

Hesed, The Emotional Component of Tzedakah: Consolation, Joy and Empowerment in Maimonides and Erich Fromm

- A. Biblical and Rabbinic *Hesed*
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Erich Fromm's *The Art of Loving* (1956) and Maternal Love

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A. Biblical and Rabbinic *Hesed*

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"The Rabbis said to Rabbi Yehoshua ben Levi: Today little school children came to the Beit Midrash (the study hall) and spoke of things the like of which were not even said in the days of Joshua, son of Nun [the student of Moshe]. [These pupils recited the alphabet and thereby strung together letters into sentences that teach moral wisdom as exemplified in the following:]

Aleph Bet means: "Study (*Aleph –ulpan* in Aramaic) wisdom (*Binah*)!

Gimel Dalet means: Grant lovingkindness (*Gemol Gemilut hasadim*) to the poor (*Dal*)!

What is the significance of the shape of the letter Gimel that extends its 'leg' [as if running]?

It teaches that the way of giving lovingkindness (*Gemilut hasadim*) is to run after the poor (*Dal* of Dalet) [to provide their needs].

And why does the leg of the *Gimel* stretch out toward the *Dalet*? [So that the giver will take the initiative] to offer tzedakah [to the needy before they have to put out their hand and ask].

But why is the *Dalet* turned away from the *Gimel*? To maintain secrecy / anonymity in giving to the poor so they may avoid embarrassment [by face to face contact]." (TB Shabbat 104a)

"On my bulletin board hangs a *New Yorker* cartoon in which a prosperous looking man with a briefcase, mouth set grimly, is ignoring a stubble-faced fellow holding out his hat. The man asking for the handout looks annoyed, and he says, **'It's not as if I'm asking you to acknowledge our common humanity.'**"ⁱⁱⁱ

"When a person is rich and has a poor relative, he does not acknowledge him; for when he sees his poor relation, he hides himself from him, being ashamed to speak to him, because he is poor." (Exodus Rabbah 31:12)

Tzedakah even without love still counts as tzedakah. However, the Rabbis do use the term *hesed*, compassion and love, the emotional quality of giving. *Gemilut hesed* is about a giving that builds a relationship, not necessarily giving money to the poor. They extensively praised acts of lovingkindness - in which giving is not measured by objective standards, dutifully-fulfilled as a mitzvah or exacted by coercion under the auspices of the communal tax collectors and the court. The quality of *hesed*, the willingness to give of oneself, is a Divine and human trait, expressed in concrete, personal actions – visiting the sick, burying the dead – suffused with emotional care.

How are these two activities, *tzedakah* and *gemilut hesed*, related? In an unusual use of terminology, the last Lubavitcher Rebbe, Menahem Mendel Schneerson, categorizes both these two activities as tzedakah, but he rates the emotional act of comforting the poor as the main point of tzedakah:

"There are two parts to the mitzvah of tzedakah:

- (1) giving to the poor to fill their needs.

- (2) giving with a smiling countenance (a welcoming face) to express one's emotional participation which the Rabbis call 'appeasing the poor with words'ⁱⁱ (*m'faiso b'dvarim*). That, the latter, is the main point of tzedakah.^{iii iv}

Let us begin Part Four with a complex survey of notions of Biblical and rabbinic *hesed* and how they relate to acts of tzedakah in particular and acts of legal obligation in general.

Biblical *Hesed*

The Stork = *Hasida* = *Avis Pia*

In the ancient world of Greece, Egypt and Judea, the stork is identified not with bringing babies but with demonstrating lovingkindness – *hesed*. In Latin *Avis Pia* means “pious bird.” Ornithologists have noticed how a pair of storks will stay together all their lives and share the care of their nests and their young. They return year after year to the same nest. In Hebrew this bird is called *hasida*, and the Rabbis asked why: “Why is this bird called *hasida*? Because she does *hesed* to her fellow storks” (TB Hulin 63a).

Translating the Biblical term *hesed* into English is not a simple affair. In the Greek Septuagint it is usually rendered as *eleos* which means “mercy.” In practice *eleos* comes to mean alms-giving and in archaic English one who gives alms is called “**elemosynary.**” The study of *hesed* by modern scholars has often involved a tug of war between a more classically (1) “Christian” view that *hesed* is an act of loving grace or mercy from a powerful being to a weak one, and a more (2) “legalistic” view based on justice and obligation. One scholar defines *hesed* as “goodness or kindness . . . beyond what is expected or deserved, based solely on ready magnanimity toward others.”^v Thus, the Coverdale Bible (1535) translates *hesed* as “lovingkindness” and the King James (1611), as “kindness.” *Brown, Driver, Briggs Hebrew Lexicon* (BDB) defines human *hesed* as “kindness of men towards men, in doing favors and benefits; kindness^{vi} extended to the lowly, needy and miserable; mercy, though sometimes it is rarely a term for the affection, loyalty or love of Israel to God.” But others prefer the translation as “love, goodness or loyalty”^{vii} which the BDB lexicon treats as a rare usage. The archeologist Nelson Glueck emphasized the close relationship of *hesed* (loyalty, covenantal love) to *brit* (covenant) as “conduct in accordance with the mutual relationship of rights and duties between allies.”^{viii}

However, in an original study of Biblical *hesed*, Katharine Sakenfeld^{ix} argues that *hesed* is neither one-sidedly an act of grace as in Paulinian Christian charity nor simply a legal obligation as in rabbinic tzedakah; rather, *hesed* begins as a voluntary act and then often generates a reciprocal covenantal obligation. Let us review her conclusions.

Initially, *hesed* is primarily a voluntary and extraordinary act of kindness between one in a stronger position to one in, at the very least, a temporarily weaker situation. That request usually reflects desperation by the one requesting it and a special capability that only the one to whom the plea is directed can fulfill. The parties to requesting and granting an act of *hesed* may either be in an intimate relationship such as father-son or husband-wife, or they may be outsiders who owe each other nothing.

In both cases the request is **something extraordinary**. For example, while the wife is generally subordinate to the husband, in this case there is a reversal because Abraham is endangered as a foreigner with a beautiful and hence poachable wife in the court of King Avimelekh to which he has been forced to flee from the famine in Canaan. Sarah is asked for *hesed* by her now weaker and more vulnerable husband. Her *hesed* is to lie and pretend she is his sister and submit to sexual appropriation by King Avimelekh (Gen. 20:13). Another such *hesed* is the request of the all-powerful Joseph, second only to Pharaoh, which reverses the usual father-above-son subordination. Joseph is asked for *hesed* by his father Jacob to be buried by his son back in Canaan, even though Jacob did not do the same for Joseph's mother Rachel who died on the road and was buried along the way (Gen. 47:29).^x

Where no prior relationship existed, a new relationship is formed out of this act of grace. Even though the gift of *hesed* is not morally or legally obligatory, it generates an obligation for reciprocity of gratitude and recognition impelled by a strong moral duty to return the favor or goodness measure for measure. Between outsiders who had no previous relationship, reciprocal obligations are born, often solemnized with an oath. Thus an act of *hesed* can found a political alliance among potential enemies. For example, Joseph requests to be remembered and redeemed from prison after interpreting Pharaoh's imprisoned cup-bearer's dream (Gen. 40:14). Rahav, the prostitute, volunteers to hide Joshua's spies under very dangerous circumstances and betray her own king, which is an act of *hesed* to the spies. Then she requests in return that her family be saved, even though Joshua is commanded to destroy all Canaanites. That covenant is sealed with an oath, but the spies are only asked to make a commitment *after* she has already rescued them from the king on her own initiative (Josh. 2:12-14). Abraham, as a resident alien, received what Avimelekh, king of the Philistines, considers acts of *hesed* and on that basis the king appeals to Abraham's sense of moral obligation to conclude a covenant of reciprocal *hesed* for all subsequent generations (Gen. 21:23). In each of these Biblical situations there is a mixture of self-interest and generosity, but the acts of kindness generally precede the commitment to reciprocity requested by the giver of *hesed*. It is assumed that while one may be temporarily advantaged and able to render a *hesed*, the situation may readily be reversed. Thus, *hesed* creates bonds of mutual aid in a precarious world - bonds that would not have been formed simply based on a contract of self-interest, if it weren't for an initial, extraordinary act of kindness.^{xi}

The qualities of a *hesed* relationship are characterized by Katherine Sakenfeld as follows:

- "*Hesed* is not associated with inanimate objects or concepts; it always involves **persons**."
- "*Hesed* in its most basic form is a specific **action**, but from a series of such actions the term may also be abstracted to refer to an **attitude** that is given concrete shape in such actions."
- "The help of another is essential; **the person in need cannot perform the action, and the help itself is essential**; the needy person's situation will turn drastically for the worse if help is not received."
- "The circumstances dictate that **one person is uniquely able to provide the needed assistance**; there is no ready alternative if help is not forthcoming from this source."
- "**The person in need has no control over the decision of the person** who is in a position to help, and there are no legal sanctions for failure to provide help; often no one else will even know of a negative decision."

- “The potential helper must make a **free moral decision**, based essentially on commitment to the needy person within the relationship.”
- “While self-interest might occasionally encourage a positive response, the term *hesed* focuses the rationale for action on **commitment to the other, not on advantage to the actor.**”

Sakenfeld suggests that God's *hesed* to Israel combines both the covenantal language of legal *obligation* and the *freedom* of choice to grant or withhold the kindness without moral censure:^{xii}

“Israel understood God to be *committed* to the community [of Israel] in a covenantal relationship, the One who provided for all needs, yet the One who is always *free* and uncoercible. The Hebrew term *hesed* compactly incorporates all three of these dimensions - (a) commitment, (b) provision for need, and (c) freedom - in a single word.”

After God swears his oath to the ancestors, Abraham, Isaac and Jacob, and after God agrees to the two-sided covenant at Sinai, God is obligated to Israel's welfare. Now Israel may rightfully complain, as many authors of Psalms do - where is God's salvation? Israel may sue for fulfillment of God's *hesed* as loyalty and covenantal love. Yet *after* Israel abandons God's law, then *hesed* as grace and forgiveness is required to renew the broken relationship. Then God is, of course, within God's rights to withdraw *hesed* because of Israel's disobedience. Israel has violated not only the formal legal covenant, but also failed to reciprocate God's initial free acts of *hesed* (Jeremiah 16:5b). Yet God may, out of a desire for an ongoing relationship, overlook Israel's failed reciprocity and grant “forgiveness as a freely offered act and gift from God.”^{xiii} Thus, Moshe appeals to the thirteen attributes that include *hesed* when asking God to forgive the sin of the Golden Calf (Exodus 34:6-7). A covenant founded on *hesed* is more durable. Thus in choosing David's dynasty, God shows *hesed* by reassuring David that even though his descendants will violate the covenant, God has, in advance, forgone the right to abrogate the covenant. The royal violators will be rebuked and punished as a father reproves his son, but the covenant and the relationship are eternal (II Samuel 7 and Psalm 89:33-34).

Sakenfeld concludes by bringing *hesed* into a direct connection to aid to the poor:

“When Micah declares the Lord's requirement to ‘do justice (*mishpat*), love goodness (*hesed*), and walk humbly with God’ (Micah 6:8), he expands the sphere of relationship to encompass every Israelite. *Hesed* involves **active concern for the well-being of all the people of God, not just those known personally, and particularly the poor.** This advocacy for the weak, through rescue or protection or defense in the courts, is to be taken on freely (as the content of *hesed*), even though it would be easy not to do so and there would be little or no consequence to the actors for failing to do so.”

Note that *hesed* is not in principle selfless and altruistic. One who does *hesed* is likely to be treated with *hesed*.^{xiv} In fact, God is expected to reward the *hesed* that one shows to the needy. For example, Boaz asks God to bless Ruth for her *hesed* (Ruth 3:10) and Nehemia prays that God will remember his good deeds and grant him *hesed* (Nehemia 13:14). Thus *hesed* turns out to be triangular rather than binary. One does *hesed* to a third party and then God will reward the giver with Divine *hesed*.

In rabbinic usage, *hesed* is often a human act imitating God's traits of *hesed*. Abba Shaul said, “Just as God is merciful and compassionate, so shall you be merciful and

compassionate” (Mekhilta d’Rabbi Yishmael, BeShalakh 3). But such piety is not usually legalized and formalized. *Gemilut hasadim* does not imply a covenantal relationship between giver and receiver, but rather an act outside of legal obligation. Yet, as we shall see, "one good turn deserves another" in some non-binding sense; one act of mercy or *hesed* does create some presumption of expectation of reciprocity. But it is God – not human beings – whom we expect to reciprocate with *hesed* for our acts of tzedakah as *hesed*.

In summary, the Israeli *Encyclopedia Mikrait* distinguishes – perhaps too sharply - between Biblical and rabbinic uses of *hesed*. *Hesed* in the Bible is quite different from its later development in rabbinic thought. Biblical *hesed* is a good deed in relations that are intimate and reciprocal such as son to father, husband and wife, friends, including God to God's friends.^{xv} It is not strictly legally required and it reflects an emotional relationship of loyalty (*emet*), so it is not usually a matter of covenantal obligation. Nor is it an act of grace (*hen*) between a very powerful and very weak person or the natural mercy of parent for child. So it does not apply to helping the poor or pursuing justice for the persecuted. However, the classical prophets expanded the use of *hesed* to apply to all human beings as a moral ideal (Hosea 1:6; 10:12; 12:7; Micha 6:8). In the Septuagint it is translated by the term for compassion – *eleos* -- and rabbinic uses of *hesed* can also be translated as expressions of mercy and compassion involving no expectation of reciprocity, such as burying the dead or comforting the poor, which is called *hesed shel emet*, true compassion.

Originally, Biblical *tzedakah* was not synonymous with *hesed* but with *mishpat* (justice in law). More generally, "*tzedakah umishpat*" is one term whose two words do not carry separate interacting meaning. Such a paired term is called a *hendyades*, as for example in the phrase "raining cats and dogs."

However the Talmudic Rabbis loved to split such phrases and derive extra meanings from each term as well as point out an inner polarity within the notion of justice. *Mishpat* was identified with strict judicial justice, while *tzedakah* had to stand, by contrast, for mercy, forgiveness and generosity that went beyond rights. Thus the Rabbis queried:

It says of David: "David acted with justice (*mishpat*) and mercy (*tzedakah*)" (II Samuel 8: 15).

But isn't it true that that any place you find justice (*mishpat*), you will not find mercy (*tzedakah*) and vice versa?

Think of it this way: what is justice (*mishpat*) joined with mercy (*tzedakah*)? Compromise.

Another view:

“King David as a great judge would levy judgment strictly without compromise:

He would exonerate the innocent and convict the guilty without bias. However if he declared that a poor person was obligated to make a payment, David himself would pay the judgment from his own pocket. This is justice (*mishpat*) and mercy (*tzedakah*). Justice to the plaintiff who was paid what he was owed and tzedakah to the poor who received the money needed from King David.” (TB Sanhedrin 6b)

In rare cases in the Bible, *tzedakah* may mean *hesed*, the kind of voluntary acts which generate an obligation to repay them with justly-deserved reciprocal *hesed*. Thus, Abraham's faith in God that the promise of offspring, which seemed impossible, would still come true was regarded as *tzedakah* = a meritorious act of *hesed* beyond the call of duty

(Gen. 15:7). So it says, *Sow righteousness (tzedakah) for yourselves, reap the fruits according to hesed* (Hosea 10:12). The act of mercy or loyalty may be voluntary and exceptional but it generates a merit, a "justification," as the New Testament calls it, and it engenders a reward of reciprocal *hesed* for the giver.

