

MITZVA 66, 67 & 68 LENDING TO THE POOR PART 2

SEFER HACHINUCH MITZVAH 66

The commandment of lending to the poor person: To lend to the poor person - according to what is in reach of one's hand - in accordance with what [the poor person] needs, in order to give him space and to lighten his distress from upon him. And this commandment of lending is stronger and more obligatory than the commandment of giving charity. **As the duress and the darkness of one who whose duress is [already] known and revealed among people and has [already] asked from them is not the same as the one who has not yet come to this embarrassment and is [still] afraid to enter into it.** And if he would have a little assistance of a loan with which to make a little profit, maybe he will never need to come to asking. And [then] if God has mercy upon him with profit, he will pay his creditors, and he will live on the remainder (Sefer HaMitzvot LaRambam, Mitzvot Ase 197). And therefore, **our perfect Torah warned us about this to assist the impoverished man with a loan before he needs to come to ask**, as it is stated (Exodus 22:24), "If you lend money to My people."

The root of the commandment is that **God wanted His creations to be trained and habituated to the trait of kindness and of mercy**, since it is a praiseworthy trait. And from the refinement of their bodies with good character traits, **they will be fit to receive the good; as we have said that the good and blessing always descend upon the good**, and not upon its opposite. And when God does good to the good, He fulfills His will, since He desires to do good to the world. And if it were not for this, why would God need us -- does He not have enough for the lacking of the poor person without us? Rather, it was from His kindness that **He made us His messengers to give us merit. ...** And in the manner that we said [that it is] **in order to give us merit did a sage from our Sages answer a certain heretic who asked him if God loves the poor - as He commanded [to help] them - why does He not provide for them, etc. (Bava Metzia 10)**

The laws of the commandment are for example, which poor person is prioritized for this commandment; the many warnings that they, may their memory be blessed, warned us about it - as they said (Bava Batra 10a), **that a person who has [the wherewithal] but withdraws his hand from this commandment is pushed off and disgraceful and abominable and disgusting and detestable until his vileness is close to being like the vileness of idolatry**; and how beautiful and beloved and favored and blessed from several blessings is the one who supports it.

RAMBAM ON PIRKEI AVOT 3:15

הכלל צפוי, והרשות נתונה, ובטוב העולם גדון. והכל לפי רב המעשה

This statement includes great things and [so] it is fitting that this statement would be of Rabbi Akiva. ... He said all that is in the world is known to Him. And that is his saying, "Everything is foreseen." And afterwards he said [that] you should not think that in His knowing actions [in the future], it is obligated by necessity - meaning to say that a person is forced in his actions to [do one] action out of the [many] actions. The matter is not like this, but [rather] freewill is in the hand of a man as to what he will do. And this is his saying, "and freewill is given. ... And the prophet said (Psalms 145:9), "Good to all is the Lord." And afterwards he said that the virtues do not come to a man according to the quantity of the greatness of the deed, but rather according to the great number of good deeds. And this is that indeed the virtues arrive by repetition of the good deeds many times. And with this does a strong acquisition come - not when a man does one great deed from the good deeds; as from this alone, a strong acquisition will not come to him. **And the parable with this is that when a man gives a thousand gold coins at one time to one man to whom it is fitting and he does not give anything to another man; the trait of generosity will not come into his hand with this great act, as [much as] it will come to one who donates a thousand gold pieces a thousand times and gives each one of them out of generosity. [This is] because this one repeated the act of generosity a thousand times and a strong acquisition of it came to him [in this way]. But [the other] only aroused his soul with a great arousal towards a good act, and afterwards it ceased from him.** And so [too] with Torah, the reward of the one who redeems one captive with a hundred dinar or [gives] charity to a poor person with a hundred

dinar which is enough for what he lacks is not like the one who redeems ten captives or fills the lack of ten poor people - each one with ten dinar. And in this comparison and this matter is that which he said, "in accordance to the majority of the deed" - and not in accordance to the greatness of the deed.

RABBI YAAKOV EMDEN, LECHEM SHAMAYIM ON AVOT 3:15

"There is more reward in giving 100 coins all at once (to one person), for two reasons. First, one conquers one's will more by giving a large sum of charity, which is very weighty, than by giving smaller sums, which are not that weighty on him. Even if one gives small sums (to multiple recipients) all at once, it does not conquer the will. How much the more so one who gives those small sums (to multiple recipients) over a period of time. And from the perspective of the recipient, it is also better (to receive more). Because it is better to give to a poor person enough to make a living from, rather than giving to many poor people, none of whom will receive enough benefit to really earn a living..."

