to be far-reaching and effective, can not wholly be left to the benevolence of the individuals. The community had to assume its obligation to care for those permanently or temporarily in need.

Each municipality appointed collectors, men of unimpeachable probity, whose character warranted leaving the entire affair in their hands without any accounting.<sup>1</sup> The charity fund (Kuppah) was collected by two persons jointly, because any office conferring authority over the community--the authority of taking a pledge for a charity contribution--must be filled by at least two persons.<sup>2</sup> But for the distributions three administrators are necessary, as they are a kind of Beth Din having to adjudge the merits of the claimants, to investigate the various needs and sometimes competing claims of the recipients. On the analogy of monetary cases three men possess judicial power.<sup>3</sup> The collectors made their rounds every Friday to the market, the shops and to private houses, taking up the weekly collections for charity in money or in kind. If a man was not prepared to pay on the spot, they could require him to give a pledge.<sup>4</sup> The Gabbaim have to be careful not to be oppressive and to judge wisely the circumstances and resources of the contributors.<sup>5</sup>

The Kuppah distribution was made also on Fridays. In case of necessity the members of the commission might have to make up the deficiency themselves or borrow to meet it. To the poor of the town enough was given every Friday to provide for the coming week--fourteen meals. Clothing too was furnished as it was needed.

A temporary resident from another city who was out of money also<sup>6</sup> received aid from this fund.

The task of the collectors was not easy. It was heavy-laden with responsibility and difficulty. It is a difficulty as to<sup>7</sup> move others to give is harder than to give onself. The compensation is in the realm of higher worlds where the desert and reward are correspondingly greater; where 'they will shine as the brightness of the stars for ever and ever.'<sup>7a</sup> It is a responsibility to make a just and proper distribution, as this required a strong, sense of reality, a delicate appreciation of the sensitivities of the indigents, and wisdom to judge people, their needs, and their social station. From R. Jose's declaration:"May my lot be of those who collect charity, but not of those who distribute charity,"<sup>8</sup> it is evident that the required happy combination of the fine merits on the part of the administrators were seldom realized, and that the apportionments must have been far from fitting the particular cases or in a manner hardly equal to the dignity of dealing with 'God's<sup>9</sup> people'--the poor.

Those that refused such office, and there seems to be not a few, were therefore not to blame. (Perhaps the same) R. Jose had to reap the fruit of his declaration by being constrained to face the deep embarrassment when every one whom he appointed to the office of the Parnass in the city of Kaphra declined. To modify the discouraging effect of his former statement, R. Jose delivered a sermon in which he exalted Parnasim<sup>5</sup> as sufficiently and unquestionably meritorious worthy of being counted among the greatest of the generation.<sup>10</sup> R. Haggai when appointing Paranassim preached that the appointment is not human, but divine; and thus perhaps encouraged acceptance of the office.<sup>11</sup> As a further encouragement R. Eleazar said:"He who causes

others to do good is greater than the doer." <sup>12</sup>

Generally the office of administration was unappreciated by both rich and poor. The rich thought that too much is taken from them ; the poor believed that too little is given to them. <sup>13</sup> Between the two classes the Parnass was an object of hate and insult. This is illustrated from the advice given to R. Akiba, who when asked to accept an appointment as Parnass, said that he has to consult his family. Those that were waiting for him outside heard voices within Akiba's home saying: "Yes, but on condition that thou be prepared to tolerate being disgraced and degraded." <sup>14</sup>

To avoid suspicion the gabbaim were guided by a number of regulations which would prevent misunderstanding and erroneous bases for casting shadows upon the character of these noble men. Some of the rules read: The Gabbaim when collecting for charity are not permitted to separate from each other, though one may collect at gate while the other collects at a shop in the same courtyard, as they are still in sight of each other to check on possible acts of embezzlement. <sup>15</sup>

If one of the collectors, while collecting, find money in the street, he should not put it into his own purse, lest people say that he is appropriating charity funds. But he should put the money found into the charity box and on coming home he may take it out. <sup>16</sup>

In the same manner, if one of the collectors, in the process of collecting, is being paid a debt in the street, he should not put the money collected from his debtor into his own purse, in order to ~~save~~ avoid suspicion; but place it in ~~the~~ the charity box, and remove it therefrom when arriving home. <sup>17</sup>

If the collectors still have money but no applicants to whom

to distribute it, they should change the small coins--for fear that they rust--into larger one. But the changing should be with other persons, but not with the collectors' own money, lest it be said that they give not full value. In like manner and for similar reason, if the stewards of the Tamhoy soup kitchens have food left over and no poor to whom to distribute, they may<sup>18</sup> sell it to others, but not themselves.

In counting out money collected for charity, the Gabbaim should not count the coins two at a time, lest it be rumored that they take two coins but count only one. The collectors,<sup>19</sup> therefore, must count only one coin at a time.

Though the collectors for charity, like the treasurers of the Sanctuary, are not required to give an account of the moneys<sup>20</sup> entrusted to them for distribution, yet Moses, to avoid all suspicion, rendered an account of all the moneys and objects<sup>21</sup> that went through his hands as administrator of the Tabernacle. R. Eleazar seems to have a more realistic view of life when advising: 'even if a man has in his house a steward who is fully reliable and trustworthy, he should nonetheless tie up and<sup>22</sup> count any money ~~he~~ hands to him.

Besides the collection for the Kuppah or community chest, there was also a daily collection of the victuals (Tamhoy) from house to house. Unlike the Kuppah, Tamhui was received by a committee of three, because it had to be distributed as soon as it was received. Hence if a third person had to be found to assist in the distribution which requires a Beth Din of three, delay might be caused in feeding the hungry. The Kuppah is distributed to the poor of the town only; the Tamhui is for all comers. The Kuppah is distributed from Friday to Friday in amounts sufficing for the coming week (fourteen meals); Tamhui

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is distributed every day in provisions for the daily two meals.

Thus he who has provision for a week could claim no relief from the Kuppah, <sup>just</sup> as none who had two meals in the house was entitled to

apply to Tanhui. To the Tanhui even strangers could apply,

while the Kuppah was for the residents only. <sup>24</sup> For the man passing from place to place, a minimum ration of bread was prescribed. If he

stayed over night, he was given also lodging, oil and pulse; if over Sabbath, he received food for three meals, oil, pulse, fish,

and vegetables. <sup>25</sup> Public provisions for the relief of such cases being made, begging from door to door was disfavored. The beggar

was overlooked by the overseer. <sup>26</sup>

To the collection of public charities all-including women and even they who themselves accept charity--were expected to contribute in the measure of their ability, and of the current or occasional

need. <sup>27</sup> ~~27~~ Where there was a suspicion that the contributor was not really the owner, it was forbidden to accept what he offered. <sup>28</sup>

Those who reside in a town thirty days are liable for contributing to the Tanhui; those <sup>who</sup> reside three months, for Kuppah; six months, for clothing fund; nine months, for the burial funds. <sup>29</sup>