Rabbinic Tzedakah versus *Gemilut Hasadim*, Acts of Lovingkindness

“Rabbi Elazar: *Gemilut hasadim*, acts of lovingkindness, are greater than tzedakah.” (TB Sukkot 49b)

Let us first address the well-known rabbinic terminological distinction between tzedakah and acts of lovingkindness, which is appraised as more worthy than tzedakah:

“Tzedakah and *gemilut hasadim* are valued as equivalent to all the other mitzvot of the Torah together.¹

However, tzedakah is for the living, while *gemilut hasadim* is for the living and the dead. Tzedakah is for the poor, while *gemilut hasadim* is for the poor and the rich.

Tzedakah is rendered from one’s money, while *gemilut hasadim* is rendered with one’s money and one’s body.”² (Tosefta Peah 4:19, see also TB Sukkah 49b)

What are the conceptual differences implicit in this catalogue of dialectical comparisons between tzedakah and *hesed*?

First, tzedakah is restricted to the living and its task to support their livelihood, as it says, *your brother shall live with you* (Lev. 25:35 - *v’hai akhikha imakh*). Further, in helping one's brother or one's neighbor, there is an implicit expectation of reciprocity, such that the brother will help you out when you are in financial trouble; however, *hesed* is extended to the burial of the dead, identified as *hesed shel emet*, the true *hesed*, for which there is no expectation of return from the deceased. That concept first appears when Jacob asked his son Joseph, vizier of Egypt, to have him buried back in Canaan in the family tomb in Hebron. Jacob makes use of the phrase *hesed v’emet*, “do for me a truthful kindness” (Gen. 47:29).³ Rashi explains, “The kindness performed for the deceased is **truthful kindness**, in that one does not anticipate any payback.” Since the medieval, period that act of *hesed* has

¹ Rav Assi: “Tzedakah is equivalent to all the mitzvot.” (TB BB 6b) and “Tzedakah and *gemilut hasadim* are equivalent to all the mitzvot” (Tosefta Peah 4: 19) are two of many such sermonic exaggerations that use the hyperbole, “Talmud Torah is equivalent to all of them” (Mishna Peah 1:1); circumcision (Tosefta Nedarim 2:6); residing in *Eretz Yisrael* (Tosefta Avodah Zara 4:3) and bringing peace (Avot d’Rabbi Natan B #24). .

² "Rabbi Yochanan [known for fabulous physical beauty] used to sit in the gates of the mikveh so the daughters of Israel, seeing him, would conceive wise and beautiful children [according the ancient scientific belief that one produced a child based on what one had in one’s mind at the moment of conception]. **Nothing is greater than *gemilut hasadim* , lovingkindness**. So, too, he comforted those who had lost a child by saying: ‘Look at this bone [around my neck], it is my tenth lost child.’” (TB Brakhot 5b) (*Me’il Tzedakah* by Elijah HaKohen, #1121)

³ In the Biblical context a son has a duty to bury his father out of honor and out of gratitude for bringing him up, but Jacob is feeling guilt over having left Joseph's mother, Rachel, in a roadside grave in Bethlehem, and so he asks for a kindness without merit for Joseph to care for him in death more elaborately than he had cared for Rachel upon her death.

become the special provenance of voluntary Jewish associations called the holy society, the *hevra kaddisha*, who handle funerals for all, especially for the indigent.

A moving, contemporary example of helping the dying with their nonmaterial needs is the "**Make-A-Wish Foundation.**" Since 1980, this organization has granted the wishes of 150,000 children with the help of volunteers. Bill Clinton, in *Giving* (p. 49), mentions that the first child who made such a wish was a seven-year-old with leukemia who wished to become a police officer. Just before the child passed away, a US Customs officer took him on a helicopter tour, inducted him as an honorary patrol officer with an oath and gave him an official customs officer uniform.⁴

Second, tzedakah takes the form of money, an **abstract** representation of buying power that can presumably be "alienated" (given away) more easily than one's time or one's physical and emotional resources in serving the needs of others. So *hesed* is a giving of yourself, of your physical efforts to minister to the physical needs of others who cannot help themselves, of your time, of your love, and therefore it has a transformatory power both for the giver and the recipient. Jonathan Sacks characterizes *hesed* in this sense:

"Where tzedakah is a gift or loan of money, *hesed* is the gift of the person. It costs less and more: less because its gestures often cost little or nothing, more because it takes time and attention, existential generosity, the gift of self to self. **More than anything else, *hesed* humanizes the world.**"^{xvi}

Third, tzedakah as "just giving" belongs to a world of **quantifiable** resources easily prioritized, institutionalized, defined objectively and even coerced, for the collection of tzedakah can be exacted by legal and physical coercion.^{xvii} Maimonides, in the *Guide to the Perplexed* III (53) contrasts justice (*tzedek*) as "measured giving of what is due," with *hesed* as always going beyond what is due. If all giving were in the form of taxes, it would fail to express the personal quality of generosity which is beyond the call of duty. For example, originally the Rabbis understood *peah*, leaving the unharvested corners or edges of the field for the poor as an act of *hesed* – without stipulated amounts. Later there was a legal minimum set but not a maximum, so the individual's discretion resides in how much of their corners of the field they set aside for the poor:

“THE FOLLOWING THINGS HAVE NO [FIXED] MEASURE:
PEAH [EDGES], FIRST-FRUITS, APPEARING [AT THE TEMPLE], TZEDAKAH, AND TORAH STUDY.

THE FRUITS OF THE FOLLOWING THINGS ONE ENJOYS IN THIS WORLD, WHILE THE CAPITAL [OF THE REWARD] REMAINS INTACT FOR HIM IN THE WORLD TO COME: HONORING FATHER AND MOTHER, [DEEDS OF] LOVINGKINDNESS, AND BRINGING ABOUT PEACE BETWEEN A PERSON AND HIS FELLOW; AND TORAH STUDY IS EQUAL TO THEM ALL.

"THE *PEAH* [LEFT UNHARVESTED] SHOULD BE NO LESS THAN A SIXTIETH -- EVEN THOUGH IT HAS BEEN TAUGHT THAT *PEAH* HAS NO [FIXED] MEASURE.

⁴ Similarly, an exemplary act of kindness to the dying who can no longer be helped by medicine is provided by John Beltzer's "Love Songs" in which musicians volunteer to compose original melodies and lyrics for terminally ill children.

IT ALL DEPENDS ON THE SIZE OF THE FIELD, ON THE NUMBER OF THE POOR,
AND ON THE EXTENT OF PIETY." (Mishna Peah 1:1-2)^{xviii}

Acts of lovingkindness cannot, by definition, be coerced, even if they are called commandments. The quality of love must flow freely or else the acts of *hesed* will ring false and the recipients will see through the hypocrisy of forced "volunteerism." *Hesed* is commended by the halakha but not legally defined in terms of amounts of time or priorities compared to other valuable activities. Non-compliance invokes no legal sanctions. Still, *hesed* has also been institutionalized within the voluntary sector on the form of **voluntary associations** not only for burial society (*hesed shel emet*), but also societies for visiting the sick and preparing a bride for her wedding.⁵

Hesed flows from the inner spiritual world of the giver, while rendering tzedakah and, more generally, acts of social justice require no essential emotional mindset. Nor is tzedakah a free choice in so far as it is a matter of social justice. Nor ideally does communal tzedakah deserve thanks or praise for doing the right and obligatory thing. "Just giving" ought to be secret so as not to shame the poor, though institutionally its administration must be transparent, subject to critical audits. While distributors of tzedakah must be above board in all aspects, both the giver of tzedakah and the doer of *hesed* do not have to be completely righteous or caring people. But the giver of tzedakah ought to subject his amount and designee of tzedakah to standards of comparative allocations and true need, not demanded of acts of *hesed*. Communal tzedakah should be hard-headed, entailing checking one's facts, making sure one is not being deceived and making demands on the recipient to use the funds well, while doing *hesed* has a nonjudgmental sweetness, undemanding and uncomplicated by moral or political dilemmas.^{xix} In the case of acts of social justice, hard-headedness often involves struggling against injustice, such as vested interests. In the case of tzedakah allocations competing claimants must be considered. For example:

"IF SOMEONE DIED LEAVING A WIFE, HEIRS AND CREDITORS, AND HE HAD A
LOAN OR DEPOSIT, THEN RABBI TARFON SAYS GIVE IT TO THE MOST NEEDY
(THE GREATEST FAILURE – *KOSHEIL*).
BUT RABBI AKIBA SAYS ONE DOES NOT MIX COMPASSION WITH JUDICIAL
DECISION-MAKING. (Mishna Ketubot 9:2)

Fourth, the distinction between tzedakah as "just giving" and *hesed* can be defined by contrasting the primary emotional needs they address – avoidance of shame or direct emotional encouragement and warmth. The ideal delivery of tzedakah as just giving should be anonymous in order to avoid the face-to-face donor-recipient human contact that generates shame, not consolation. The two roles – delivering financial support and offering emotional support - are for the most part separated institutionally, so as not to cause the "shamed-faced poor" to avoid asking for needed help lest they be embarrassed. That shame would be exacerbated in giver-recipient encounters when reluctant givers, struggling to decide whether to give anything and how much to give to a passing beggar, cause even more pain and dehumanization. So the rabbinic solution preferred is a mechanism of giving with anonymity and professionalization of distribution. Financial dependence does not

⁵ In modern Jerusalem and now all over Israel there is the medical equipment service, Yad Sara, run by volunteers, which lends out medical equipment at no cost, and Enosh which keeps track of the elderly in their homes with emergency beepers that the elderly can activate.

make relationships easy, which is one of the reasons why many social welfare systems today have separated the role of supervising distribution of aid from the role of the social workers who offer social and psychological counseling. By contrast, givers of *hesed* believe in the potential for a healthy, spiritually and emotionally-enriching relationship built on helping another, while the givers of *tzedakah* often suspect that shame, resentment, *hubris* and inequality will deform such relationships which are better avoided to maintain human dignity.

Avi Sagi, professor of philosophy at Bar Ilan University, identifies *hesed* and *tzedakah* as two contrasting kinds of ethics:

“Both these schools of ethics have their weaknesses. The **ethics of compassion** does not help us decide between priorities. It too often concentrates on one person without seeing the big picture. It works piecemeal without either the passion for *tikkun olam* [social justice and structural reform] nor for bureaucratic efficiency and generality. Its givers are often idiosyncratic if not corrupt in their personal preferences. Equality is not a value.

“But the **ethics of justice** is too abstract and treats the recipient as an object fitted into bureaucratic categories. It can provide material aid to an individual but often destroys human connectedness. In the name of the system the individuals are numbers, not persons in pain.”
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Fifth, *tzedakah* is for the poor, a particular economic class of people, which many givers think they will never have to join. But that is wrong. Everyone has needs at one time or another, though not necessarily economic ones, so *hesed* is for everyone. The need for *gemilut hasadim* is a universal equalizer, whether for the rich or the poor, while *tzedakah* immediately separates hierarchically between more and less endowed donors and their more or less dependent recipients.

Sixth and last, *tzedek* and *hesed* can be distinguished by noting the difference between **impartial respect** and **relational care**:

"*Hesed* is a different kind of virtue from *tzedakah*. Helpful in this context is the distinction suggested by the Israeli philosopher Avishai Margalit^{xxi} between morality and ethics. **Morality** refers to the universal principles we use in dealings with humanity in general: our relationships with strangers. **Ethics**, by contrast, refers to our relationships with those with whom we share a special bond of shared memory and belonging: family, friends, fellow countrymen, or people with whom we share a faith. The two systems have a different tonality: **Morality** is greatly concerned, for example, with respect and humiliation . . . **Ethics**, on the other hand, is greatly concerned with loyalty and betrayal."^{xxii}

“This is the best way of understanding the difference between *tzedek* and *mishpat* (justice and equity) on the one hand, *hesed* and *rakhamim* (love and mercy) on the other. *Tzedek* and *mishpat* belong to morality. *Hesed* and *rakhamim* belong to ethics. The former are about justice, the latter about loving attention, for which the simplest English term is *care*. Justice is and must be impersonal. *You shall not recognize persons in judgment* (Deuteronomy 16:19). The beauty of justice is that it belongs to a world of order constructed out of universal rules through which each of us stands equally before the law. ***Hesed*, by contrast, is intrinsically personal.** We cannot care for the sick, bring comfort to the distressed or welcome a visitor impersonally. If we do so, it merely shows that we have not understood what these activities are.

“Justice demands disengagement. *Hesed* is an act of engagement. Justice is best administered without emotion. *Hesed* exists only in virtue of emotion, empathy and sympathy, feeling-with and feeling-for. We act with kindness because we know what it feels like to be in need of kindness. We comfort the mourners because we know what it is to mourn. *Hesed* requires not detached rationality but emotional intelligence.”^{xxiii}

While these conceptual distinctions between tzedakah and giving of oneself are enlightening, often in practice, many volunteers combine financial and volunteer work gifts, thus integrating both forms of generosity in a society of collective responsibility and giving.⁶

To sum up this introduction and transition into the topic of this chapter on the emotional aspect of giving, let me cite the poetic characterization of *hesed* proposed by Jonathan Sacks in his inspirational book, *To Heal a Fractured World*:

"What is *hesed*? It is usually translated as 'kindness,' but it also means 'love' - not love as emotion or passion, but love expressed as deed. Theologians define *hesed* as **covenant love**. Covenant is the bond by which two parties pledge themselves to one another, each respecting the freedom and integrity of the other, agreeing to join their separate destinies into a single journey that they will travel together, *fearing no evil, for You are with me* (Ps. 23:4). Unlike a contract, it is an open-ended relationship lived toward an unknown future .

“In one of the loveliest lines in the prophetic literature, God says to Israel through Jeremiah, *I remember the kindness [hesed] of your youth, the love of your betrothal - how you were willing to follow Me through the desert in an unsown land* (Jeremiah 2:2). *Hesed* is the love that is loyalty, and the loyalty that is love. It is born in the generosity of faithfulness, the love that means being ever-present for the other; in hard times as well as good; love that grows stronger, not weaker, over time. **It is love moralized into small gestures of help and understanding, support and friendship: the poetry of everyday life written in the language of simple deeds.** Those who know it experience the world differently from those who do not. It is not for them a threatening and dangerous place. It is one where trust is rewarded precisely because it does not seek reward. *Hesed* is the gift of love that begets love.”^{xxiv}

⁶ On the NYC subway I once saw a **United Way Poster (2009)** appealing for funds and for volunteer work that combines the narrative of tzedakah and of *hesed*. It shows how giving builds solidarity, a communal sense of "we" whenever the individual gives of self:

Give. Advocate. Volunteer.