RAMBAM MISHNEH TORAH, GIFTS TO THE POOR CHAPTER 10

- i) We must be especially careful to observe the mitzvah of tzedakah, more so than any other positive mitzvah, for tzedakah is a sign of the righteous [tzadik] lineage of Abraham
- ii) Never has anyone become poor by giving to tzedakah, nor has anything bad ever come of it, nor has any harm occurred because of tzedakah ... And if someone is cruel and without compassion, then his lineage is suspect ... **And if a brother does not show compassion for another brother, then who will have compassion for him? And to whom can the poor of Israel look? To the idolatrous nations that hate them and pursue them? They can only look to rely upon their brothers.**
- iii) Anyone who averts his eyes from [the need of] tzedakah is called Belial ["Wickedness"], just as the idolaters worship Belial, and of the idolaters Scripture says, (Deut. 13:14) That some scoundrels [children of Belial] from among you have gone [and subverted the inhabitants of their town] by averting their eyes from [the need of] tzedakah. It says, (Deut. 15:9) Beware lest you harbor a base [belial] thought.
- iv) **Anyone who gives tzedakah to a poor person with a scowl and causes him to be embarrassed, even if he gave him a thousand zuz, has destroyed and lost any merit thereby. Rather, one should give cheerfully, with happiness [to do so] and empathy for his plight,** as it is said, (Job 30:25) Did I not weep for the unfortunate? Did I not grieve for the needy? And one should speak to him words of comfort.
- v) If a poor person asks of you, and you do not have anything in your possession to give to him, comfort him with words. It is forbidden to speak harshly to a poor person or to raise your voice in a shout, for his heart is broken and crushed. .. **Rather, let him be like a father to him, in compassion and in words, as it is said, (Job 29:15) I was a father to the needy.**
- vi) **One who coerces others to give tzedakah is considered to have performed even a greater deed than the person who actually gives ... Of collectors of tzedakah and similar people it is written, (Daniel 12:3) Those who lead the many to righteousness [matzdiké harabim] will be like the stars [forever and ever].**
- vii) **There are eight levels of tzedakah, each one greater than the other. The greatest level is to fortify a fellow Jew and give him a gift, a loan, form with him a partnership, or find work for him, until he is strong enough so that he does not need to ask others [for sustenance]. Of this it is said, (Lev. 25:35) [If your kinsman, being in straits, comes under your authority,] and you hold him as though a resident alien, let him live by your side. That is as if to say, "Hold him up," so that he will not fall and be in need.**

SIFRA (BEHAR)

This compares to a person supporting a colleague who is stumbling. Before he falls, one person can hold him up. Once he falls, even five people cannot raise him. Moreover, if a person is given gifts in this way, his self-esteem is not impaired and he does not develop a negative self-image.

ודע כי בשבת (שבת סג א) אמרינן: גדול המלוה יותר מהעושה צדקה, ומטיל בכיס יותר מכולם. ופירש רש"י: לפי שאין העני בוש בדבר, כשמטיל בכיס מעות להשתכר בהם למחצית שכר וכו' – שהמלוה מעות לחברו בלא ריוח – הלוה בוש שהוא נהנה מחבירו, במה שאין חבירו נהנה כלל. אבל המטיל לכיס אינו בוש כלל, מאחר ששניהם נהנים. עד כאן לשונו

MISHNEH TORAH, GIFTS TO THE POOR (continued), 10:18

A person should always construct himself and bear hardship rather than appeal to people at large and make himself a burden on the community. Our Sages commanded, saying: "Make your Sabbaths as weekdays, and do not appeal to people at large." Even a distinguished sage who becomes poor should involve himself in a profession - even a degrading one - rather than appeal to people at large. It is preferable for a person to skin the hide of animal carcasses, rather than tell people: "I am a great sage..." or "I am a priest, grant me sustenance." Our Sages commanded conducting oneself in such a manner. There were great sages who were woodchoppers, porters of beams, water-carriers for gardens, and iron-smelters and makers of charcoal, but they did not ask anything from the community, nor did they accept gifts that were given to them.

RABBI SACKS: Meaning of Word Tzedakah

It arises from the theology of Judaism, which insists on the difference between possession and ownership. Ultimately, all things are owned by G-d, creator of the world. What we possess, we do not own – we merely hold it in trust for G-d. The clearest example is the provision in Leviticus: 'The land must not be sold permanently because the land is Mine; you are merely strangers and temporary residents in relation to Me' (Leviticus 25:23).

If there were absolute ownership, there would be a difference between justice (what we are bound to give others) and charity (what we give others out of generosity). The former would be a legally enforceable duty, the latter, at best, the prompting of benevolence or sympathy. In Judaism, however, because we are not owners of our property but merely guardians on G-d's behalf, we are bound by the conditions of trusteeship, one of which is that we share part of what we have with others in need. What would be regarded as charity in other legal systems is, in Judaism, a strict requirement of the law and can, if necessary, be enforced by the courts.

SEFER HACHINUCH MITZVAH 67

That we not demand the debt of a poor person that does not have with what to pay: That we have been prevented from demanding the debt of the borrower at the time that we know that he can not pay his debt, since he does not have [the money] - as it is stated (Exodus 22:24), "do not be to him as a creditor." And know that this preventing also includes not to lend with interest to [another Jew]. ... From the laws of the commandment is that which they said (Bava Metzia 45b), "From where [do we know] about one who gave a hundred to his fellow and knows that he does not have it, that it is forbidden to pass in front of him (across from his home)? As it is stated, 'do not be to him as a creditor'

MITZVAH 68

That we not give a hand between the borrower and the creditor with interest: To not be involved in an interest loan between the borrower and the creditor - meaning to say that we do not act as a guarantor for them and that we do not write a deed for them that has a mention of interest - as it is stated (Exodus 22:24), "you shall not place interest upon him." And the explanation comes in Bava Metzia 75b that this negative commandment is stated about those involved in the matter, such as the guarantor, the witnesses and the scribe.

It is from the roots of this commandment [that it is] because the good God ... commanded to remove the obstacle from their path, that one should not swallow up the wealth of his friend without his [even] feeling it, until he finds his house empty of all good. As this is the way of interest, and the matter is well-known, and that is why it is called, "bite (neshekh)." And in the avoidance of this matter by the guarantor, the scribe and the witnesses, people will avoid it.