The administrators made investigation that their applicants be no impostors. There is a difference of opinion as to the question whether the applicants for food or the applicants for clothes should be exempt from investigation. Help for the latter should not be detained by examinations, according to R. Huna, because the one in need of clothing is by his state of raggedness or clothelessness exposed in the interim to contempt. But Rab Judah favors the elimination of investigating the applicant for food who is, in the intervening time, actually suffering physical pangs of hunger, while the garment seeker suffers only psychically. <sup>30</sup>

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The gift which the indigent receives should be sufficient<sup>31</sup> for the need, though it is not required that he be enriched. If he needs bread, dough, or money, that should be given him. If the food<sup>32</sup> has to be put into his mouth, he is to be fed in that way. The Biblical word 'what he lacks' is taken to mean not merely what is necessary for a living, but whatever he lacks that belongs to his social station and former habit of life, the kind of food and dress to which he was accustomed, even a horse to ride on and a slave to run before him. This<sup>is</sup> illustrated by an anecdote about Hillel, who once did exactly this for an impoverished son of a good family, and by a story about a town in Upper Galilee where the people provided a man, who in his better day had been accustomed to luxury, with a pound of the flesh of very expensive birds daily.<sup>33</sup>

Regard for the sensibility of the poor was an item of high consideration.<sup>34</sup> The giver of charity in secret was extolled as greater than Moses.<sup>35</sup> As an historic illustration reference is made to a chamber in the Temple in Jerusalem where sin-fearing persons deposited their charitable donations in secrecy, while with equal privacy the impoverished members of good families drew from this fund their sustenance.<sup>36</sup> There were similar institutions in every city.<sup>37</sup> Thus all possible secrecy was maintained in order not to offend the recipients of charity. If a man is unwilling, because of feeling hyper-sensitive, to resort to charity, his feelings are spared by the administrators who let him obtain their gift in the form of a loan which they do not try thereafter to collect.<sup>38</sup>

Upon the community fell also the support of orphan children, and the seeing of them married and launched in life for themselves,

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by creating and furnishing a house for a man, fitting out a bride with clothing, and giving her a dowry for which a minimum sum of fifty zuz is fixed. When funds were available, her social position was considered and the garments and other provisions were furnished in accord with her dignity.<sup>39</sup> If the funds in the community chest were limited, the orphan girl was given priority to the orphan boy,<sup>40</sup> and the Talmid Haham to the unlearned.<sup>41</sup> Every attempt had to be made to aid with a sense of dignity and with wisdom, in order thereby to lift the morale of the dependent.<sup>42</sup>

The consistency of this motive inevitably and unalterably led to the idea that the ideal form of administration is that which through the advancing of a loan for the indigent's enterprise, the creating of an opportunity for his employment or possibility to enter business, the applicant for charity will, by such far-sightedness, need charity no more, as he is put back on his feet,<sup>43</sup> and becomes once again self-sustaining and self-respecting.



## SYSTEM OF PRIORITY

### 1. Jews

In determining the scale of preference when extending aid, the degree or severity of the particular need should be, to the administrators of public charity funds, the criterion for their establishment of an order of precedence. Thus redemption of captives merits priority to any other cause or indigent, as the captive is potentially exposed to the most sadistic and dreadful maltreatment at the hands of his, not infrequently, abnormal captors.<sup>1</sup> A striking response is recorded in the Gemara to the query: "Whence is it inferred that the redeeming of captives is the greatest act of benevolence?" From the Scriptural passage: "Such as are (destined) to death, to death; such as for the sword, to the sword; and such as for the famine, to the famine; and such as are for captivity, to captivity,"<sup>1a</sup> concerning which R. Johanan said: Each instance mentioned in this series is more tragic than the one preceding it. As, for instance, to be killed by the sword is severer than to die a natural death, for to be slain by the sword is to become disfigured. Still worse is famine which is a slow and prolonging form of life ebbing away accompanied by continuous and extreme pangs of hunger; while the sword ends life speedily, if not instantaneously. But the fate of the captive may be even more horrible than the lot of any other victim, because the former faces the potential danger of unimaginable <sup>forms of</sup> tortures and death. Therefore no precept equals in significance the one relating to the redemption of captives.<sup>2</sup>

Consequently, even if funds have been collected for the purpose of erecting a synagogue, they may be diverted from their holy cause to the yet holier--that of redeeming the captives.<sup>3</sup> Moreover, though stones and beams have already been prepared

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for the building of the house of worship, and even though the stones have already been brought and hewn, and the beams squared, and all things have been prepared for the building thereof; yet shall all be sold for the purpose of freeing the captives. However, if the synagogue had already been erected, it shall not be sold, but be completed; and collections be made from the congregation<sup>4</sup> for the work of redemption.

In the series of precedence support for the study of Torah should receive more serious consideration than the maintenance<sup>5</sup> of a house of worship. Though the maintenance of the Beth Hakneseth is more important than charity, nevertheless, the maintenance of poor boys in the learning of Torah and the support of sick people<sup>6</sup> takes precedence to the maintenance of a synagogue.

When R. Hama said to R. Hosaia, as they visited the synagogues of Lud: "Oh, how many fortunes my parents sunk here!" remarked the latter, "Oh how many souls they ~~sunk~~ here! There is none here to study Torah."<sup>7</sup> (The money which the synagogue consumes should have been employed for maintaining scholars whose occupation for a livelihood permits them no time to study.)

Concerning the distinction of sexes in the matter of precedence related to charitable aid the principle is that when life is endangered, the male receives first consideration. Man is regarded as more important, because he can fulfill more Torah precepts<sup>8</sup> than the woman. But when the violation of honor is threatened, the female leads in precedence. Thus the rule is that a woman must be brought out of captivity sooner than a man because of the assailability of her honor. When, however, both stand in danger of pederasty, the man must be freed before the woman, for his unhabituated thereto.<sup>9</sup> A woman is to be furnished with

garments prior to a man, as her feeling of modesty is more

<sup>10</sup> acute. A woman is to be provided with food sooner than a man,  
<sup>11</sup> because it is more below her dignity to beg. Therefore if

an orphan-youth and orphan-maid apply to be bethrothed (by the assistance of the charity-fund) the maiden shall be helped to be bethrothed before the youth, since the modesty of **women**  
<sup>12</sup> is greater.

If there be many p<sup>o</sup>or or many captives, and there be not in the alms-chest enough to feed, or clothe, or to redeem them all, the following formula is adopted: A Kohen is preferred to a Levite, a Levite to an Israelite; and an Israelite to an uninitiated; an uninitiated to one of uncertain paternity; one of uncertain paternity to a foundling; a foundling to a mamzer; a mamzer to nathin; and a nathin to a proselyte; a proselyte to a freed Canaanite slave. This rule is applicable only when the individuals under consideration are otherwise equal; but if the mamzer is <sup>v</sup>Talmid Hacham and the High Priest is an am-He'aretz, the learned mamzer is preferred to the High Priest. Whosoever is of greater Torah wisdom is to be preferred to the  
<sup>13</sup> one of lesser wisdom.

The general principle governing distribution is that the form of priority is established in proportion to the degree or quality of the need.