How to live United? Join Hands! Open your Heart! Lend your expertise!

Give 10%. Give 100%. Give 110%. Give an hour. Give a Saturday.

Think of WE, not ME. Reach out a hand to ONE. Influence the condition of ALL.

Martin Luther King, Jr., said: “Everyone can be great because everyone can serve!”

The Emotional Component of Tzedakah: Beyond Anonymity and Duty, Towards Relationship

"Receive every individual with a pleasant countenance." (Avot 1:15).

This teaches us that if one gave one's friend the most wonderful gifts in the world, while one turns one's face away, then it is regarded by the Torah as though one had given nothing at all [as it says in Deuteronomy 15:10 - *Nor shall your heart be grieved when you give him*]. Whereas, one who receives one's friend with a pleasant countenance, even if one gave nothing at all, is regarded by the Bible as though one had given the most wonderful gifts in the world [as it says in Proverbs 15:17 – *Better a meal of mere vegetables yet accompanied by love, than a meal of fatted ox accompanied by enmity*].” (Avot d’Rabbi Natan, Chapter 13)

Rabbi Yochanan says: “Better to whiten one's teeth with a smile to one's friend, than to feed them milk.” (TB Ketubot 111b)

“[If one did not give,] but one soothes the poor with beneficent words (*devarim tovim*), then from where do we know that they give him a reward? For it says, *For this thing (davar, also word) YHWH your God will bless you* (Deut. 15:10).” (Tosefta Peah 4:17)^{xxv}

Tzedakah need not be opposed to *hesed*, for one may be subsumed by the other, since both involve the overarching goal of a loving community of caring and helping. Tzedakah may be subsumed under *hesed*, as does Rav Y'hi'el Mikhel HaLevi Epstein in his 20th-C. expansion of the Shulkhan Arukh:⁷

"Tzedakah is one of the pillars of the world as it says: ‘On three things the world rests: Torah, Temple worship and *gemilut hasadim* (acts of loving kindness)’ (Avot 1). Tzedakah is included under *gemilut hasadim*." (Arukh HaShulkhan Y.D. 247:1)

Or, according to Yisrael Al-Nakawa, in *Menorat HaMaor* (14th C., Spain), tzedakah subsumes all acts of loving kindness: "The work of tzedakah is visiting the sick, burying the dead, comforting the mourners, and hospitality^{8 xxvi} is itself one of the most praiseworthy forms of tzedakah,^{xxvii} for it combines material aid to those in need (as travelers, if not necessarily as paupers) with social acceptance. So, too, the popular book of rationales for mitzvot, *Sefer HaHinukh* (14th C., Barcelona) teaches:

⁷ By contrast, Maimonides introduced his *Gifts to the Poor* under the rubric of justice, and the Arba Turim, Rabbi Jacob ben Asher, opens his rationale for giving tzedakah by declaring it a matter of *pikuakh nefesh*, of rescuing a life: "One must be very, very careful with tzedakah because it may lead to the spilling of blood, for the poor may die if one does not give them aid" (cited in Arukh HaShulkhan Y.D. 247:1)

⁸ Hospitality is generally a purely voluntary form of tzedakah, but Shabbatai ben Meir ha-Kohen (Cracow, 1621–1662, author of *Sifte Kohen* = *Shakh*) rules that in a community "one coerces one another to take in guests and to distribute for them tzedakah" (Sh. A. Y.D. 256).

"Now my son, do not think that the mitzvah of *tzedakah* applies, only to the poor people who have no bread or clothes, for it applies to the rich too. For example, a rich man may be in a place where he is not known, and finds himself in a position where he had to borrow money. There are also situations when a rich man, even in his own town, will need help because of illness or in cases where only you can help him and no one else. This too is, without doubt, in the category of *tzedakah* because the **Torah wants us to act in a loving and considerate way towards other people** as far as our means make it possible. In general, he who benefits another with gifts of money, food, other needs, and even with **kind and consoling words** – these acts are fulfillments of the mitzvah of *tzedakah* and his reward is great." (*Sefer HaHinukh* #479)^{xxviii}

This chapter is devoted to a narrative of giving with *hesed* in face-to-face interactions in which the emotional life of giver *and* receiver are enhanced and even transformed. Perhaps *tzedakah* as *hesed* should be recognized as the highest form of *tzedakah*. It begins by listening to the inner narrative of the poor, not with judging their eligibility for material aid with conceptual tools. So before plunging into our all-too-abstract distinctions among various kinds of emotional support, you may wish to hear how Elijah HaCohen of Izmir (18th C.) understood the emotional pain of one archetypal poor family (see footnote below).

B. Verbal Consolation: Responding to the Alienation and Pain of the Poor

"You must strengthen each and every one so they will not collapse mentally because of any worldly event. Even if you know yourself that he is just like you [in this weakness], nevertheless, strengthen your fellow, for it is easier to strengthen one's fellow than to strengthen oneself, 'for the one in prison cannot release himself' (TB Brakhot 5)." - Reb Nahman of Bratslav (1772-1810, *Sichot Hamaharan* #120)

"Rabbi Yitzchak says: Anyone who gives even the smallest coin to the poor is blessed six-fold, but one who consoles/appeases the poor with words is blessed eleven-fold!" (TB Baba Batra 9b)

The analytic distinction between monetary tzedakah and *gemilut hasadim* as personal service is hard to maintain in practice, for within the very act of giving financial aid is an occasion for human contact – whether by the donor or the tzedakah officials. While Maimonides' "higher levels" of tzedakah insist on anonymity and thus preempt contact with the needy in which human compassion can be shown, he demands that at his "lower" levels of tzedakah, where donor and recipient meet face-to-face, that words and gestures of *hesed* must be intertwined with the act of tzedakah:

(Level 7) "The next degree lower is for those who give less than is fitting but give with a **welcoming face**⁹ [a gracious mien]." (Maimonides, Gifts to the Poor, Chapter 10)

"One who gives tzedakah to the poor with a disgruntled expression and with a fallen face staring into the ground has lost the value of the gift even it amounts to 1000 gold coins. Rather you should give it with a welcoming expression, with joy and with empathetic identification with the misfortune of the recipient. That is the import of Job's statement, *Didn't I cry with the person who had a bad day, did not my soul feel anguish with the poverty-stricken?* (Job 30:25). One speaks words of comfort and prays for help as it says, *I make the heart of the widow sing.*" (Maimonides, Laws of Gifts to the Poor, 10:4)^{xxix}

The face-to-face aspect of tzedakah is most prevalent when hosting the poor in one's own home:

"When guests come to one's home, even ignorant simple folk, welcome them with a smiling countenance and give them to eat immediately lest they are hungry but embarrassed to ask... Even if the hosts are sad and worried, remove that from their hearts and do not tell about one's own troubles for this breaks the heart and spirit of the guests ... Comfort them with words and revive their soul. Also refrain from telling about one's own honor and wealth for it appears that they are more honored than the guest... Act as if you are very pained not to be

⁹ "‘And receive all men with a cheerful countenance (*b'sever panim yafot*)' (Mishna Avot 1:15). How is this to be done? It teaches us that if one gives to his fellow all the good presents in the world but one's face is downcast, then it is as if one had not given him anything. But one who receives his fellow with cheerful countenance even though one gives him nothing, it is as if he had given to him all the good presents in the world." (Avot de-Rabbi Natan A Chapter 13)

able to give them more, that is, extend your soul to the poor.” (Yisrael Al-Nakawa, *Menorat HaMaor*, Tzedakah, before Gate #1)

Al-Nakawa reports that:

"I heard that the great [rabbis] of France and the providers of hospitality practiced a very honorable custom ... that they made of the tables upon which they fed the poor into the boards and the coffins in which they were buried. All this promotes the thought in their heart that even those who reach the peak of wealth cannot take with them any of what they have earned under the sun except the good they have done and the tzedakah they have done in having compassion to the poor."^{xxx}

In short, we might do much better not to compare tzedakah and *hesed* to see which manifests a higher ethical stance, but to follow Rabbi Elazar who seeks their points of intersection, for tzedakah may or may not be suffused with *hesed*. When tzedakah is performed superficially, it misses its calling as *hesed*. When it does express empathy, it deserves full recognition:

“Rabbi Elazar taught: **Tzedakah is rewarded *only* according to the kindness (*hesed*) with which it is performed**, as the prophet says: *Sow for yourselves tzedakah and you will reap according to hesed (kindness)* (Hosea 10:12)." (TB Sukkah 49a)¹⁰

Hesed in tzedakah is explicated by Rashi in terms of the personal service applied to tzedakah work:

"The actual giving of money or an item of value is classified as tzedakah, but the effort one extends in the pauper's favor is counted as kindness, *hesed*.

This may manifest itself in several ways: *hesed* is when the donor does not wait for the pauper to pick up the money, but brings it to the pauper's home himself.

Or *hesed* is when the donor brings him freshly-baked bread or a ready-made garment to enjoy immediately.

Hesed is when the donor carefully plans his giving [of funds], so that it coincides with the time when grain is in abundant supply [and hence inexpensive], so that the pauper can buy it for the lowest price and get the maximum return for the money. In each of these cases, the **benefactor engages heart and mind to arrive at what is best for the pauper.**" (Rashi *ad locum*, TB Sukkah 49a)

Wisdom Literature: The Need to be Consoled

¹⁰ How crucial the emotional expression of the giver is to the essence of tzedakah is debated. According to Rav Menahem Schneerson, while Maimonides holds that “it is better to give adequately for the poor’s needs even without a smiling face and that [providing material support] is the main part of the mitzvah of tzedakah,” However Rashi holds that “it is better to give less than what is adequate with a smiling face than to give adequately with a smiling face.” Thus Rashi interprets the mitzvah of tzedakah with its repetitive phrasing (*you shall give, you shall open your hand, and do not restrain your heart and tighten your hand* - Deut.15:8) to mean: give with “heartfelt desire and goodwill.” That involves an inner struggle to *feel* generous as well as to *give* generously, for “some people have a hard (painful) time with giving –shall I give or shall I not give. They put out their hand and then they retract it” (Sifrei on Deut. 15). (Rav Menahem Mendel Schneerson, *Sefer Shaarei Tzedakah*, 59)

The Biblical Wisdom literature is particularly articulate in describing the pain of the marginalized and the consolation offered by the wise. In Proverbs, the betrayal of the poor's friends and relatives is at the heart of the social suffering attendant on poverty:

Poor are despised even by their own friends, while the friends of the rich are numerous.
(Proverbs 14:20)

All the brothers of the poor hate them, and even more so do their neighbors keep their distance from them. (Proverbs 19:7)

In the light of this sensitivity to the predicament of the needy, it is clear that they need more than “creature comforts”; they also need to be comforted, just as the mourner does. Tzedakah without *hesed* cannot relieve the psychological suffering of poverty. The poor are in an existential and social, as well as a fiscal crisis. They are often overwhelmed by troubles, isolated from friends, and so may lose their mental equilibrium. Taking the pain of the poor seriously, the mother of King Lemuel, a literary figure in the Book of Proverbs, offers two opposite evaluations of the role of liquor in the life of royalty and their responsibility to the poor. On one hand, she warns him that drunkenness will negatively affect his ability to judge the poor fairly, but, on the other, liquor can comfort those down in spirit:

Give strong drink to those who are lost and wine to the embittered.
Let them drink and forget their poverty and put their troubles out of mind. (Proverbs 31: 4-9)

The cynical and hardened voice of the Book of Ecclesiastes adds that when rulers fail to bring justice and instead collaborate with oppression, says it is no surprise that there is no one to comfort the tears of the exploited (Ecclesiastes 4:1, 7).

Job's so-called comforters^{xxx} accuse him, as a high official, of similar crimes.¹¹ But Job refutes their false charges about himself and instead accuses God of failing the poor who are exploited by the powerful (Job 24:4, 14). He defends himself adamantly by recounting both his concern for justice and his unusual emotional support for the needy, whom he comforts while his "comforters" torment him:

I was father for the poor and an advocate investigating the case of those I did not know. (Job 29:11)¹²

Did I not weep for those with harsh days, did I not grieve for the needy? (Job 30:25)^{xxxii}

Did I ever despise the case of my slaves – male and female, when they made complaint against me? ... Did not the God who made me in my mother's stomach make them in the same womb? Did I deny the poor their desires, or let the widow pine away?
*Did I eat my bread alone without the orphans eating with me?*¹³ ...

¹¹ By contrast, Augustine comments on the words, “Give to him that asks of you” (Matthew 5:42): “When you refuse what another asks you must not lose sight of the claims of justice, and send him away empty; at times indeed you will give what is better than what is asked for, if you reprove him that asks unjustly.” (*De Serm. Dom. in Monte i*, 20)

¹² “You have encouraged many; you have strengthened failing hands; Your words have kept those who stumble from falling; you have braced the knees of those who have given way.” (Job 4:3-4)

I swear [that I may be cursed] if I ever saw a wanderer, without clothing him, or the needy, without covering them... Or if I raised my arm against an orphan looking to my support in the courts at the gate. (Job 31:13-21)¹⁴

In the Biblical and post-Biblical Wisdom literature, there is no utopian dream of eradicating poverty,^{xxxiii} which is ubiquitous, nor any legal mechanism for redistributing wealth to the needy, but there is great and realistic awareness of the poor who suffer social isolation and who need the concern of the well-to-do clients of wisdom educators, but often do not get it. The poor are generally friendless and they are usually treated as the **natural prey of the rich:**

"Every creature loves its like, And every man loves his neighbor.
All living beings gather with their own kind,
And a man associates with another like himself.
What companionship can a wolf have with a lamb?
Just as much as a sinner with a godly man.

What peace can there be between a hyena and a dog?

And what peace between a rich man and a poor one?

Wild asses are the prey of lions in the wilderness, Just as the poor are pasture for the rich.

Humility is detestable to the proud, Just as **a poor man is detestable to a rich one.**

When a rich man is shaken, he is steadied by his friends,

But when a poor man falls down, his friends push him away.

When a rich man falls, there are many to help him;

He tells secrets, and they justify him.

When a humble man falls, they add reproaches.

He speaks with understanding, but no place is made for him.

When a rich man speaks, everyone keeps silent, and they extol what he says to the clouds.

When a poor man speaks, they say, "Who is that?" And if he stumbles, they will help to throw him down. Wealth is good - if it carries with it no sin, and poverty is called evil - by the ungodly." (Ben Sirah 13:15- 24)

The Living Death of Poverty

¹³ The Rabbinic picture of Job imagines him seeking out the most exceptional forms of hospitality such as leaving doors open on four sides of his house, so the beggar will not have to go around to find the door and perhaps grow ashamed and leave unfed. Similarly he would share his very best food and clothing with the poor – the same that he himself ate and he himself wore (Avot B Chapter 14).

¹⁴ "My child, do not defraud the poor man of his living, and do not make the eyes of the needy wait. Do not pain a hungry heart, And do not anger a man who is in want. Do not increase the troubles of a mind that is incensed, And do not put off giving to a man who is in need. Do not refuse a suppliant in his trouble, and do not avert your face from the poor. Do not turn your eyes away from a beggar, and do not give anyone cause to curse you, For if he curses you in the bitterness of his spirit, his Creator will hear his prayer.