So much for the judgment of the administrators facing the problem of priority when extending charity. But when an individual has to decide whom he is to help first, the principle by which he is to be guided is somewhat different. Generally, one's own interest is to be served first.  
<sup>14</sup> A sound altruism can be rooted in a healthful egoism; otherwise it is pathological self<sup>less</sup>ness.

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However, if a man and his wife are both captives, and the life of either of them is not threatened, he must first ransom his wife, because the woman's honor is to be saved.<sup>15</sup> In like manner, when a man has to choose between redeeming his father and his mother, though in normal cases the respect and aid due to the father precedes that of the mother, nevertheless, in this case, the mother is ransomed first because of the violability of her honor.<sup>16</sup>

As a result of the overwhelming importance which the study of Torah occupies in the life and religion of Israel, the law prefers the redemption of one's teacher from captivity to that of one's father. Because, the Mishnah explains, the father brings him into the World to Come. The law, however, stipulates that if the father is also a Talmid-Hacham, the father gets first consideration.<sup>17</sup>

In ordinary cases of charity the order of priority is decided on two bases: 1-the degree of propinquity; and 2- the extension of distance. Utilizing the Scriptural instruction: "Thou hide not thyself from thine own flesh,"<sup>17a</sup> the rabbis advise that man should first offer maintenance to his parents. If there is a surplus, his brothers should be supported therefrom. The brothers on the father's side precede those on the mother's side.<sup>17b</sup> Then come the sisters; after them, the household and the other relatives. When a surplus still remains one's neighbors are considered; then one's courtyard dwellers. If the excess is still far-going then come the residents of one's street; then those of the city; then the poor among Israel of the other countries of which the indigents of Palestine precede, and finally the poverty-stricken among the nations.<sup>18</sup>

## 2. GENTILES

The distinction between Jew and Gentile is not superficially ethnical or racial, but deeply ethical and moral. Not the origin determines Jewishness, but the way of life as it expresses itself in the attitude towards the poor and the needy. The Talmudic illustration relating this subject is very sharp. Sabbati b. Marinos went to Babylon and requested employment, but they refused him. He was then constrained to appeal for sustenance; again they refused him. Said he: These rich Jewish Babylonians must be descended from the mixed multitude who went out of Egypt (with the Israelites), for he who has no pity upon his fellow-creatures is assuredly not of the seed of Abraham our father. <sup>1</sup>

This line of thinking runs through the Talmudic interpretation of Jewish history in its relation to the ancient non-Jewish neighbors. Of the Ammonites and Moabites who are to be shut out of marital association with the Israelites, the Bible declares in strong terms: "An Ammonite or a Moabite shall not enter into the assembly of the Lord; even to the tenth generation shall none of them enter into the assembly of the Lord forever. Because they met you not with bread and with water in the way, when ye came forth out of Egypt." <sup>2</sup> When a people shows no kindness to a group of weary wanderers comparatively recently liberated from bondage, it manifests thereby its deep rooted moral decay, and its members are, therefore, unworthy of conjugal affiliation.

On the same ethical basis a similar decree was issued in the day of the Kingdom against another people, the Gibeonites who repeatedly refused to be appeased and stubbornly demanded: "Let there be delivered unto us seven men of his (Sauls') sons,"

and we will hang them"<sup>3</sup> Then King David proclaimed: ' Israel is recognized by three characteristic\* features: mercy, chastity, and charitability. Whosoever possesses these characteristic features is worthy of matrimonial association, but whosoever possesses not these features is unfit therefore.' "Now the Gibeonites are not<sup>4</sup> the children of Israel." Thus David prohibited intermarriage with the Gibeonites not on account of race but because of their ruthlessness.

Accordingly the pride of Israel centers on and revolves around the principles of ethics which, and if, it practices them. It is not national pride, but ethical. "Soverign of the Universe," asked Moses, "how can the horn of Israel be exalted?" Answered the Holy One, praised be He:<sup>5</sup> "By offering charity." Sensing the chauvinistic implications in the verse, "and the Lord thy God will set thee on high above all the nations of the earth,"<sup>6</sup> the rabbis re-interpreted this scriptural statement by relating it to a verse in Psalms which reads: "Righteousness exalteth a nation."<sup>7</sup> "Tzedakah," they said, "which Israel practices, exalts them above those other nations who are unrighteous."<sup>8</sup> Such a feeling of pride is based not on\* exaggerated boasting of permanent physical or material superiority, but rather on the people's current and contemporaneous servicableness and their concern for the disinherited and the unfortunate.<sup>9</sup>

To be consistent, the rabbis emphasized that when the Gentile becomes equal to his high ethical task, the Israelites, who happen then not to be at their best, suffer by the contrast.<sup>10</sup> "The kindness of the pagan Naaman<sup>11</sup> or of Ben Hadad was a contributing factor leading to the exile of the Hebrews." For the Holy One, praised be He, said to Israel: "Behold these

pagans honor Me, but you vex and provoke Me."<sup>12</sup> Similarly the  
 benefaction of Baladan caused divine wrath on Hezekiah.<sup>13</sup> Micah's  
 opening address, beginning with : "Hear, ye people, all of you,"<sup>14</sup>  
 is regarded by the Midrash as a complaint which the prophet voiced  
 that the Gentiles are obedient while Israel is not.<sup>15</sup> To illustrate  
 this, the quote is brought: "Then he (the king of Moab) took his  
 eldest son that should have reigned in his stead, and offered  
 him for a burnt-offering upon the wall, and there came great  
 wrath upon Israel."<sup>16</sup> The sacrifice of Moab's king serves as a  
 reminder of Israel's shortcomings which are so much more conspicuous  
 by contrast.

Charity as salvation is therefore recommendable to all peoples  
 irrespective of their status. Had the flood generation and the  
 Sodomites resorted to this institution of benevolence, they would  
 not have perished.<sup>17</sup> Daniel advises Nebuchadnezzar: "Break off thy  
 sins by almsgiving and thin iniquities by showing mercy to the  
 poor; if there may be a lengthening of thy prosperity."<sup>18</sup>

A number of Tannaim, however, display intolerance toward  
 certain forms of charity as practiced by some non-Jews. Adoring  
 the humanitarian spirit manifested by some Gentile communities  
 in their building public bath houses for the poor, the Midrash  
 simultaneously regards this generous enterprise as a reproach,<sup>19</sup>  
 because quarters are concurrently provided therein for idol worship.  
 R. Itzhak, relates of some Gentile administrators who used to  
 rob the tenants in the towns and then call together the poor in  
 the cities to offer them some of the looted provisions as a  
 gesture of benefaction. Such expression of charity is similar  
 to that of the woman who sells her decency for apples which she

distributes to the sick. Another criticism is levelled against the act of public spiritedness on the part of the government which build roads or is liberal<sup>y</sup> gracious to its poor, with the moneys which it extorts from the Israelites.<sup>21</sup>

Some Tannaim disapproved of the utilitarian or egoistic motives behind the outwardly altruistic act of some gentile benevolence. In the prudential character of such ethics the Rabbis noticed motives which from the view of higher values were unholy; such as, self-glorification (according to R. Eliezer); a means for the extension or prolongation of kingdom (R. Joshua); haughtiness (R. Gamaliel); taunt to Israel (Eleazar of Modim). But R. Johanan b. Zakkai, the more worldly Jew, the great pacifist, who, as head of the Sanhedrin, was in closer contact with the non-Jewish world than his colleagues, said that benevolence both for Gentiles as for Israelites is a sin-offering; as a sin-offering makes atonement for Israel, so does ~~ban~~volence for the Gentiles.<sup>22</sup>

It is apparent from the analysis of their declarations that the views of the Talmudists relating Gentiles were largely influenced by their own personal temper, by the conditions of their age, as well as by their concepts of general ethics.