Listen to what a poor man has to say, and give him a peaceful and gentle answer. Rescue a man who is being wronged from the hand of the wrongdoer, And do not be faint-hearted about giving your judgment. Be like a father to the fatherless, And take the place of a husband to their mother. Then you will be like a son of the Most High, And God will show you more than a mother's love." (Ben Sira 4:1-10)

Atop the deep Biblical sympathy for the emotional suffering entailed by poverty, rabbinic Judaism adds its own insights:

“Nothing is harder to bear than poverty, for one who is crushed by poverty is like a person to whom all the troubles of the world cling and upon whom all the Biblical curses descend. The Rabbis taught: If all the troubles of the world were placed on one side of a scale and poverty on the other, poverty would outweigh them all.” (Exodus Rabbah 31:14)

“Woe to the poor man and his black day.” (Ladino adage)^{xxxiv}

The Rabbis understood that poverty can threaten life mentally as well as physically. Poverty is not measured by the deprivation of goods alone but by denial of meaning to life and by the erosion of one's sanity:

“Grinding poverty deprives one of mental balance.” (TB Eruvin 41b)

One of the most poignant descriptions of the inner pain of the poor in halakhic literature is provided by the great anthologist of tzedakah in the Ottoman Empire. Rav Eliyahu Ha-Cohen of Izmir (1770) describes the feelings of helplessness and existential uncertainty of the poor on a typical day of disappointed hopes in a thriving Ottoman trade city as follows:

“What are **misadventures that befall the poor person**, who does not die but hopes for better times? He sees his little ones, who ask him for bread, but he has no bread to break; he sets out to beg, but he does not know whereof to turn and whither to go, he looks and stares into the face of each passerby, perhaps they will recognize his sorrow and support and succor him, but there is no one who pays attention, because there is no prophecy in the passer-by, and so he goes hither and thither, wandering all around the city, until his knees fail him from fasting, and he has no more strength to walk, all this while his mind is about his children being enveloped in pangs of hunger, and in the grip of an insatiable appetite, and his miserable wife, as she sees the distress of her children. She looks out of the lattice to see why her man tarries in coming home, she hears his footfalls and thinks, here he comes, she looks out and sees a man carrying grain, bread and food, but he passes on, and she says to herself, it is not he, there is no unfortunate such as he, she returns to her children in sorrow and sighing, and without any hope left she cries out, alas, my children...

“As for him, added to his distress is the heaviness of the *kharaj* [poll tax] and the debts of thousands and ten thousands, his heart fails him, and he grieves in distress for his children and wife who are waiting for him, for he knows not if he will find them alive or faint or dead, and the whole day he makes the utmost effort in the bazaars and the streets perhaps he will find something to sustain them and heal their blow, but, near evening, he is in a panic since he is empty handed, and when he sees that the evil is borne down on him, he takes off the veil of shame from his countenance and makes bold as shame covers his face until it changes color... He draws near to the food seller begging him to have pity on him and give him a loaf of bread, and he returns to his home with a meager amount of bread, and with great worry, and when his wife and children see him they turn to him, in whose hands their life depends, and they grab and devour the bread in his hands that sustains them and immediately run to the water to fill their bellies from the lack of bread and fall down like sick without any strength...

“When his wife and sons see that they have no hope in him they go outside to walk around and look in the city garbage heaps perhaps they will find some leftover fruit skins that have been cast aside or perhaps some dry bones that they can scratch food from them in order to revive themselves and if there is nothing there they go in different directions to knock on the doors of the generous for a piece of bread, and their poor mother carries the infant on

her shoulder and sets forth to beg food to keep her alive because she can no longer bear the sight of the suffering of her small children, and her husband calls after her as she goes forth, perhaps God will have compassion on you, and you will find food for me as well, and so we see the father and the mother and the children separated one from another for the entire day lacking everything.” (Rabbi Eliyahu Ha-Cohen of Izmir, *Shevet Mussar*, 30b-30d, 1712)

While Rav Elijah describes the poor who still begin their day with some hope and who make every effort to support their children, many impoverished just give up and become “dead to the world.” The Talmud says: “The poor are regarded as the dead” (TB Nedarim 7b). A contemporary social activist, Jeffrey Dekro, has unpacked the poetic meanings of poverty as death:

“Certainly it is immobilizing, in the **restrictions it imposes on the health, time, and choices available to poor people**. Poverty devours the body and spirit; it brings tears of stress and sorrow to loving relationships; **it devours the present and obliterates the future. It buries the poor in a coffin of invisibility, removing them from** our sight and consciousness - except, perhaps, when the wraiths of poverty make their criminal appearance on our very doorstep.

“**Poverty is like death**. It breeds **despair** in the hearts of its victims, as well as in the hearts of the rest of us who, seemingly lacking the means to ‘do something’ about homelessness, hunger, AIDS, crime, and other poverty-related problems, resort instead to shunning the poor, counting our blessings and building moats around our good fortune. The Talmud likens the poor person to the leper, the blind person, and the childless person: ‘four kinds of people who are regarded as if dead.’^{xxxv} Outmoded views of disability and childlessness aside, the Talmud is speaking of isolation, of being shunned and dehumanized.”^{xxxvi}

What the poor often lack is hope, the ability to dream, as the American poet, Carl Sandburg understood:

Tired of wishes,
Empty of dreams. Carl Sandburg

What dreams the destitute still nurture, can easily be trampled by the realists around them:

But I, being poor, have only my dreams;
I have spread my dreams under your feet;
Tread softly because you tread on my dreams. William Butler Yeats

The needy are also often deprived of caring relationships and, therefore, helping them out of that existential sense of being abandoned can be the greatest gift.

“The most debilitating characteristic of poverty is hopelessness....Poverty was not just a matter of money but also a dispirited loneliness. But as long as I knew someone I could love, I wouldn’t be poor.” (Kara King quoted by David Shipler, *The Working Poor*, 193)

Sometimes a smile can achieve as much or more than a handout:

"One who receives one’s fellow with a cheerful face even if one does not give any money, is credited as if one had given the needy all the gifts in the world.” (Avot d’Rabbi Natan A 13)

"One of the enactments of Ezra is that women should get up early and bake so that bread will be available in the morning for the poor, so they can give a warm slice of bread, not a dry one, so that the poor should have pleasure. When women serve the hungry their bread, it should be the most desirable bread, the best¹⁵ of her delicacies, and **she should comfort them with words** and the gift of her hands be accompanied with a welcoming countenance in the manner of compassion and lovingkindness...[That is how] all tzedakah should be given to the poor: with a generous heart, a willing soul, from one's best possessions and always have mercy on the poor like Job who said, *Didn't I cry with those with hard days and grieve with the impoverished?* (Job 30:25). Compassion doubles the reward of tzedakah." (Yisrael Al-Nakawa, *Menorat HaMaor*, Tzedakah, before Gate #1)

Tzedakah as a food supplement may take the form of something more than merely physiological nourishment, such as a culinary treat. Then it can provide psychological uplift by means of a simple luxury. The Muslim tradition tells of a gift of candy to the poor:

"It was the custom of `Abdullah ibn-`Umar **to give sugar in alms**, saying, 'I have heard God say, "You shall never attain righteousness until you give alms of that which you love," and God knows that I am fond of sugar.'"^{xxxvii}

R. Eliyahu Ha-Cohen of Izmir reports the words of comfort he offered the oft-dishonored poor in assuring them they could be people of honor due to their religious practice even without earthly wealth. After all God loves you, God's presence is with you and God pays attention to what you say. God is your companion in a lonely world in which the poor have no allies or friends:

"And as for you, the poor man, since every day that you live on this earth you add on the observance of commandments, thereby increasing your reward in the world-to-come, **why are you sick of your life, even though they are full of sorrow, why are you not happy** with the additional merit you earn for the commandments that you perform each day... and knowing this, you should suffer the sorrow of poverty with love, and bear in your mind that the sorrow of poverty is little when considering the value of the reward for the deeds that you are earning every day that you are alive, and if you are sorry that your poverty causes you to lack respect from people, and even earns you contempt...

"Consider only the honor awaiting you in the world-to-come, when you stand before those who are greatly respected for their superior degree of holiness, angels and sainted righteous with heavenly crowns attached to their heads... and of what use is respect to you, and if they hate you because of your poverty, what of it, and what care you, since **your Creator loves you and his Presence is upon you...** and if you are sorrowful that your words are not heard, as it is written: *the wisdom of the unfortunate is scorned*, keep in mind that the Holy One blessed be He hears you... and if your distress that people do not become friendly with

¹⁵ "The seventh duty is that the person should [when giving], **select from his wealth the portion which is best and dearest unto him; for God is good and accepts nothing but the good...** If the portion set apart [for the *zakat*] is not of the best of a man's wealth he will then be guilty of misconduct for he keeps the best for himself or for his servant or for his family and withholds it from God, thereby giving preference to others over God. If he does the same thing with his guest and offers him the worst food to be found in his house, he will certainly gain his displeasure....

"Bestow alms of the good things which you have acquired, and of that which we have brought forth for you out of the earth, and choose not the bad for almsgiving - such as you would not take yourselves except by connivance." (Sutah II 269-270)

"In other words they will not accept such bad things for themselves except unwillingly and for fear of shame at its refusal. This is what connivance means. **Therefore prefer not yourselves to God by giving him the bad and keeping the good for yourselves.**" (Al Ghazzali in his *Mysteries of Almsgiving*)

you nor bring you to banquets with them but you dwell in solitude... and if you are sorrowful that no-one invites you to any large or small feast think of the delights that are prepared for you in Paradise.” (Rabbi Eliyahu Ha-Cohen of Izmir, *Me'il Tzedakah*, 74b)¹⁶
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Beyond words of comfort for the poor, rationalizations that dismiss their palpable sense of social isolation, Elijah HaKohen encourages the children of the affluent to get to know the poor and overcome their social exclusion:

“To counteract the alienation, the author proposes that children be educated to get to know the poor by getting closer to them so that as adults they will not hold themselves separate from them and set themselves totally apart from them.” (Elijah HaKohen, *Midrash Ha-Itmari*, Salonika (1824), 44a)^{xxxix}

This innovation is a unique educational initiative to close the social and emotional gaps between rich and poor.

The following story illustrates the primacy of the emotional needs of the needy for recognition. It is told of the greatest halakhic authority of 20th-C. Ashkenazi ultra-Orthodoxy:

"Reb Moshe Feinstein was supposed to attend his first meeting as the newly-appointed chairman of the [Council] *Moetzes Gedolei HaTorah* of Agudath Israel of America. A car was waiting for him outside the yeshiva and as soon as Minha was over, the students surrounded their Rosh Yeshiva to escort him outside without a moment's delay, since many of the other distinguished members of the [Council] would already be there waiting for him. As he was about to get into the car a poor man asked him for charity. R' Moshe reached into his pocket and gave the man a few coins, but the beggar was not finished. He began a conversation with Reb Moshe, while the waiting driver and the students became more and more impatient. A few attempted to tell the poor man that Reb Moshe was in a hurry, but Reb Moshe waved to them to go away. After ten minutes, Reb Moshe excused himself, shook hands with the beggar and finally got into the car.

“One of the students gathered up the courage to ask his Rebbi why he had not simply given the man the money and said that he had no time to talk. Reb Moshe replied, **‘You must understand that to that man the conversation meant more than the money. My mitzvah of tzedakah included showing him that I care about what he thinks and that I am not too busy to speak to him.’**”¹⁷

In the same spirit, Micah Goodman, a young Maimonides scholar in Jerusalem, tells of what he learned about the true needs of the beggar while walking down the street. Once he was engaged in the characteristic modern practice of talking intensely on the cell phone

¹⁶Yaron Ben Naeh, “Poverty” (171) collects some of the positive images of the poor promulgated by Rabbi Elijah of Izmir: “The poor man is full of Commandments (has performed many Commandments) the poor man has been tested by God, the poor is the one who brings the Shekhinah (the Divine Presence) on earth... the poor man is beloved of the Omnipresent... the poor man is God's moral staff... the poor man is very important to God... God loves the poor... the poor are the messengers of the All-Merciful... and they are the ones who hope for the coming of the Redemption.” (*Me'il Tzedakah*, 73c-74a)

¹⁷ Reb Moshe's older son, Reb Dovid, remarked, “My father never wasted a minute, but if a poor or troubled person - or even a nudnik - took an hour to pour out his heart, my father could spare an hour.” (Reb Moshe, *Art Scroll/Mesorah*, 176, cited in A. Chaim Feuer, *The Tzedakah Treasury*, 212-3)

while in public. While absorbed in his conversation, Micah was approached by a man asking for tzedakah. Without stopping his conversation, holding his phone to his ear, he manipulates his hand into his pocket to extract a few coins for the needy. He is acting on his values, responding to a request for aid, but he does not even look at the beggar as he hands him the money.

Then, as Micah continues his conversation, the beggar tries to get his attention, to thank him and bless him for his generosity, as Jerusalem beggars often do. But Micah is still walking and talking and has no time for this poor man's expression of gratitude. Hasn't Micah already completed the transaction? Didn't the beggar get what he wanted and needed and deserved already? Time to move on. Then Micah is surprised to feel the beggar forcing the money back into Micah's hand. When Micah finally ends his conversation, he turns his attention to this persistent beggar who has just rejected his gift and yet is still waiting at his side. Why had the beggar returned the money? Was it too little? No, the beggar had refused to accept the gift as long as he could not reciprocate and express his thanks properly. So now the beggar takes the gift and holds Micah's two hands warmly and strongly as he blesses his donor. Micah realizes for the first time that what the beggar wanted, as much as the funds, was a relationship of human recognition. To need and receive the gift did not shame the beggar, for dependence need not be necessarily embarrassing. But to be ignored, treated as a mere tzedakah box, as an instrument for performing social obligations – that is degrading. To be denied the opportunity to respond with blessings to the donor - that was dehumanizing. Micah had initially tried to transfer funds without *hesed*, but that is not a "gift to the poor" (to use the term Maimonides chose for his laws of tzedakah – "Gifts to the Poor"), and hence it is no true form of tzedakah.

Taunting the Poor, Even While Supporting Them

While words of comfort and esteem are the recommended response to the poor, studied indifference and inattention are more typical of the attitude of the giver to the recipient. Many medieval moralists involved in tzedakah work report in disgust that the rich often torment the poor with words. Describing life in Izmir in the Ottoman Empire during the first half of the 19th century, Rabbi Haim Palachi captures the way beggars and even tzedakah collectors are vilified by the rich:

"And how disgusting is the behavior of the miser wealthy that when the charity collectors come to them [the rich] and especially on Passover and Sukkot [Tabernacles] so that they may give tzedakah to be distributed to the decent poor and to the needy scholars, they do not want to [give], and on the contrary, **they kick and rage at them, and throw them out with rebuke, and slam the door after them...** besides that they cool [discourage] the tzedakah collectors causing them to neglect their job saying [thus do the wealthy behave towards the poor]."^{xi}

In their legal compendia dedicated to *zakat* and tzedakah, Al Ghazzali and Maimonides both noted the emotional temptation of the wealthy to upbraid the poor. Both explored the inner psychological dynamics of such a conflicted giver whose behavior is normatively so counterintuitive in the context of relating to those in need of human compassion. Al Ghazzali defines two kinds of insult mentioned in a saying about alms attributed to Allah:

"Allah said, '**Make not your alms void by taunts and injury**' (Surah XIII 266). The outward manifestations of **injury** are rebuke, derision, rough speech, stern looks, putting to

shame by exposure, and all manner of ridicule. Its inward nature, wherefrom its outward manifestations spring, is made up of two things:

- (1) The one is **man's unwillingness to give up any of his wealth and the extreme pain which it causes him when he parts with any of it.** This [attitude] makes a man inevitably short tempered. The second is his belief that he is superior to the poor who, by reason of his need, is inferior. Both these things are the result of ignorance. ...Whatever you may assume, there is no justification for man's unwillingness [to part with any of his wealth].
- (2) [The other] inward nature of injury... is ignorance. For if man would realize the superiority of poverty over wealth, he would not despise the poor, but rather would seek his blessing and wish that he were in his position instead; since the righteous among the wealthy would enter Paradise five-hundred years *after* the poor.^{"xli}

Al Ghazzali also discusses the case of “taunting” – the one who *does* give *zakat*, yet abuses the poor. These forms of abuse are often subtle:

“Allah said, ‘**Make not your alms void by reproaches and injury**’ (Surah XIII 266).

People have differed in their **definition of taunting**:

(1) Some have said that taunting is to remind people of favours done for them, while injury is to make them public... as it says, ‘And how does a man resort to taunting? By mentioning his alms and discussing them’ (Al-Thawri).

(2) Others said that taunting is **to enslave a person by a gift, while injury is to deride him for his poverty.** It was also said that taunting is to lord it over a person for having given him something while injury is to upbraid and rebuke him for begging. The Apostle said, ‘God will not accept the gifts of the person who is always reminding others of the favours he has done for them.’

(3) Repeated discussion of one’s alms and insistence on making them known, **seeking reward from the beneficiary by expecting from him thanks, praise, service, respect, and veneration, and by requiring him to carry out errands for him, pay him homage in assemblies, and agree with him on all subjects.** All these are the fruits of taunting.^{"xlii}

Rather than taunt and degrade the needy, *hesed* combined with *tzedakah* seeks to rebuild their self-esteem. Rabbi Eliyahu Ha-Cohen of Izmir, in *Me’il Tzedakah*, preaches comfort to those in black despair:

“And as for you, the poor man, since every day that you live on this earth you add on the observance of commandments, thereby increasing your reward in the world-to-come. **Why are you sick of your life?** Even though they are full of sorrow, why are you not happy with the additional merit you earn for the commandments that you perform each day?... Knowing this, you should suffer the sorrow of poverty with love, and bear in your mind that the sorrow of poverty is little when considering the value of the reward for the deeds that you are earning every day that you are alive.

“**If you are sorry that your poverty causes you to lack respect from people, and even earns you contempt...** consider only the honor awaiting you in the world-to-come, when you stand before those who are greatly respected for their superior degree of holiness, angels and sainted righteous with heavenly crowns attached to their heads... **Of what use is their respect to you, and if they hate you because of your poverty, what of it, and what**

care you, since your Creator loves you¹⁸ and his Presence is upon you... and if you are sorrowful that your words are not heard, as it is written, *the wisdom of the unfortunate is scorned?* Keep in mind that the Holy One blessed be He hears you... If you are in distress that people do not become friendly with you nor bring you to banquets with them, but you dwell in solitude... and if you are sorrowful that no-one invites you to any large or small feast, think of the delights that are prepared for you in Paradise.^{»xliii xliv}

To help rich and poor bridge the social gap that breeds contempt and shame, Elijah HaKohen makes what in his era is an unusual educational proposal “to counteract the alienation. The author proposes that children be educated to get to know the poor by getting closer to them, so that as adults they will not hold themselves separate from them and set themselves totally apart from them.”^{»xlv}

The Pain of the Impotent Giver

Maimonides explores the equally surprising case of the one who does *not* give and yet still taunts and degrades the needy:

“If a poor man requests money from you and you have nothing to give him, speak to him consolingly.¹⁹ It is forbidden to upbraid a poor person or to shout at him because his heart is broken and contrite, as it is said, *A broken and contrite heart, O God, You will not despise* (Ps. 51:19), and it is written, *To revive the spirit of the humble, and to revive the heart of the contrite* (Isaiah 57:15). Woe to him who shames a poor man. Rather one should be as a parent to the poor man, in both compassion and speech, as it is said, *I am a parent to the poor* (Job 29:15).” (Maimonides, Gifts to the Poor 10:5)^{xlvi}

Maimonides identifies a moral and emotional danger in face-to-face encounters not only when the applicant feels impotent and resentful of dependence, but also when the potential donor is unable to give what is needed and experiences impotence.²⁰

¹⁸ "It is known that the rich are closer to **bestiality**, they fill their bellies with food and drink; not so the poor, who are closer to the spiritual, without food and drink, and stripped of all of those material items that they desire, like excursions, and they are **closer to being like angels** who do not eat, neither do they drink, nor do they sleep and therefore the Holy One blessed be He loves them." (R. Eliyahu Ha-Cohen of Izmir, *Me'il Tzedakah*, 74b)

¹⁹ "Zebulun, enjoined his children: Hearken to me, sons of Zebulun, attend to the words of your father. ... Now I will declare unto you what I did, I saw a man in distress and nakedness in wintertime, and had compassion upon him, and stole away a garment secretly from my house, and gave it to him who was in distress. Do you therefore, my children, from that which God grants to you, show compassion and mercy impartially to all men, and give to every man with a good heart. And if you have not enough at the time to give to one who asks you, have compassion for him in bowels of mercy. I know that when I did not have enough at hand at the time to give to one that asked me, then **I walked with him weeping for more than seven furlongs, and my bowels yearned towards him unto compassion.**" (*The Testament of Zebulun* 6:1,7 from *Testament of the Tribes* in the Apocrypha)

²⁰ John Wesley insisted that those responsible for the temporal affairs of the Methodist societies treat the poor with respect and kindness: “**If you cannot relieve, do not grieve, the poor.** Give them soft words, if nothing else. Abstain from either sour looks or harsh words. Let them be glad to come, even though they should go empty away. Put yourselves in the place of every poor man; and deal with him as you would God should deal with you.” (*Works of John Wesley*, vol. 12: Letters: "Directions to the Stewards of the Methodist Society in London," 516)

My teachers, Rabbis David Hartman and Tzvi Marx, explain Maimonides's insight with great psychological nuance:

"Maimonides is addressing himself to the problem of the **hostility** we may feel towards a person we are unable to help. Our inability to respond adequately to such a person's needs exposes our inadequacies and, therefore, we may transfer the anger we feel towards ourselves onto the needy person.

"Maimonides' remarks about responding to poor people are applicable to other situations, e.g., the doctor-patient²¹ and the parent-child relationships. How should a doctor relate to a patient with an incurable disease or to a patient whose condition does not respond to the prescribed treatment? How should a parent relate to a child whose difficulties are beyond the parent's competence? How should helping agencies respond to people when their programs have not succeeded as originally planned? Tzedakah forces one to confront the painful question: How should I respond to needy people I cannot help? Maimonides says that in such situations the norm of tzedakah requires that one listen to the needy person's expressions of pain even though one is incapable of effective help."^{xlvii}

The writer Nancy Mairs describes the complexity of the helper/helped relationship when there is nothing to be done:

"The absence of a cure often makes MS patients bitter toward their doctors. Doctors are, after all, the priests of modern society, the new shamans, whose business is to heal, and many an MS patient roves from one to another, searching for the 'good' doctor who will make him well. Doctors too think of themselves as healers, and for this reason many have trouble dealing with MS patients, whose disease in its intransigence defeats their aims and mocks their skills. Too few doctors, it is true, treat their patients as whole human beings, but the reverse is also true. I have always tried to be gentle with my doctors, who often have more at stake in terms of ego than I do. I may be frustrated, maddened, depressed by the incurability of my disease, but I am not diminished by it, and they are. When I push myself up from my seat in the waiting room and stumble toward them, **I incarnate the limitation of their powers.** The least I can do is refuse to press on their tenderest spots."^{xlviii}

In conclusion, tzedakah as *hesed* is primary because so much tzedakah work is about relief work rather than rehabilitation. The problem remains and tzedakah is palliative maintenance. Therefore, it must be accompanied by words and gestures of *hesed* in the form of consolation, like consoling mourners or visiting the sick. Getting frustrated at one's inability to solve the problems of the needy makes things worse, so one must know the limits of what is possible in tzedakah work. David Hartman and Tzvi Marx continue:

"Tzedakah involves empathy - listening and sharing in the pain of the person in need irrespective of one's ability to solve or ameliorate the problematic condition at hand. Tzedakah is not only measured by concrete, efficacious action but also by the subjective response of empathy when action is impossible. Tzedakah not only involves [the mitzvah of] *Give to him readily* ("*naton titten*" - Deut. 15:10), but also the one, *Do not harden your heart* (Deut. 15:7). The subjective component of the norm, of tzedakah, is expressed in the empathy and openness of one's heart to the person in need irrespective of the feasibility of effective action."^{xlix}

²¹ Dr. Lewis Margolis recalls a play entitled *Whose Life is it Anyway* where the playwright Brian Clark explores the doctors' desire to prescribe drugs even when they won't help, so that the patients won't complain at the doctors' impotence but also so that the doctors will feel better, as if they have done *something*.

Perhaps then the fact that tzedakah helps change the basic situation of the needy so little explains Rav Kook's decision to place above Maimonides' highest rung of tzedakah – rehabilitation through employment or investment – the subjective task of comforting the poor: "The highest level of tzedakah is appeasing the poor with words."¹ One ought to concentrate more on what is feasible – words of comfort – rather than on what is so rare – problem-solving.

"Truth and Reconciliation": Making Peace between God and the Deprived

What aggravates the relationship between rich and poor is not only the power differential and dependence, lack of social communication, but it is jealousy and anger at the felt unfairness of the distribution of wealth. The poor may not see the rich as generous but as exploitive. They may well feel righteously angry toward God, as did Job. Or “innocent victims” of poverty may become obsessed with a debilitating jealousy of those more fortunate than they are. Often the needy are simply abandoned by friends unable to cope with their anger, jealousy or depression. The giver of tzedakah with *hesed* might play a crucial role in assuaging anger, loss and desolation and thus become a peacemaker between the poor, their God and their society:

Rabbi Judah son of R. Simeon said: “The poor person sits and complains, saying, ‘How am I different from So-and-so? Those people sit in their own houses, while I sit here; they sleep in their own houses on their own beds, while I sleep on the bare ground.’
Then [the giver of tzedakah] comes forward and gives the poor something. God, then, says: ‘By your life I swear, I will regard this act as though you had made peace between the poor and Me.’” (Midrash, Leviticus Rabbah 34:6; Yalkut, Isaiah #4961)

While this midrash may have captured the sting of poverty for some, its resolution seems much too facile. Some money will be helpful, but it is not likely to change the narrative of bitterness and injustice that the poor person has developed. The giver must also enter into a conversation that seeks to reconcile the poor person with the society in which one finds oneself so isolated and perhaps mistreated. Such a narrative of reconciliation may require much more than empathy and words of comfort, for the poor *are* in fact often victims of injustice who demand acknowledgment of God's and society's unfairness. The givers coming from the class of “haves” to the help the class of “have-nots” must be willing to engage in a painful and uncomfortable dialogue that might resemble in some aspects the process of the Truth and Reconciliation Commission in South Africa after the end of apartheid.

Let us experiment intellectually with this unusual and perhaps outrageous comparison. Recall that the government and often police officials involved in the Apartheid regime not only discriminated against and economically exploited the non-whites but they also tortured and often killed their victims, whose bodies they then hid, leaving their families to suffer their loss in ignorance with unanswered questions.

The Apartheid regime then dissolved itself and admitted implicitly and sometimes explicitly that they had not only erred but committed crimes. However most of the perpetrators – certainly in the government – and most police who had not done acts that were illegal by South African law at the time – were not prosecuted in any way.

The African Congress Party made a decision to speed the transition and to promote reconciliation to limit court action in the most egregious cases and instead to establish non-judicial Truth and Reconciliation Commissions. For example, the perpetrators of torture, against whom no independent evidence existed, were called upon to confess to the truth, describe what they had done to the victims for their families' sake, to feel shame and request forgiveness, while the surviving victims and their families were called upon to express their pain and sometimes to forgive the perpetrators. The power of word and emotions in the process is what draws my attention as we explore the role of words in comforting the poor, the victims of poverty in a society.

Albie Sachs, a South African Jew, jurist and freedom fighter, suggests that courts are often not the forums for such dialogues. After inventing the truth and reconciliation idea,^{li} Albie Sachs was amazed at its power to evoke real communication when separated from a procedure to adjudicate guilt and justice and distribute financial support. Later a quasi-court decided if the perpetrator would be completely amnestied and if the victim might receive state compensation. Albie Sachs explains:

“The strength of the TRC [(the Truth and Reconciliation Commission)], and the reason why it resonated so powerfully, was that it was based essentially on dialogue - on hearing all the different viewpoints, on receiving inputs from all sides. It was not a case of people coming in as prosecutors and saying: We represent the state; we are going to examine and get the truth out of you. The state did not get the truth out of anybody. It did not work that way. An increasingly rich and true story emerged from a multiplicity of voices and perspectives. The main concern is not punishment or compensation after due process of law, but to achieve an understanding and acknowledgement by society of what happened, so that the healing process can really start.”^{liii}

"We also required a wide and flexible range of programmes which allowed for other means of coming to terms with trauma and violence, where the format was not that of inquisitor and accused, but that of **interlocutors trying to find common ground**. All had an equal chance to speak. Some achieved relief through being heard; others accepted shame when acknowledging cruel conduct.The TRC [sought] recognition of the need for fierce antagonists to look into the eyes of former enemies and discover elements of a common humanity there. ... Dignity and security through dialogue ... to resolve disputes through dialogue.”^{liiii}

With all the differences between the relationship of rich and poor citizens and torturers and their victims, some of the issues Albie Sachs raises may be compared profitably. First, tzedakah, too, is often granted in a context of a quasi-court evaluation of what is owed and what is deserved and whose fault is one's neediness. The focus has often been on the merit of the poor. Even in the act of giving the donor is often absorbed in a critical process of judging the recipients' deserts or their deceit, not trying to understand the poor. But those with the wealth are also implicated in the "system" that gave them advantages and perhaps exploited the needy. Often the poor have much resentment over their condition, not only directed toward God, but to the potential benefactor as a person or to the agency of society in whose hands his or her life is now cast. But if we followed Albie Sachs' advice, the communication between giver and receiver might be removed from a judgmental one to a social one. I do not say therapeutic because I do not want to assume that the poor are the ones or the only ones who need treatment. Both sides have gripes, fears and resentments and if the goal is not to assign guilt but to work out a better relationship, then dialogue is the more appropriate model. Usually with tzedakah, money may change hands but sharing

and understanding are seldom essential parts of the process as they might be where non-judgmental verbal communication was more central.