The Biblical prohibition of usury or of taking any amount over and above that of the original loan specifies "of a poor brother."<sup>23</sup> "Unto a stranger, however, thou mayest lend upon usury." This was purely an economic measure encouraging a tax on loans to aliens, and cautioning against impoverishing the domestic producer. As the Gentile's laws did not prohibit usury, and took no consideration of the lot of the poor stranger, in so far as the Israelite is



concerned, it was naturally to be expected that Jewish prohibition of usury should not extend to the foreigner. Yet, the Talmud does not tolerate the charging of interest to non-Jews and prohibits the pious Israelite from taking advantage of the Biblical permission.<sup>24</sup>

Though relating the <sup>gift</sup> gifts to the poor, the passage "The stranger shall eat and be satisfied" is understood as restricted only<sup>25</sup> to the full proselyte, nevertheless the Mishnah emphasizes that the poor Gentile shall not be excluded from these gifts. For the sake of establishing peaceful relations among the various inhabitants of the land, the poor of other nations are supported together with the Jewish poor, and none is allowed to prevent them from the gleanings, the forgotten sheaf, Peah and from all the other benefits as developed by Jewish tradition throughout the generations.

In this vein the Baraita declares: "Our Rabbis taught; The poor among the Gentiles are supported together with the poor of Israel. The non-Jewish sick are visited together with the Jewish sick. The dead bodies of the Gentiles are buried as the dead bodies of Israel; similarly the non-Jewish dead are eulogized and their mourners are comforted."<sup>27</sup> In a city where Jews and non-Jews reside the Jewish charity organization appeals to both denominations and maintains the poor of both races for the sake of peace."<sup>28</sup>

In spite of all of these regulations and inter-faith activities the sense of honor of the Jew discouraged taking advantage of the benevolence of the non-Jewish population, and indisposed the Israelite from becoming a burden upon his kind-hearted neighbors. In the face of the possibility of adverting it, when a Jew publicly accepts charity from non-Jews, it is regarded as an insult to Israel,

a profanation of the Holy Name. His broad humanitarian spirit urges the Jew to contribute to all groups irrespective of their race or religion; but his high sense of dignity moves him to the respect of self-support and self-sufficiency by turning, under the most unfavorable and most trying conditions, to the members of his own people.

## CONCLUSION

From the investigations made in this survey emerges the extraordinary humane solicitude for the poor which is broadly impressed on the Talmudic Halacha and Haggadah. The sources in the Mishnah, Gemarah and Midrash enable the tracing of the great endeavors on the part of the Tannaim and Ammoraim to grapple with the problem of poverty realistically and intelligently. The material under discussion points clearly and directly to the observation that the learned Doctors of the Law were not bound by a rigid adherence to a fixed or stereotyped form of facing or solving the eternal problem of poverty. They adjusted, when they could, reality to law; and when that proved impractical or impossible, adjusted law to reality. There was no hesitation to abrogate even biblical legislation which proved, because of its antiquatedness and inadeptableness, an insurmountable obstacle in the way of aiding the poverty-stricken. When the provisions for the poor contemplated by the ancient laws, even with a liberal interpretation, were inadequate under the actual conditions, or unadjusted to a large urban population, living in complex conditions, other measures were created and adopted.

This dealing with reality was due not merely to the fact that Judaism is a living, developing and adjustable religion, but also doubtless in some measure to the concept of beneficence and generosity as that of no mere custom or even law, but as the warp and woof of a Jew's being, and as the alpha and omega of Torah. He who refused charity was regarded in the same category with idolaters, and with those who throw off from themselves the yoke of Heaven (God).

In their dealing with the relief of need, and in their adapted

application of the spirit of the legislations of old to the conditions of their own time, it is of particular interest to note the Talmudists' extraordinarily high regard for human dignity. More than the matter of aid was the manner of aid heeded. Sparing the sensibilities of the poor, or the quality of giving stood much higher in significance than the quantity thereof. Thus not only the general necessities for the beneficiary's living, but also his social position and his former manner of life received the most serious consideration. Sympathetic understanding is the notable basis underlying the approach to the financially broken.

Withal went forth the guiding principle of anticipating charity by planned and systematic prevention of poverty. The best alms are those which enable the indigent to dispense with alms, and the noblest charity is that which renders further extension of charity unnecessary.

The efforts of the rabbis to reduce poverty and to elevate human dignity inevitably resulted in the complete banishment of all racial and religious discrimination in the process of extending relief.

From the findings of this study emerge some of the elementary seeds--legal, religious, ethical, psychic, economic and social--which contain the potentiality of an improved world order and a humane humanity.

## NOTES

## DEFINITION OF POVERTY

1. In Talmudic literature the word poverty is, not infrequently, employed figuratively rather than literalistically. This essay is concerned only with the literal or designative meaning of the term. The following quotations point to some of the figurative usages of "poverty"; "From lack of everything" (Deut. 28:57)--this means, said R. Nachman, lack of knowledge. Abaye said: We have a tradition that none could be called poor, except one who is poor in knowledge. In Lev. Rab. 1,6 Rabbi Tanhuma expresses it sharply: It often happens that a man possesses gold and silver, precious stones and pearls, yea all manner of delectable articles in the world and the goodness thereof, yet possesses no knowledge. What then has he acquired? The proverb says: If thou possessest knowledge what lackest thou? If thou lackest knowledge what possessest thou? In Kiddushin 49b lack of Torah is called poverty. Paradoxically, "all the days of the poor are evil" is associated with the masters of the Gemara (For their intellectual restlessness Prov. 15:15), according to R. Zeira; while Rabba says that this refers to the masters of the Mishnah (without Gemara, the Mishnah is often in explicable) (Baba Bathra ibid.) "All the days of the poor are evil" (Prov. 15:15) refers, according to R. Jannai, to one who is fastidious, but R. Joshua b. Levi points this verse to the impatient man. "Impoverished" says one Amora, "in the respect of precepts" (Lev. Rab. 34:6) R. Levi or R. Isaac poverty is the absence of good deeds (Tanhuma 7 p.106, ed. Buber) R. Berachia in the name of R. Simon relates poverty to the lack of righteous men (Yalkut, Tehillim 106) "The lack of everything" means, said Rabina b. Alba, the lack of a wife, "All the days of the poor are evil" meant in the words of R. Chanina him, who has a wicked wife (Baba Bathra, ibid.). Thus stands the word poverty, as a figure of speech, in relation to the diversified intellectual, psychical, ethical, and sociological phenomena.