Second, one may compare the question of regime change. TRC comes after the old system that generated all this suffering has been abolished and condemned, but tzedakah and alms occur under the same economic and social regime which continues to generate the great differential of rich and poor within which most tzedakah work functions. The poor are less likely to forgive and the rich less likely to examine their own contribution to the predicament of the needy where the system is not being called into question and where even the individual receiving some aid is not likely to be rehabilitated and join the pillars of society.

Social and theological reconciliation as a goal of tzedakah is promoted by Rabbi Judah son of Rabbi Simeon in his grateful exclamation attributed to God. When the “the poor person sits and complains, saying, ‘How am I different from So-and-so?’ and the giver of tzedakah comes forward and gives the poor something, then “God says, ‘By your life I swear, I will regard this act as though you had made peace between the poor and Me.’” But it will take much more to work that reconciliation out than a small contribution to the upkeep of the poor. Only with rehabilitationist tzedakah – a job or investment – will the time to change one’s narrative of neglect come. Only with self-examination of society’s distributional flaws can a dialogue be two-sided. The words of comfort applauded by Maimonides are one-sided and the role of the poor is too accommodate themselves therapeutically to the reality, for their own good, so they can get on with their lives and overcome their anger, jealousy and isolation. But those words of comfort did not work for Job who had a case of righteous indignation to press. Much more is needed if tzedakah is to fulfill its *telos* in reconciliation. Albie Sachs says eloquently:

“Dialogue is the foundation of repair. **The dignity that goes with dialogue is the basis for achieving common citizenship. It is the equality of voice that marks a decisive start, the beginning of a sense of shared morality and responsibility.**”^{iv}

If the interaction between giver and needy were reframed as a discussion aimed at hearing and expressing resentment, shame and pain, with an eye to equal participation and to reintegrating the poor into society as fellow citizens, then one could hope for much more. I imagine we could plumb better the depths of mutual recrimination, overcome mutual reluctance and rich and poor could then look each other in the eye. That is a kind of mutual *hesed* which is not one-sided pity, a verbal communication which is not one-sided consolation. Perhaps it would allow us to heal societal tensions rather than merely papering over social wrongs with material aid, or showing compassion for the needy rather than recognition of their value and their complaints. Such dialogue and such tzedakah sets its goal on brotherhood and solidarity, based on honest, but not easy, sharing.

C. The Maimonidean Joy of Giving - *Imitatio Dei*

"Choosing one's philanthropic thrust is 'doing what's right for you.' It is about **love** – a love one can and will sustain. Joy is a central characteristic of the nonprofit world or it should be." - Charles Bronfman^{lv}

When givers have nothing to give and *cannot* help, they are likely to feel frustration at their own impotence, but when they are *able* to provide what is really needed their experience is transformatory for themselves and often for the receiver. That, too, is the *hesed* in tzedakah – both sides of the giving relationship may benefit - whether the gift is monetary or in-kind service. The narrative of the giver is simultaneously about helping the poor and about empowering the giver who becomes Godlike, for God is *a lover of the strangers – giving them bread and clothing* (Deut. 10:18). The innovative contemporary philanthropist, Jeffrey Dekro, writes in his book *Jews, Money and Responsibility*:

“Poverty is like death. Yet tzedakah saves from death (Proverbs 10:2). This salvation is gained not only by recipients of tzedakah, but by solicitors and donors as well. ‘It was taught in the name of Rabbi Yehoshua: The poor person does more for the householder than the householder does for the poor person’ (Leviticus Rabbah 34:8). The poor person permits the ‘householder’ to gain life by participating in partnership with God in the reconstruction of the world; to gain life by participating in the community; to gain life by releasing his or her heart from the clench of selfishness and self-involvement.”^{lvi}

Recalling his teacher, Rabbi Soloveitchik, Gerald Blidstein, the Maimonidean scholar, reports:

“I recall once hearing Rabbi Soloveitchik explain that the morning blessings, *birkhot ha-shahar*, begin with our thanking God for meeting our physical needs in universal terms, so as to set out an ethical program: we, too, are obliged, this day, to clothe the naked and free the captive.”^{lvii}

The ethics of human giving is rooted in the religious narrative of God in whose footsteps we hope to follow:

“Rabbi Hama, son of Rabbi Hanina said: What is meant by the verse, *You shall walk after YHWH your God* (Deut. 13:5)? Is it possible for a human being to walk after the Holy One? Does it not say, *for YHWH your God is a consuming fire* (Deut. 4:24)? Therefore it must mean that you shall emulate the attributes of the Holy One.

“Just as God clothed the naked [Adam and Eve in the Garden of Eden (Gen. 3:21)], so shall you, too, clothe the naked; the Holy One visited the sick [Abraham, on the third day of his circumcision (Gen. 18:1)], so shall you, too, visit the sick; the Holy One consoled mourners [Isaac when Abraham died (Gen. 25:11)], so shall you, too, console mourners; the Holy One buried the dead [Moshe (Deut. 34:6)], so shall you, too, bury the dead.” (TB Sotah 14a)²²

²² “It is an affirmative rabbinic commandment to visit the sick, to console mourners, to take out the dead [for burial], to provide for a bride, to escort guests, and to become involved in all aspects of burial - to carry the casket, to escort the dead, to eulogize him, to dig the grave, and to bury the dead. It is also a mitzvah to rejoice with a bride and groom, and to provide them with all their needs.

“These are the acts of kindness that an individual performs with his person, ‘which are of unlimited scope’ (Peah 1:1). Even though these are rabbinic mitzvot, they are included in the Torah law of *you shall love your neighbor as yourself* (Lev. 19:18). Everything that you would like others to do for you, shall you do in behalf of your brother in Torah and mitzvot.” (Maimonides, *Mishne Torah*, Laws of Mourning, 14:1)

Jonathan Sacks, Chief Orthodox Rabbi of Great Britain, puts this in contemporary terms:

"Judaism is learned from the acts of God himself... *Hesed* is one of the Torah's most important framing devices. The Mosaic books, as the sages noted, begin and end with an act of kindness on the part of God. He makes clothes for Adam and Eve as they are about to leave paradise. He personally attends to the burial of Moses after he has taken him to the top of Mount Pisgah to see from afar the land to which he has been traveling for 40 years but will not be destined to enter. The significance of these scenes of tender concern on the part of God are not incidental to the narrative but of its essence. **God is He-who-cares. He has given his word, his book, to a people so that it will become a nation-that-cares.**"^{lviii}

What is this central Divine emotional attribute that we share? It may be understood simply as "mercy,"²³ however Maimonides identifies giving with "joy," a giving that is transformative of the recipient but also nourishing for the giver. Such tzedakah is not experienced as an act of altruism or self-sacrifice, but one of self-enlargement. Maimonides contrasts two kinds of joy, both associated with materials that occur in the practice of Purim: eating and drinking at a festive Purim *seudah* (meal) and sending gifts to one's friends or sending gifts to the needy:

"It is better to multiply gifts to the poor more than multiplying the quality of one's [obligatory Purim] banquet or one's gifts (*mishloakh manot*) to friends. **For there is no greater and more glorious joy than making the hearts of the poor, the orphans, the widows²⁴ and strangers [or converts] joyful.** One who makes the hearts of such miserable people happy is similar to the *Shekhina* [the feminine image of the Divine presence] as it says, to *revive the spirit of the low in esteem and to revive the hearts of the oppressed*" (Isaiah 57:15)."^{lix} (Maimonides, Laws of Megillah 2:17)

In the same vein, Rabbi Samson Raphael Hirsch (19th C., Germany) appeals to the heightened Romantic sense of sentimentality in life by elaborating on Maimonides's sense of emotional satisfaction helping people:

²³ For Christianity, imitation of God in the embodiment of the Divine in Jesus is equally central to the rationale and character of giving. One of the images of Divine aid for the poor is not only about giving something but about taking something away - taking on the "burdens" of the needy. Quadratus writes about a double move of human reciprocity for Divine love for human beings that is redirected as love for the poor. That love is expressed in taking on their burdens, just as God has taken on our burdens, our sins, in love:

"When faith shall have revealed to you the greatness of the love of God for human beings, what love will you not feel in turn for him who first loved you? And if you love him, you will become the **imitator** (*mimetes*) of his goodness. **Do not be surprised at the idea that humans can imitate God.** In effect he can if he will, but not in seeking riches and authority, not in crushing inferiors with the weight of his power. For the greatness of God does not consist in these things, and this would not be to imitate him. Rather in **loading oneself with the burdens of his brothers, in making his inferiors share** all the advantages that he enjoys, in sharing the gifts of Providence with the poor, one becomes divine to those he aids, and he is truly the imitator of the Most High" (*Apologia* to Diogenes in Eusebius' *Historiae Ecclesiasticae*. E. IV 3, 1f).

²⁴ "Reb Aryeh Levin used to visit widows during the intermediate days of Pesach and Sukkot in an attempt to bring a measure of joy and happiness into their lives. Particularly during the festivals, he reasoned, the widow would more acutely feel her loss and her loneliness, because she would have more time to reminisce and to recall how joyous her home had been during similar festivals in the past, when her husband was yet alive." (Simcha Raz, *Ish Tzaddik Hayah*, 121 retold in *The Torah Ethic*, Zecharia Fendel, 269)

“Not the decades during which you have lived in levity and self-indulgence or in the pursuit of riches and pleasure, but the moments which will transform the bitterness of your last hour into the **sweetness of blissful memories** and hope will be those moments in which you dried somebody's tears, lessened his pain, comforted him in his distress, added a stone to the edifice of brotherly happiness and brought tranquility to a soul which was at odds with itself and the world.”^{ix}

Thus both Maimonides and S.R. Hirsch understood Rabbi Yehoshua in psychological terms when he taught: “More than what a householder [who gives tzedakah or hospitality] does for the poor person, the poor person does for the householder” (Midrash, Leviticus Rabbah 34:9). The givers are made happy in feeling their power²⁵ to give life and watch life renewed before their eyes, but they also progress in their religious quest to be Godlike. Being like God is a form of sanctification of one’s own life by action (sanctification by mitzvot) rather than through participation in the Divine metaphysical nature or Divine wisdom or the mystical spirit. That sanctity, however, is not manifested in self-denial or transcendence of the bodily, but by the empowerment to do God's work in the world in serving the bodily needs of the needy which turn out to be also spiritual needs of the donor. In a saying attributed popularly to the Baal Shem Tov, “material needs of your fellow are your spiritual needs.” Psychologically, what Maimonides' giver grants the poor, who are considered dead, is life itself. This is how Daniel Siegel, the tzedakah activist and poet interprets the midrash:

"[God says:] Just as I create worlds and bring the dead back to life, you, human beings, are also capable of doing the same." (Midrash Psalms 116:8)

The highest form of tzedakah for Maimonides is, of course, giving a job or entering a business partnership with the poor.²⁶ Offering someone with no collateral and a bad credit rating a loan or entering into partnership by making an investment where the poor will be expected to produce is a powerful way to say "I believe in you." **Faith in the needy's ability to regenerate and support themselves may have a transformatory effect that gives emotional support far beyond words of consolation for one's "fate" of your pain, degradation, and impotence.** A smile and words of consolation only help the poor *accept* their situation with greater resignation. But a job changes one's sense of potency.

In addition, the givers are also transformed as they discover their ability to make a difference in someone's life. Rav Joseph Soloveitchik compares the desire to help others grow in independence to the urge a teacher has to share life-giving wisdom. That is for him the existential meaning of love or *hesed*:

²⁵ “Joy is the feeling of expansion. This type of joy is associated with the feeling best-described as going beyond one's self, or of no longer feeling self-enclosed or trapped within oneself. It is the joy of being loved and of feeling capable of love, i.e., the feeling that another has become part of one’s consciousness. Joy in this sense involves a feeling of expansion, when community or another person becomes part of one’s ‘I.’” (“The Joy of Torah” in David Hartman, *Joy and Responsibility*, 17ff)

²⁶ “The highest, supreme level is one who supports an Israelite who has come by hard times, by handing him a gift or a loan, or entering into a partnership with him or finding work for him, in order to strengthen his hand, so that he would have no need to beg from other people. Concerning such the Torah says, *you are to sustain him, like a stranger or a resident, that he may live with you* (Lev. 25:35) – meaning: sustain him, so that he will not lapse into poverty.” (Mishne Torah, Gifts to the Poor 10:7-14)

“There is an urge that is of a moral character: **teaching as an act of *hesed* or *caritas***. *Hesed* consists of an existential communal awareness, an open and not closed life, a life not as a castle or fortress, but as an accessible tent....The principle of *hesed* mandates not only providing material but spiritual goods... Just as we are duty-bound to feed the poor and clothe the destitute, we are equally obligated to teach the ignorant, dispel prejudice and superstition, and enlighten those who live in darkness. To teach is an act of great charity.”^{lxix} ²⁷

Personalized Giving – Danny Siegel and Maimonides

While Maimonides is known for the principle of anonymity in tzedakah, Maimonides waxes poetic about the joy and power of the giver watching how his material gift revives human vitality in a Godlike fashion. In contemporary American Jewish tzedakah, the poet and scholar Danny Siegel has devoted his life to bringing together donor and recipient in such a way as to protect the dignity of the needy and yet give the donor a sense of the Maimonidean joy in being able to transform another human being’s life with just a few dollars and much interpersonal care. He has identified those individual “mitzvah heroes,” as he calls them, who have devoted their lives to helping the needy in very personal ways. Through them, the donors get a glimpse of a joy generated in tzedakah as *hesed*, so the financial supporter can discover the meaning and miraculous power of a little material aid and a lot of love.

First, Danny Siegel calls his mode of giving – “**Personalized Tzedakah.**” The term humanizes the transfer of material resources by insisting:

"Your tzedakah work should touch you personally on a very profound level, and that the beneficiaries of your tzedakah should always be seen as real-live people....Both giver and beneficiary share that common element, and any de-personalization would, therefore, be unacceptable.”^{lxxii}

Second, personalized tzedakah reveals the miraculous spiritual force that gives the gift of life. Money is turned by alchemy into life:^{lxxiii}

“Money can make miracles happen. Not only *can* it make miracles happen, it *does* make miracles happen - through Tzedakah. Every day, everywhere that Mitzvah money is used wisely for the benefit of others, big miracles, medium-sized miracles, and so-called ‘small’ miracles are happening. Endangered, disheartened, and troubled individuals can look to good health, opportunity, and hope because of the amazing power of Tzedakah.... People who were living in despair, who once felt that they had no fair chance to live a *Menschlich* - a decent - life, now live in good health, in safety, with dignity and hope. In turn, they have a heightened, refined sense of caring and giving to others because of Tzedakah money that gave them their hope, opportunity, and a restored feeling of Life.”^{lxxiv}

²⁷ “The ***hesed* community** exists at two levels. At one level, the individual shares his material possessions with other members of the community who are less fortunate. This is **the helping or sharing community**. At the second level, the individual gives away the spiritual goods with which God has blessed him. He lets other members of the community get a glimpse of the beautiful treasures he has acquired through a painstaking effort, diligence, and complete devotion. In the same manner that the Torah requires economic man to open his storage room or his safe deposit box and let others share in his savings, so too does the Torah require of spiritual man to open his mind, his heart, his existence. Invite others! Let them share your thoughts about Pesach, your feelings about Yom HaKippurim, your experiences of prayer, of God, man and the world. This is the Torat Chesed community, the teaching community.” (Rabbi J.B. Soloveitchik, *Festival of Freedom*, 19-20)

The gift of life that Maimonides describes in bringing vitality to the deadened poor was what Daniel Siegel witnessed in an adolescent who volunteered with the disabled and taught someone, whom no one believed in, how to dribble a basketball. That is what a psychiatric medical student felt at the end of the session that seemed to conclude unsuccessfully without being able to break through and communicate with the patient who was wholly unresponsive and catatonic. He took his leave and thanked her for her time. When he reached out to shake her hand in farewell, she actually turned to him and extended her hand in return. The sudden expansion of her communicative life was a source of overwhelming joy for the medical student.

Third, personalized tzedakah is **empowering** even for the little donor – especially in a modern, mass society where individuals often feel their helplessness to make a difference:

"The more skilled you become in using your sacred tzedakah money, the more you will come to realize that \$1.00, \$5.00, \$18.00, \$25.00, or \$100 can have a profound effect on the lives of many other people. ...A little Tzedakah money, well-timed and judiciously-placed, has such overwhelming power that you may be at a loss to believe what you can accomplish."^{lxv}

“There is no doubt that your act of Tzedakah has given vital sustenance to someone who might otherwise have wasted away. That mitzvah you have done should also shift your own sense of what it means to be a human being into some higher realm. *You*, an ‘anybody’ on the earth, used your money and saved a life. That is amazing, awesome. ... You made it happen.^{lxvi} You changed the world by changing the life of one individual.”^{lxvii}

“That act of tzedakah touches Life, the world *outside* of yourself, and your *internal* being. Your sense of accomplishment is rooted in the feeling that you are not helpless in the face of the ostensibly insurmountable troubles, sadness, and human woe in the world. You can change lives for the better.”^{lxviii}

One's attitude to power is also rehabilitated:

"You are aware of how power can be abusive and is abused... Simultaneously, you know that the right kind of power can be a great human blessing.”^{lxix}

Therefore, the needy's tzedakah must also be solicited and honored for the ability to restore one's dignity:

“Even a poor person who is supported by tzedakah must give tzedakah.” (TB Gittin 7b)

"If you take away a person's self-definition as a giver, you have taken away his or her self-dignity. Being a Tzedakah-giver defines who you are as a person and as a Jew. To tell anyone that she or he is too poor to give is, in a way, tantamount to taking away her or his very existence.”^{lxx}

Finally, the advantages of personalized tzedakah include its ability to build **a sense of community, a sense of connectedness**, that transcends and heals the loneliness of human existence, both for the donor and the recipient:

“You feel **connected**. With an act of tzedakah you are neither alone nor lonely. You are attached to others - to other human beings who share your common human sense of fear, sadness, pain, and joy. You are linked to others wherever they may be on the face of the earth. You are attached to the past, because for more than three millennia Jewish tradition has taught that this is how you should respond to the needs of others. You are linked to the

present, because you are doing something for others that happens now. And you are a part of their future, whether it is the kid who has no family who goes to camp because of your tzedakah money or the infant car seat you provided to a single mother who has no money to buy one. Whatever the specific situation, your future and theirs are forever bound one to another.^{»lxxi}

D. *HaRakhaman*, Giving as Empowerment for the Beloved: Erich Fromm's *The Art of Loving* (1956) and Maternal Love

“Not he who has much is rich, but he who gives much.” (Erich Fromm)

While Maimonides and Danny Siegel speak eloquently of the **empowerment of the giver** and its association with **joy**, the existential humanist psychologist Erich Fromm speaks of how the **empowerment of the needy** may flow from a particular kind of **love from the giver** which he identifies with archetypal maternal love. In his portrait of love, he seems to be responding to the modern critique of Christian charity as paternalist love often heard from Kant and Nietzsche. Kant condemned Christian love expressed in charity as an act of pity that emasculates and disempowers the beneficiary in order to establish the so-called selfless nobility of the giver at the expense of the self-respect, autonomy and dignity of the needy. Such so-called love is seen as self-aggrandizement, a demonstration of one's superiority that perpetuates and accents dependency. But that is surely not what was intended by Maimonides at the highest level of tzedakah, which helps the poor to become economically independent, to redeem themselves and return them to productive and hence self-respecting status. In fact, Maimonides never identified tzedakah with love (*ahava*) at all, but only with *hesed*. Furthermore, he tries to minimize the relationship of giver and needy to avoid the former's arrogance and the latter's shame. Rather, it is Erich Fromm who redefines this empowerment as a special kind of love, modeled on maternal love, especially the love of a mother for a young child who is becoming more independent of her.

Let us examine Fromm's psychological treatment of **love as a form of empowering care**. Although he is no rabbinic voice authoritatively representing Jewish tradition, but he was, nevertheless, deeply learned as a Jew whose dialogue with the Bible was enriched by his Jewish colleagues in Germany. Before emigrating from Germany during the Nazi era, he was a Jewish teacher^{lxxii} in the enormously creative adult Jewish educational center, the Lehrhaus in Frankfurt, along with Franz Rosenzweig, Martin Buber, Ernst Simon, S. Y. Agnon and many others. Fromm integrated psychology and Judaism in his humanist interpretation of the Biblical God in his volume entitled, *You Shall Be as Gods*. In this volume he envisioned a mature relationship to God in which human beings overcome childish dependence and become gods in their own rights; hence his title is taken from the mouth of the snake who offers Eve knowledge, maturity and divinity (Gen. 3:5). Human beings must mature in history to assume Divine roles. Both a mature Jewish God and a loving mother will find *nachas* (pleasurable satisfaction in the success of their offspring) in seeing their child grow. This insight finds expression in Erich Fromm's bestseller *The Art of Loving*, which distinguishes falling in love as a self-infatuation and mature love that maintains separation in the midst of a loving oneness.

In rounding out this chapter on the emotional components of tzedakah – *hesed*, I think Fromm offers us an innovative understanding of the Divine trait central to tzedakah and *hesed* – mercy (*rakhmim*). In the rabbinic liturgy, mercy is God's attribute and God's name *HaRakhaman*, the Merciful One – a word derived from the word “womb” and associated with maternal compassion. The gendered analogy of Divine and human giving

to mother-child love is developed uniquely by Erich Fromm. His maternal figure of giving is not one who dominates, but one who nurtures and strengthens. Her loving manifests responsibility and shows respect for the otherness, enabling ultimate independence from the beloved. Fromm's mother-child relationship²⁸ is less associated with the nursing mother and more with the mother of toddlers exploring their world and their new powers. She encourages individuation of the child in diametrical opposition to the much feared stereotype of the so-called "Jewish mother" – guilt-producing "**SMother**" love or castrating attachment:

"In erotic love, two people who were separate become one. In motherly love, two people who were one become separate. The essence of motherly love is to care for the child's growth, and that means the child's separation from herself." (Erich Fromm, *The Art of Loving*, 51)

"**Love is an active power**; a power which breaks through the walls which separate man from his fellow men, which unites him with others; love makes him overcome the sense of isolation and separateness, yet it permits him to be himself, to retain his integrity. In love the paradox occurs that **two beings become one and yet remain two.**"²⁹

Fromm claims that loving *someone* is different than falling in love with the *image* of someone. Before loving another for their sake, the lover must achieve self-sufficiency, so that the lover can make room for the recipients of that love, rather than incorporating them. This is also a central theme in Martin Buber's *I and Thou* that rejects mystical fusion of human beings with God in an ecstatic experience of *unio mystica*. Rather a healthy and mature religious personality seeks dialogue, as with the Biblical God. Fromm is equally concerned to avoid two poles of an unhealthy love relationship. On one side, unhealthy love collapses into smothering oneness when the mother or lover seeks to absorb the child or the beloved back into her womb. On the other side, this defective love relationship is reflective in the self-sacrificing mother or lover who loses herself in the beloved and thus revels in *her* seeming disempowerment rather than in the empowerment of the beloved:

"**Love is mainly giving, not receiving...** The most widespread misunderstanding is that which assumes that giving is 'giving up' something, being deprived of, sacrificing. The person whose **character** has not developed beyond the stage of the receptive, exploitative, or hoarding orientation, experiences the act of giving in this way. [Such] people... feel giving as an impoverishment. Most individuals of this type therefore refuse to give.²⁹... Some make a

²⁸ Note that Fromm's love is not merely voluntary. It is obligatory. A mother may love her child naturally without need for legal coercion but her love is not voluntary. A mother has responsibility for the child for she invested in the child. "The [mature lover's character traits] are **(1) care, (2) responsibility, (3) respect...**

(1) **Love is the active concern for the life and the growth of that which we love.** That love implies care is most evident in a mother's love for her child...God explains to Jonah that the essence of love is to 'labor' for something and 'to make something grow,' that love and labor are inseparable. One loves that for which one labors and one labors for that which one loves.

(2) To be **responsible** means to be able and ready to respond. Jonah did not feel responsible to the inhabitants of Nineveh. He, like Cain, could ask: *Am I my brother's keeper?* (Gen. 4:9) The loving person responds. The life of his brother is not his brother's business alone, but his own." (Fromm, *The Art of Loving*, 26-27)

²⁹ "It is hardly necessary to stress the fact that the ability to love as an act of giving depends on the **character** development of the person. It presupposes the attainment of a predominantly productive orientation; in this orientation the person has overcome dependency, narcissistic omnipotence, the wish to exploit others, or to hoard, and has acquired faith in his own human powers, courage to rely on his powers in the attainment of his

virtue out of giving in the sense of a sacrifice. They feel that just because it is painful to give, one should give; the virtue of giving to them lies in the very act of acceptance of the sacrifice. For them the norm that 'it is better to give than to receive' means that it is better to suffer deprivation than to experience joy."^{lxxiv}

Fromm rejects what we identified above as Pauline self-sacrificial love often associated with charity. He champions a mature loving as an overflowing generosity of the creative spirit. Fromm's language echoes the rabbinic description of the ideal student, Elazar ben Arakh, as an overflowing spring, unlike his fellow student, Eliezer, who is compared to a sealed cistern that never loses a drop (Avot 2:11). One models a personality of surplus and the other, of scarcity. One recalls an economy of hunters, gatherers and hoarders who are afraid to give up what they have whether emotional or material treasures, while the other reflects an economy of production where the more goods flow, the more goods are produced:

"Giving is the highest expression of potency. In the very act of giving, I experience heightened vitality and potency fills me with joy. I experience myself as overflowing, spending, alive, hence as joyous. Giving is more joyous than receiving, not because it is a deprivation, but because in the act of giving lies the expression of my aliveness.

"In the sphere of material things giving means being rich. **Not he who has much is rich, but he who gives much.** The hoarder who is anxiously worried about losing something is psychologically speaking, the poor, impoverished man, regardless of how much he has. Whoever is capable of giving of himself is rich. He experiences himself as one who can confer of himself to others... But daily experience shows that what a person considers the minimal necessities depends as much on his character as it depends on his actual possessions."^{lxxv}

Maimonides's joy in life-giving tzedakah is similar to Fromm's joy in overflowing, enabling giving. It is a giving not only of my wealth but of myself, in which I see my own potency reflected in the growing potency of the beloved emerging from dependence on me:

"The most important sphere of giving, however, is not that of material things, but lies in the specifically human realm. What does one person give to another? **He gives of himself**, of the most precious he has, he gives of his life. This does not necessarily mean that he sacrifices his life.... In thus giving of his life, he enhances the other person.... He does not give in order to receive; giving is in itself exquisite joy.

"But in giving he cannot help bringing something to life in the other person, and this which is brought to life reflects back to him. ... **Giving makes the other person a giver also and they both share in the joy of what they have brought to life.** In the act of giving something is born, and both persons involved are grateful for the life that is born for both of them. Specifically with regard to love this means: **love is a power which produces love.**"^{lxxvi}

Yitz Greenberg offers a different Jewish metaphor for the nurturing love of a mother enabling a child to grow and become independent. The term he identifies as *l'gmol* is also drawn from the unique vocabulary of maternal love – breast-feeding, nurturing with mother's milk. It has the seemingly paradoxical meaning not only of nursing but also of stopping the nursing. Thus Isaac's weaning from his mother's breast, his first step to

goals. To the degree that these qualities are lacking, he is afraid of giving himself - hence of loving." (Fromm, *The Art of Loving*)

independence at age three, is celebrated by Abraham and Sarah as the day he was weaned – *hi-gameil* (Gen. 21:8):

“*Gemilut* comes from the verb *lignol* which **means to grant goodness, give overflowing; to nurture, to nurse** (and by inversion, to wean from nursing). The image is that of **direct interpersonal giving** (as a mother gives milk to the child nursing at her breast). **This is giving which sustains the life of the recipient and which links the giver and the recipient in elemental (or literal) connection. Actions of personal service and relationship are the key links to all human life; they make society and human living possible.** According to the Jewish value system, human beings are commanded to give direct personal service and relationship to fellow humans. In this way, **they nurture, sustain and give others the wherewithal to grow.**”^{lxxvii}

From the Biblical term for a mother nurturing a child in preparation for his or her growth toward independence comes the general rabbinic term for personal service rendered voluntarily as an act of lovingkindness to help those in need with comfort and aid, such as burial, preparation of a bride, visiting and caring for the sick. Some of those acts render the recipient healthier and others simply comfort them in their rites of passage, especially the ultimate act of true love, *hesed shel emet*, helping in burial:

“**The deepest confirmation of the preciousness of a human life comes when a person gives his or her own infinitely valuable life to the other.** Normally, this is not done by literally giving one life for the other - say in dying to protect or save another. **The fundamental, ongoing communication of human value takes place when one person spends a piece of his or her life - some unique and irreplaceable amount of time - in relationship and service to the other.** This is the true meaning of the concept of *gemilut hasadim*, generally (inadequately) translated as ‘acts of lovingkindness.’ But *Gemilut hasadim* really means to service/help the other with my own life/time.”^{lxxviii}

Such acts of love are not power trips nor acts of condescension at the expense of the dignity of the recipient, but gifts of oneself that define us as truly human in ways that Fromm and Greenberg consider higher than Kantian rationality or Stoic autarchy and self-sufficiency as the essence of humanity. Yitz Greenberg calls for a new mitzvah of personal service, *hesed*, to other human beings as a universal covenant expanding the original covenant with Israel.