2. Tamhui, the name of a tray or shallow dish with compartments for different kind of food. Cooked food, presumable remnants, was thus collected from house to house daily.

3. Cf. Baba Bathra 8b; Jer. Peah 8,7 (21a); Tosefta Peah 4,9 (p.23) Food for the kitchen is distributed every day for all comers.

4. M. Peah 8,8 He who has food enough for two meals may not take aught from the (Pauper's dish).

5. M. Peah 8,7. A poor man that is journeying from place to place should be given not less than one loaf worth a pondion (from wheat costing one selah) for four seahs.

6. Kuppah, literally 'basket.'

7. Jer. Peah ibid.; Tos. Psah. ibid. The (Kuppah) charity fund is distributed from Friday to Friday to the local poor residents only. He who dwells in a town for thirty days is regarded as a resident eligible for the Kuppah benefits. (Baba Bathra 8b.)

8. M. Peah 8,7. "He who has enough for fourteen meals may not take aught from the Tamhui."

9. Cf. Lev. 19:9.f; Deut. 24:20f.

10. Cf. Deut. 14:28 f., see Encyclopedia Biblica, vols. iv. 5102-5105.

11. M. Peah 8,8. He whose good were pledged to his creditor or were security for his wife's Ketubah may take (gleanings, the Forgotten Sheaf, Peah or Poorman's Tithe).

12. M. Peah 5,4. If a householder was traveling from place to place and it became needful for him to take Gleanings, the forgotten sheaf or Peah, or Poorman's Tithe, he may take them, and when he returns to his house he should make restitution. So R. Eliezer. But the sages say: (He need make no restitution because) at that time he was a poor man.

13. M. Peah 8,8. He who has one hundred less one(zuz) may take (gleanings, forgotten sheaf, Peah or Poorman's Tithe). See note 14.

14. M. Peah 8,9. He who has fifty zuz and trades with them, may not take (from the agricultural charity speculations). Hence, fifty(zuz) in trade are better than two hundred (zuz) that lie unproductive. Jer. Peah 8,9(21b.)

15. M. Peah 8,8. They may not compel him to sell his house or his(golden and silver, Kethuboth 68a) articles of service (though the proceeds of such a sale would raise the applicant's capital above the 199 zuz limit).

16. Deut. 15:8.

17. Ketuboth 67b. Whatever he lacks(includes) even a horse to ride one and a slave to run before him. It was related about Hillel the Elder that he bought (Alfasi: he hired) for a certain poor man who was of a good family a horse to ride upon and a slave to run before him. On one occasion he couldn't find a slave to run before him, so he himself ran before him for three miles.

18. Ibid. The Rabbis taught: It once happened that the people of Upper Galilee bought for a poor member of a good family of Sepphoris ( a town on one of the Upper Galilean mountains) a pound of meat every day. 'A pound of meat!' What is the greatness in this? R. Huna replied; (It was) a pound of fowl's meat (which was very expensive) If you prefer, I might say: (they purchased ordinary meat for a pound (of money). R. Ashi replied: The place was a small village and every day a beast had to be spoiled for his sake(all the meat that remained after this one pound had been taken off had to be thrown away for lack of buyers and consumers.).

19. Jer. Peah. 8,7. (21a) When he (the applicant) is known (to the charity administrators) he is given raiment according to the honor due to him.

20. See above note. 16.

21. See note 15.

21a. The gift is to be adequate for the need but not to enrich the recipient. "sufficient for his need" (Deut. 15:8) you are commanded to support him but you are not commanded to enrich him (Ketuboth 67b)

22. Ketuboth 67b. Mar Ukba had a poor man in his neighborhood to whom he regularly sent 400 zuz on the eve of every Day of Atonement. On one occasion he sent them through his son who came back and said to him: 'He does not need (your help)! 'What have you seen? (his father asked. 'I saw (the son replied) that they were spraying old wine before (to) him.' 'Is he that delicate?' (the father said), and doubling the amount, he sent it back to him.

It is noteworthy that R. Hanina reacted quite unfavorably to a similar experience. Cf. Ibid. R. Hanina had a poor man in his neighborhood to whom he was accustomed to send four zuz on every Sabbath Eve. Once he sent it through his wife, who returned, saying: 'He does not need it.' 'What have you seen?' 'I heard (she replied) he was asked: 'On what will you dine (68a) on the silver (colored-Rashi) cloths or one the gold (colored) over?' (Whereupon) said (R. Hanina) 'This is what R. Johanan meant when saying: 'Come, let us be thankful to the impostors, for if not for them we might have been committing sin (when unresponding to the poor) every day; as it is said (Deut. 15:9) 'And he cry unto the Lord against thee, and it be sin in thee.'"

23. See notes 17 and 18.

24. M. Ketuboth 6,5. He who gives his daughter in marriage may not assign to her less than fifty zuz.. Similarly if an orphan girl was given in marriage (by the guardians of the poor) she shall be assigned not less than fifty zuz; if there was (more) in the poor-funds they (the charity administrators) should provide for her according to the honor due to her.

24a. The Aggadah abounds in emotional outpourings describing the plight of privation. Words synonymous with 'poor' are given psychologically descriptive significance relating the condition of the needy. According to the Midrash eight names are given to the poor: 'Ani'-suffering (lit); 'ebyon'-he longs for things; 'misken'-despised; 'rash'-idspossessed; 'dal'-detached; 'dak'-crushed; 'mak'-lowly before all like a threshold upon which all step (Lev. Rab. 34,6). The poor man is accounted as dead (Nedarim 64b) Poverty is worse than fifty plagues (Baba Bathra 116a). To him who depends on another's table the world is dark; his is no life (Beza 32b).

25. For this finer from of the virtue which not merely relieves bodily needs but given personal attention, sympathy, and service, there is a special name "gemilut Hasadim;" literally, doing deeds of lovingkindness. In Sukkah 49b. R. Eleazar states: Loving kindness is greater than mere almsgiving. Charity is rewarded only according to the degree of kindness with which it is practiced; as it is said (hos. 10...) 'Sow for yourselves charitableness, reap according to kindness.'

26. Ketuboth 67 a/b Our Rabbis taught: If an orphan boy and an orphan girl applied for maintenance, the girl orphan is to be maintained first, and the boy orphan afterwards, because it is not unusual for a man to go begging (lit. 'to go about the doors'), but it is unusual (undignified) for a woman to do so. If an orphan boy and an orphan girl (67b) applied for a marriage grant (out of the charity funds), the girl orphan is to be enabled to marry first and the boy orphan afterwards, because the shame of a woman (unwedded) is greater than that of a man.

26a. R. Johanan remarked: It is not rather, 'Happy is he that giveth to the poor,' but 'Happy is he that considereth the poor' (Ps. 41:1), which signifies: Consider closely how to benefit him. When R. Jonah saw a person of respectable family who had lost his money and was ashamed to take charity, he used to say to him: "As I have heard that you have come into an inheritance somewhere abroad or that you have a tremendous debt to collect, if it meets with your approval accept meanwhile an advance from me; when you shall have collected the debt or the inheritance, you will pay me." That is the implication of "consider the poor." (Jer Peah 8,9 (21b); Lev. Rab. 34:1; Mid Tehillim, Ps. 41, 3 (ed. Buber, p.260)

26b. Ketuboth 67b. He who has no means and refuses to be maintained (out of the poor fund) should be granted (the sum required) as a loan and then it can be presented to him as a gift. So says R. Meir. The Sages, however, said: It is given to him as a gift and then it is granted to him as a loan.

27. Tos Peah 4,8 Jer Peah 21a. It is taught in a Baraitha: To them who go about the doors (begging) one is not obligated (to contribute) aught. Said R. Jonah: however, they should not be given less than a dried fig. In Baba Bathra 9a the following is recorded: There was a poor man who begged from door to door. When he came to R. Papa (a charity administrator) (the latter) paid no attention to him. Said R. Samma b. R. Yiba to R. Papa: 'If he begs from door to door one is not obligated to him.' Answered (R. Samma, the meaning is that ) there is no obligation to give him a big gift, but a small gift must be given him.

28. Lev. Rab. 34, 4; Ex. Rab. 31, 14. If the poor man stands in the company of the man of means and says to him: 'Give me charity' and he gives it to him, then: "The Lord giveth light of the eyes of them both" (Prov. 29:13). The poor man acquires earthly life and the rich man acquires the life of the world to come.

29. Lev. Rab. 34,8. R. Joshua taught: The poor man does more for the benefactor (lit. 'master of the house') than the latter does for him, as evidenced by the fact that Ruth says to Naomi: 'The man's name with whom I wrought to-day is Boaz' (Ruth 2:19). It is not written 'who wrought with me,' but 'with whom I wrought' by which she intimated: I have wrought many services and favors with him to-day for the morsel which he gave me. (i.e. I have conferred upon him the boon of doing something meritorious these are the 'services and favors.')

30. Tzadakah lengthens the benefactor's life; precipitates the coming of the period of the Messiah and of redemption; it brings the philanthropist to the life of the Coming World: and



79.  
exalts and seats him before the Kisey Hakovod (Seder Eliyahu  
Zuta, Chapter 1(end), ed. Friedmann p. 170-171). Charitable acts  
save men from perdition on the day of judgment. (Midrash Tehillim,  
Psalm 36, 5; p.250- -ed. Euber), and from Gehenna (sex, p. 169;  
Ex. Rab. 31:3).

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NOTES

ATTITUDE TO POVERTY

1. Psalm 75:8
2. Isam. 2:7
3. Gen. Rabbah 68,4; Num. Rabbah 3,6;22,8.
4. Tanhuma, Behar 5(ed. Buber p.106); Kiddushin 82a,b.
5. Niddah 16b.
- 5a. Shabbat 156a; Mo'ed Katan 28a; Berakot 5b; Derek Eretz Zuta c.4.
6. Ta'anit 25a.
7. Shabbat 1.c.
- 7a. Ibid. 151b.
8. Exodus Rabbah 31, 14 et passim
9. M. Edyot 2,9
10. Kallah c.2.
- 10a. Baba Mezia 59a.
11. Kallah 1.c.
12. Ibid; Tanhuma Behar 5(ed. Buber p.106)
13. Nedarim 7b.
14. Shabbot 32b/33a
15. Ibid.
16. Lev. Rabbah 35, 6
17. Shabbat 62b.
18. Ibid.
19. Ibid.
20. Abot de R. Natan c.3(ed. Schechter p.15)
21. Ibid.
22. Hullin 105a.
23. Ibid.
24. Pesachim 111b.
25. Shabbat 33a. In Kiddushin 49b the reference is to Torah poverty.
26. Ketubot 68a; Abot de-R. Natan 1.c; Pesachim 1.c.
27. Eccl. Rabbah 5,13; Lev. Rab. 34,7.
- 27a. Num. Rabbah 22,8;
- 27b. Baba Batra 16b.
28. Horayot 10a; Niddah 70b.
29. Midrash Tehillim 41,3(ed. Buber p.260).
- 29a. Midrash Tannaim p.82.
- 29b. Prov. 6:30
- 29c. Erubin 41b.
30. Seder Eliyahu Zuta c.5(ed. Rriedmann p.181)
31. Ibid.
32. Isaiah 48:10
33. Haggigah 9b.
34. Berakot 32a.
35. Erubin 41b; Derek Eretz Rabbah c, 2.
36. Nedarim 81a
37. Lev. Rab. 34, 4; Ex. Rab. 31, 14
38. Exod. Rabbah 31, 5.
39. Seder Eliyahu Zuta c.5(ed. Rriedmann p.181).
40. Ibid; Baba Batra 10a
41. Seder El. Zuta 1.c.
42. Cant. Rabbah c. 7; c.1.
43. Lev. Rab. 34,1; Jer. Peah 8,9(21b); Midrash Tehillim to Ps.41,3  
(ed. Buber p.260).
44. Cant. Mid Zuta (ed. Buber p.20).
45. Abot 3,8.
46. Num Rabbah 5,2.
47. Abot 1.c.
48. I.Chron. 29:14; Abot 3,7.

49. Num. Rabbah 1. c. 34,5.
- 49a. Abot de-R. Natan c. 4 (ed. Schechter p.21)
50. Berakot 10b.
51. Baba Batra 9a.
52. Berakot 55a.
53. Sukkah 49b.
54. Berakot 54a, 60b.
55. Sotah 14a; Shabbat 133b.

## DISCOURAGEMENT AND PREVENTION OF DEPENDENCE

1. Sotah 14a.
2. Seder Eliahu Rabbah ch. 25(27) (ed. Friedmann p.136).
3. Erubin 18b.
4. Jer. Berakot 5, 32(7b).
5. Exodus Rabbah 31, 14.
6. Berakot 6 b.
7. Exodus Rabbah ibid.
8. Baba Bathra 146 a.
9. Sotah 47b.
10. Berakot 8a.
11. Pesahim 113a; Baba Batra 110a.
12. Nedarim 49b.
13. Abot 2, 2
14. Berakot 34b; Shabbat 63a, 151b, Ta'anit 21a.
15. Berakot 34a
16. Shabbat 151b
17. Lev. Rab. 34,9
18. Deut.15:11
19. Pesahim 118a.
20. Sanhedrin 58b
21. Baba Batra 110b.a
22. Betza 16a
23. Shabbat 118a,; Pesahim 112a, 113a
24. Ketubot 50a; Arakin 28a
25. Tosefta Ta'anit 2, 11 (ed. Zuckermann p.218, lines 15f.)
26. Lev. Rabbah 34:3
27. Kiddushim 30b.
28. Sanhedrin 29a.
29. Arakin 16b.
30. Kiddushim 82a,b.
31. Baba Mezia 75b.
32. Kiddushin 1.c.
- 32a. Hullin 84b.
33. ibid.
34. Pesahim 114a
35. Baba Mezia 29b.
36. Baba Batra 9a
37. Yebamot 63b.
38. Pesahim 113a
39. Hullin 1.c.
40. ~~42~~. Yebamot 63a
41. Baba Mezia 107a
42. Baba Mezia 42a
43. Ibid.
44. Pesahim 113a
45. Ibid.
46. Ibid.
47. Baba Mezia 75b
48. Ibid. 42a
49. Sotah 44a
50. Kiddushin 29b
51. Ketubot 67b.
52. Pesahim 1.c.
53. Sifra, Behar 5(ed. Weiss p. 109a)

54. Shabbat 63a; Abot de-Rabbi Natan (ed. Schechter p. 131).
55. Abot 1,5.
56. Ketubot 8b; Moed Katan 27b.
57. Gittin 37a/b
58. Sanhedrin 2b/3a
59. Ibid. 32a/b
60. Baba Batra 175b.
61. Ibid. 175b/176a
62. Baba Batra 90b.
63. M. Ketubot 13, 3; Baba Batra 9,1.
64. Ketubot 48a.

## NOTES

- a. PEAH
1. The order of the arrangement of the matnot Anyim is according to their quantity and frequency.
  - 1a. Lev. 19:9-10.
  2. M. Peah 1,5
  3. Hullin 134b.; 136a; Jer. Peah 2, 7(17b).
  4. See Yadayim 4,3
  5. M. Peah 3,6
  6. Hullin 135b
  7. M. Peah 2,7
  8. Menahot 80 71b; Jer. Peah 2,1(16d).
  9. M. Peah 1,6; Baba Kama 9 4b; Temurah 6a.
  10. M. Peah 1,4.
  11. Mesachim 56b, Shabbat 68a, Middah 50a.
  12. Tosefta Peah 2,7 (ed. Z., p. 19, line 28).
  13. Jer. Peah 2,1(17a), Tosefta 3,1 (ed. Z., p. 20, line 30).
  14. Sifra, Kedoshim 3,5; M. Peah 4,1; Jer. Peah 4,1 (18a)
  15. M. Peah 4,5; Jer. Peah 4,3 (18b)
  16. M. Peah 1,1
  17. Ibid 2; Jer. Peah 1,1(15a-b); 2(16b)
  18. Ibid 8, 8-9
  19. Sifra Kedoshim 3,5.
  20. M. Gittin 5,8.
  21. M. Abot 3,7.
  22. Jer. Peah 5,5 (19a)
  23. Hullin 131a; Tosefta Peah 2,13 (ed. Z., p. 20, lines 8-9).
  24. Ibid. Tosefta Peah 2
  25. Tosefta Peah 28 (Ed. Zuckerman p. 19, lines 28-30).
  26. Hullin 134b.
  27. Abot de R. Natan, 41 (ed. Schechter p. 115).

## NOTES

## c. FALLEN FRUIT

1. Lev. 19:10
2. M. Peah 5, 5.
3. Ibid. 7,3
4. Ibid.

## NOTES

## d. VINE GLEANING

1. Lev. 19:10
2. M. Peah 7,4
3. Ibid.
4. Ibid. 7,7. This law is R. Akiba's accepted opinion in the legal code of Maimonides (Matnoi Anyim 4,21). The Mishnah records also the dissenting view of R. Eliezer that the poor have no claim.
5. Deut. 24:21; ibid.
6. Jer Peah 7,7 (20c)
7. See M. Peah 7,6; cf. Tosefta Yom Tob l.c.; Maimon. "Matnot Anyim 4,19.
8. Tosefta Peah 3,12 (ed. Zuckerman lines 17-20 p.22) HULLIN 135b.

## NOTES

## e. FORGOTTEN SHEAF

1. Deut. 24:19
2. Ibid.
3. Ibid. 20
4. Ibid. 24:19; M. Peah 6:5; Jer. Peah 6,4(19a) Tosefta Peah 3,5 (ed. Zuckerman p. 21, lines 16-19)
5. Ibid. This general principle is that of the School of Hillel. The unaccepted view of the School of Shammai is: Where there are three they belong to the poor; where there are four they belong to the owner.
6. M. Peah 6, 6; Jer. Peah 7, 1 (20a)
7. M. Peah 7,1.
8. Ibid. 2; Jer Peah l.c.

## NOTES

## b. GRAIN GLEANING

1. Lev. 19:9-10
2. M. Peah 4,10; 6,5
3. Ibid; Jer. Peah 4,7(18c)
4. M. Peah 5,1; Baba Mezia 105b
5. M. Peah l.c.; Jer. Peah 5,1 (18d)
6. Tosefta Peah 2, 20 (ed. Zuckerman p.20 lines 23-25)
7. Jer Peah
8. See M. Peah 7,8; cf. Temurah 28.
9. Prov. 22:28; M. Peah 5,6;
10. Baba Mezia 12a
11. Tosefta Peah 3,1 (Ed. Zuckerman p.20, lines 28-30).

f. POOR MAN'S TITHE

1. Rosh Hashanah 12
2. Deut. 18:4
3. Num. 18:24
4. Deut. 14:28-29
5. Deut. 26:12
6. Sifre Deut, Re'eh 110 (ed. Friedman p. 97)
7. Ibid, M. Peah 8,5; Jer. Peah 8,5 (20d)
8. M. Peah 8,6.
9. Yebamot 100b.
10. Hullin 131; Tosefta Peah 4, (ed. Zuckerman p.23, lines 1-3);  
Nedarim 84 b.
11. Tosefta Peah 4 (p.24, lines 9-12)
12. M. Yadaim 4,3
13. Sifre Deut, Ki Seso 303 (ed. Friedman p.128b)
14. Abot 5,9.

h. NOTES  
JUBILEE

1. Lev. 25:8ff.
2. Ibid 55; Sifra, Behar 7,1.
3. Sifra, Behar 1,3.
4. Ibid.
5. Lev. 25:10
6. Sifra, Behar 2,3.
7. Sheb. 10:2; Arakin 32b.
8. Arakin 33a.
9. Arakin 32b; Tosefta to Gittin 38a.

NOTES

g. SEPTENNATE

1. Lev. 25:2
2. Ex. 23:10 ff.
3. Sifre, Behar 1,1.
4. Lev. 25:2
5. ~~Sifra~~, Behar 1,2 ; Ibid, 3
6. Ibid. 3
7. I Macc. 6:51,55.
8. M. Sanhedrin 5,1.
9. Arakin 32b.
10. Tosefta to Gittin 36a.
11. Gittin 36b; M. Shebiith 10,3.
12. See Yadaim 4,3 and ibid. Perhaps also the fact that the traces of the original ownership were wiped out by the flow of the centuries with all their vicissitudes; and the change in the economic system--from the agricultural to the commercial--practically outdated the significance of Yobel's survival.
13. M. Shebiith 6,1.
14. M. Yadayim 4,3.
15. M. Shebiith 2,6.
16. Abot 5,11.



NOTES  
FOOD

1. Abot de- Rabbi Natan c.7 (ed. Schechter p.33/34).
2. Sanhedrin 103b.
3. Gittin 56a.
4. Baba Kamma 81a; Jer. Megillah 4, 1 (75a).
5. Berakot 58b.
6. Gen 18:7; 25:34; 28:17; Ruth 2:14.
7. Pesahim 101a
8. Berakot 55a
9. Ibid. 54b/55a
10. Leviticus Rabbah 34,5; Ecclesiastes Rabbah 7;14,2; Tahhuma Mishpatim 8 (ed. Euber p.85).
- 10a. Tannit 20b.
11. Deut.21:7
12. Sotah 38b.
13. Baba Batra 8b
14. Tosefta Peah 4 (ed. Zuckermann p.23, lines 22-23).
15. M. Peah 8, 7.
16. Sotah 48b.
17. Baba Batra 9b; M. Peah 8,7.
18. Tosefta Peah 1.c.
19. M. Pesahim 10,1.
20. Pesahim 112a.
21. Sifre on Deut. "Re-ah" (ed. Friedmann p.98b).
22. Kethubot 67b.
23. Ibid.
24. Ibid.
25. Ibid.
26. Ibid.
27. Ibid; Jer. Peah 8,9(21b).
28. Derek Eretz Zuta c.9.
29. Baba Batra 7b.
30. Shabbat 63a/b

## NOTES

FINANCIAL AID

1. M. Shekalim 5,4.
2. Baba Batra 9a
3. Sanhedrin 17b.
4. Baba Batra 1.c.
5. See M. Peah 1,2.
6. Yalkut Shimeoni c. 893; Tosefot Ta'anit 9a quoting Sifre.
7. Ibid.
8. Kethubot 50a; Arakin 28a; Jer. Peah 1.1 (15b)
9. Baba Batra 9b.
10. Nehemiah 10:33; Bab Batra 9a
11. Berakot 55a; Baba Batra 10b; Abot de-Rabbi Natan c.4 (ed. Schechter p.2)
12. Baba Batra 9a.
13. Sanhedrin 35a.
14. Baba Batra 10a.
15. Lev. Rabbah 5,4
16. Deut:21:7; Sotah 38b.
17. Ketubot 67a,b; Tosefta Kethubot 6, (ed. Zuckermann p.268, lines 4-12).
18. Ibid.
19. Baba Batra 8b.
20. Kethubot 1.c.;
21. Ibid; Midrash Tannaim p.82.
22. M. Peah 8,7; Baba Batra 8b; Jer. Peah 8,7(21a)
23. Kethubot 67b.
24. Ibid.
25. Ibid.
26. Ibid.
27. Baba Batra 9a; Tosefta Peah 4,8 (ed. Zuckermann p.23, line 20);  
Jer. Peah 8,8(21a).
28. Sifra, Behar 5 (ed. Weiss p.109a).

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NOTES

SYSTEM OF PRIORITY

1. Baba Batra 8b.
- 1a. Jeremiah 15:2
2. Baba Batra 1.c.
3. Ibid 3b.
4. Ibid.
5. See Jer. Shekalim 5, 7(p.49b)
6. See notes 5 and 7
7. Jer. Peah 8,8(p.21b).
8. "Taz" on Yoreh Deah 245,10.
9. Horayot 13a; Tosefta Horayot 2,5(ed. Luckernmandel p.476 lines 5-10).
10. Ketubot 67 a/b
11. Ibid.
12. Ibid.
13. Horayot 13a.
14. Baba Mezia 33a, 71a
15. See note 9
16. Mekilta, Jethro 8(ed. Horowitz p.231f) see note 9.
17. Baba Mezia 33a \*\*
- 17a. Isa. 58:7
- 17b. Sifré Deut. 116(ed. Friedmann p.98a).
18. Tanhuma, Mishpatim 8(ed. Buber p.85); Seder Elyahu Rabba 25  
and 27(ed. Friedmann pp.135 and 182).

## ADMINISTRATION

1. Baba Batra 9a.
2. Ibid. 8b.
3. Ibid.
4. Kiddushin 76b.
5. Baba Batra 1.c.
6. Ibid.
7. Ibid. 9a --7a, Daniel 12:3; B.B. 1.c.
8. Shabbat 118b.
9. Exodus Rabbah 31:13
10. Jer Peah 8,7 (21a)
11. Ibid.
12. Baba Batra 1.c.
13. See Kiddushin 76b; Midrash Luta, Eccl.20 (p.115 ed. Euber)
14. Jer Peah 1.c.
15. Baba Batra 8b
16. Ibid.
17. Ibid.
18. Ibid.
19. Ibid.
20. Ibid. 9a
21. Tanhuma, P'kidon; Exod. Rabbah 51,1.
22. Baba Batra 9a
23. Ibid 8b; Tosefta Peah 4(p.23, line 20 ed. Zuckerman)
24. Ibid.
25. Baba Bathra 9a; Tosefta Peah 4(p.23, lines 17-20)
26. Ibid.
27. See M. Peah 1,2.
28. Cf. Baba Kamma 119a; Tosefta Baba Kamma c. 11(ed. Zuckerman p.370-371)
29. B.B. 1.c.; Tos. Peah 1.c.
30. Baba Batra ibid.
31. Kethubot 67b.
32. Sifre Deut. Re'eh (ed. Friedmann p. 98b)
33. Kethubot 67b; Midrash Tanna'im ed. D. Hoffmann p.82
34. Ibid; cf. Berakot 58b; Baba Bathra 10a/b; Shabbat 156b; Jer. Shekalim 4,5 Jer. Peah 8,9(21b)
35. Baba Batra 9b.
36. M. Shekalim 5,4.
37. Tosefta Shekalim 2,16(ed. Zuckerman p.177, lines 10-12)
38. Kethubot 67b
39. Ibid. 67a,b.
40. Ibid.
41. Horayoth 13a.
42. Baba Bathra 9b.
43. See Sifra, Behar 5(Ed. Weiss p.109a; Shabbat 63a; Abot de-Rabbi Natan (ed. Schechter p.131)

## NOTES

## GENTILES

1. Betzah 32b
2. Deut. 23:4-5
3. II Sam. 21:6
4. Ibid. 21:2; cf. Yebamot 78b, 79a
5. See Baba Batra 10b
6. Deut. 28:1
7. Prov. 14:34
8. Cf. Mid. Zuta Canticles (p.22 ed. Buber)
9. Ibid.
10. 2 Kings Ch.5
11. I Kings 22; 2 Kings 6:17; 7:6; 8:7-15
12. Mid. Zuta l.c.
13. Ibid.
14. Micah 1:2
15. Mid. Zuta l.c.
16. II Kings 3:27
17. Mid. Zuta p.19/20.
18. Daniel 4:24.
19. Mid Zuta Cant. (p. 22, ed. Buber).
20. Tanhuma, Re'eh 6, (p.21~~9~~ ed. Buber); Exodus Rabbah 31, 16.
21. Baba Mezhiah 70b, see Rashi's interpretation.
22. Cf. Baba Batra 10b.
23. Deut.23:21.
24. Baba Mezia 70b/71a.
25. Cf. Sifra, Kedoshim 3, (p.88a ed. Weiss).
26. M. Gittin 5,8.
27. Gittin 61a; Tosefta Gittin 5,5(line 22, p.328 ed Zuckerman).
28. Jer Gittin 5, 5 (p. 47c).
29. Sanhedrin 26b.

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