“The word *hesed* (plural, *hasadim*) describes more than lovingkindness; *hesed* really means **covenantal love, i.e., love that becomes committed and obligated to the other.** Judaism teaches that all humans are related and bound to each other. To perfect the world and to become fully human individuals enter into a covenantal community. **As partners, they are obligated to serve, nurture and sustain each other and thereby to bring out the image of God (infinite worth, equality, and uniqueness) of the other.**

“In light of the growth of the recognition of the dignity of all human beings, the time has come to articulate **the obligation for personal service to the other** as a fundamental obligation of a human being, according to Judaism. After the Holocaust, in which the fundamental dignity of Jews - their infinite value, equality, and uniqueness - was denied, degraded and over-ridden, Jews have a special obligation to uphold *tikkun olam* by restoring, nurturing and enhancing the image of God of all in need. This obligation is met through personal service. ... A Jew is commanded not just to do individual acts of *hesed* to others but **to set aside regular time for volunteering and giving personal service.** What is the minimum number of hours a week, a month or a year that one must dedicate to nurturing the equality and uniqueness of other human beings? We must create a Jewish culture in which the final measurement of ‘was this life worthwhile?’ will be: Did one set aside regular times for nurturing other human beings?”

A Respectful Giving and Self-Distancing Love

"Do not glorify and magnify yourself over the poor because *you* are the one giving him. That is why you are *not to behave like a creditor* who lords over the poor in giving what you own to the poor."^{lxxxix} (Haim ben Moses ibn Attar, d. 1743)

In Fromm's empowering love there is no shame for the growing child. What Maimonides most feared is that tzedakah would shame the recipient who feels put down by dependence. Hence he preferred anonymous giving or giving in the form of a subterfuge, as if it were a loan or business investment, rather than a handout. Often giving motivated by mercy or pity is considered demeaning. Mothers, too, can smother and embarrass their children by infantilizing them when they are ready to take their first steps alone. When one falls from economic autonomy to dependence, one dreads the return to infantilization and one suspects that the so-called *hesed* of the giver of tzedakah is really a cover for one who enjoys the one-up-manship. However, Fromm defines mother love as an empowerment preceded by **respect** and distance from the growing child. The self-respect of the child grows out of the mother's respect for the child's unique talents:

"Respect denotes, in accordance with the root of the word (*respicere* = to look at), **the ability to see one as he is, to be aware of his unique individuality. Respect means the concern that the other person should grow and unfold as he is.** Respect, thus, implies the absence of exploitation. I want the loved person to grow and unfold for his own sake, and in his own ways, and not for the purpose of serving me. If I love the other person, I feel one with him or her, but with him as he is, not as I need him to be as an object for my use. It is clear that **respect is possible only if I have achieved independence**; if I can stand and walk without needing crutches, without having to dominate and exploit anyone else. Respect^{lxxx} exists only on basis of freedom."^{lxxxii}

Sara Ruddick, in *Maternal Thinking*, expands this notion of a mother as a nurturer of children who are growing towards independence. She describes a special **maternal gaze**, as when a toddler is learning to walk. A mother "gives a look;" she gazes from afar at a playing child, as Miriam, Moshe's sister gazes at him from afar as he floats in the ark of bulrushes towards his future (Exodus 2:4). Miriam, the sister, and the mother of a toddler represent the eye of Divine providence. Ruddick explains how this look, this super-*vision* must follow a middle way between protection and letting the child grow to independence by trial and error. A mother must be neither too active and smothering nor too passive. A woman's humility contributes to a "respect for reality that emerges when one is not selfish and self-centered." This formulation recalls what we quoted above from Erich Fromm :

"Respect in accordance with the root of the word (*respicere* = to look at), **the ability to see one as he is, to be aware of his unique individuality. Respect means the concern that the other person should grow and unfold as he is.**"^{lxxxii}

Respect is an antidote to the pathology of love - its possessiveness. Fromm holds that romantic love or "falling in love" is often wholly narcissistic. In becoming one with the other, one obliterates oneself and the other out of neediness and dependence. Or in worshipping the other's perfection, one in effect denigrates one's self as worthless, as in chivalric love. **Possessive love is** epitomized by the mother who seeks to "reincorporate" the other and treat the beneficiary of her love as if still a fetus inside her body (*corpus*).

Such a tzedakah giver cannot give up on the control of the beneficiary whose ongoing dependence on the giver enlarges the giver's self.

Another characterization of possessive love appears in Jose Ortega y Gasset's *Essays on Love*. He analyzes the phenomenology of desire as a process of **destructive conquest, of “consuming love”**:

"To desire something is undoubtedly to show the tendency to take possession of something. Possessive desire is the will to make something enter our circle of being and become a part of us. Thereby the desire dies the moment it is satisfied. Grasping the desired object is the end of desiring."^{lxxxiii}

Here possession is not a matter of ongoing control, incorporation and accumulation, but of using up the object or more precisely, releasing the tension when the conquering process is completed. Such a donor may like the challenge of helping others as a process of triumphant problem-solving, passing from one project to the next without caring about the beneficiary as such.

What might heal such possessive or consuming love is Fromm's art of loving, in which the lover and the beloved first achieve self-esteem and emotional independence before entering into love. Love must always respect twoness and does not seek to eradicate distance between lovers and thereby selfhood. In love, the paradox occurs that **“two beings become one and yet remain two.”**^{lxxxiv} These notions might apply – *mutatis mutandis* - to tzedakah situations where the giver is actually so psychologically “needy,” so lacking in self-esteem, that the gift is an attempt to nourish the giver's sense of deficient self and earn the worshipful gratitude of the beneficiary. Givers may want to unite their emotional lives vicariously with those of the beneficiaries while needing material aid, but are not seeking someone to adopt them emotionally. The beneficiary is already dependent and does not want to exchange material dependence for psychological dependence.

We have seen three characterizations of negative love: (a) possessive, incorporating love (Fromm); (b) conquering, consuming love (Ortega y Gasset); and (c) denigrating, pitying compassion (Kant). In contrast, Simone Weil, like Erich Fromm, describes a positive love that respects distance and abjures narcissistic self-centered love. Avi Sagi summarizes her insights:

"For Simone Weill love is 'faith in the existence of others on their own.' Love liberates the other from subordination to one's self and enables the other to be present without serving as an object for me... In love, the other receives recognition as an independent being not conditional on me."^{lxxxv}

Simone Weill says paradoxically that "to love with pure love is to agree to maintain distance, to cherish the distance between ourselves and that which we love." This contrasts with the usual romantic notion that love seeks to close distances or obliterate them in order to achieve total intimacy through pure union. That is the romantic ideal of *to become one flesh* (Genesis 2:24) which ends tragically in Genesis 3 with suspicion and separation. Avi Sagi explains Simone Weill's selfless love that knows how to maintain a respectful distance:

"Love cannot exist without the lover being willing to recognize the distance between the lover and the object of love, for if the lovers see the object of love as something that exists

only for them, then they love themselves even though they delude themselves into thinking they love the other. True love is the ability to retreat, to give up control, to agree to self-restraint and to restrict the human tendency to sovereignty over others and incorporation of others into oneself....

"The wonder of the presence of others as they are in themselves can occur only when one is willing to retreat and make room for the other... The presence of the other depends on a retreat from the schema of subject-object relations. The lover forfeits hierarchal subject-object relations."

Weil's definition of love requires the recognition that human dignity may not be violated by love. Love is shown for the other as other when one reneges on one's desire for possession and self-aggrandizement. This is truly selfless Christian love. However, Avi Sagi suggests we regard Weill's concept as a necessary condition for love rather than as an essentialist characterization of love itself. Respect for distance, difference and freedom of the other is step one – but then step two is reaching out to connect to the other and giving the other the positive gift of self, not only the negative gift of freedom from my interference.

Here Sagi turns to Ortega y Gasset who characterizes love as transcending oneself, not contracting oneself:

"The ones who love go out of themselves. This is nature's great attempt to enable humans to emerge from their self-enclosed space and move toward one who is different than they are. The other does not approach me but I move toward the other with all my will power."^{lxxxvi}

Love is self-transcendence. In terms of giving, one gives not only something belonging to oneself but one gives oneself by moving toward the other and out of oneself. Love is self-liberating, salvational for the benefactor who is the actual first beneficiary without conquering or controlling the other who is the "object" of love in the sense of the destination toward which one directs one's self-transcendence. Therefore, the archetypal love is the love of the other, not of the same.

Biblical, Rabbinic, Greek, and Christian culture identify the emotion or character trait or relational intention of giving - with love. Providing aid to the other is a material expression of love as it says in the Torah, *[God] loves the stranger to give him/her bread and clothing* (Deut. 10:18). That concern for the material well-being of the other and the brother is the way God is to be imitated both when loving the stranger and by inference when loving one's fellow member of society (Deut. 10:19; Lev. 19:18, 33-34). But the rabbinic treatment of tzedakah and modern thought's critical analysis of compassion and romantic love have identified deeply negative aspects of such love. The more love has been idealized in chivalric love where one sacrifices oneself in adoration of the perfect beloved, or in salvational love that redeems the beloved from sin and despair by love as forgiveness, the more love becomes false love, giving turns into taking control, helping into demeaning the needy other. In defining the negative, one must refine the positive ideal of giving. Respectful loving-*cum*-giving is an attempt to refine and redefine such a love. Through the lens of these inspiring, contemporary, psychological narratives of giving and love, one can illuminate Maimonides's principle of partnership with the poor on their way to independence *and* his principle of joy in reviving a depressed and deadened soul. Maimonides highest form of tzedakah ought to be identified with *hesed* and *rakhmim* in the form of **empowering love**, just as Erich Fromm characterizes it in maternal love of her child's growing independence from her.

Fromm's nurturing love is characterized most beautifully in the poet Rainer Maria Rilke's letters:

"Instead of possession, one learns relationship."^{lxxxvii}

"Love does not mean principally merging, surrendering, and uniting, with another person...Rather it is **an inducement for the individual to ripen, to become something in himself, to become world, to become world in himself for another's sake...**

Love consists in this – that two solitudes protect and border and greet each other."^{lxxxviii}

The empowering maternal lover grows by giving strength for a separate existence to the child and thus the child grows. There is a profound reciprocity in this relationship; it is not a material exchange but one of mutually-catalyzed inner growth. Nurturing then is giving *and* receiving, without controlling and invading.

Fromm found his archetypal model of nurturing love in the family, and the American researcher, Arthur Brooks, proves statistically that in America and Europe today the most important predictive factor for the rate, frequency and amount of giving money and time to others outside the family is the effective measure of what family membership means. Truly he says, "charity begins at home." Family is the best educator for charitable giving, and the bigger the family, the more generous its children with time and money – even though they have less time and money:

"Charity is a natural family value. Family life is connected with charity in all sorts of ways. First, at the simplest level, families are good for charity, because, except in a few situations (such as single parenthood), people who have children are more generous than people who don't. Perhaps the act of having children stimulates giving, or givers are more likely to have kids, but we find that, for example, a household with four members is more likely to give and volunteer each year than a household with only two members. Given that children are expensive and time-consuming, it is somewhat surprising that parents make available more of their time and more of their money than nonparents.

"A second fact about charity and families: Generous parents make for generous kids. The data on this point are definitive. In one large survey from 2000, a sample of Americans was asked about their parents' volunteering, as well as their own volunteering. Among those who said they saw their parents volunteer when they were children, 56 percent grew up and volunteered every year themselves. In contrast, among people whose parents did not volunteer, only 38 percent volunteered each year as adults. This pattern held for religious and nonreligious volunteering."^{lxxxix}

"Thus Europe's exceptional low level of private charity also reflects their falling marriage rates and fertility rates below replacement. As in America, there is evidence that childless Europeans are less likely to donate to charity than their kids."^{xc}

Appropriately for our book on religious paradigms of giving, Brooks discovered that the second most predictive factor for the degree of giving is religiosity of whatever religion. Thus religious American families with children give at a much higher rate than Americans or Europeans not in these categories.

Conclusion

In conclusion, we have traced *hesed*, the emotional component of acts of lovingkindness, into the heart of all giving, and promoted a narrative of tzedakah that is not faceless but personal. Tzedakah with *hesed* involves the heart and soul of the giver and the receiver and their search for a common narrative that brings them together while respecting their independence. Tzedakah with *hesed* harnesses one's material and emotional resources to reach out to the poor and alleviate both their physical needs and their psychological and social suffering. It must not, however, remain at the level of mercy for the *other*, but it must overcome that otherness and separateness. **The givers and recipients must discover their common solidarity and their ability to grow in independence thanks to their interchange of empowering giving and *nachas*.** (*Nachas* is a Yiddish concept that refers to the pleasure a parent takes in the success of their offspring).

Rav Joseph Soloveitchik makes this point in characterizing *hesed*, transforming it from mercy or sympathy to solidarity, from an individual virtue to a communal value. Most remarkably, he takes as his prime example Job, who more than any other Biblical character manifests the emotional component of tzedakah. Job trumpets his own righteous and caring behavior, and yet God punishes him, says J. B. Soloveitchik. Why? He answers: this righteous man, Job, is a *tzadik* who *did* give tzedakah and *did* treat the poor with compassion and *did* argue for just treatment of his slaves, yet still he suffered terribly for a sin of omission – lack of *hesed*. Here Rav Soloveitchik distinguishes *tzedeck* and *hesed*, righteousness and compassion. God tries and succeeds in teaching Job to reach for a higher standard of **communal solidarity** - a lovingkindness based on sharing emotionally in the pain of the community and the individual:

“God addressed Job as a man of destiny [who was called to live a life of higher moral sanctity] and said: Job, it is true you will never understand the secret of ‘why,’ you will never comprehend the cause or *telos* of suffering. But there is one thing which you are obliged to know: the principle of mending one's afflictions. If you can elevate yourself via your afflictions to a rank that you had hitherto not attained, then know full well that these afflictions were intended as a means for mending both your soul and spirit.

“Job! When My lovingkindness overflowed toward you... and when you were a prominent and influential person ... you did not fulfill the task that my abundant lovingkindness imposed upon you. True you were a wholehearted and upright man, you feared God and shunned evil; you did not use your power or wealth for evil; you dispensed a great deal of tzedakah nor were ever loath to extend your help and support to the needy, but came to their aid in times of distress - *For I delivered the poor that cried, the fatherless also that had none to help him* (Job 29:12).

“However, in two respects **you were lacking in that great attribute of *hesed***, of lovingkindness:

(1) you never assumed your proper share of the burdens of communal responsibility and never joined in the community's pain and anguish;³⁰

³⁰ According to the midrash, “you lived during the time of Moses and were numbered among Pharaoh's advisors. Did you lift a finger when Pharaoh decreed: ‘*Every son that is born you shall cast into the river*’” (Exod.1:22), when the taskmasters worked your brethren with rigor? You were silent and didn't protest, for you were afraid to be identified with the wretched slaves. To slip them a coin - fine, but to intervene publicly

(2) nor did you ever properly empathize with the agonies of the individual sufferer.

“As a kind, good-hearted person, **you took momentary pity on the orphan; you were very wealthy and could afford to give substantial tzedakah without straining your financial resources.** However, *hesed* means more than a passing sentiment, than a superficial feeling; *hesed* demands more than a momentary tear, than a cold coin. ***Hesed* means to merge with the other person, to identify with his pain, to feel responsible for his fate.** And this attribute of *hesed* you lacked in both your relationships with the community and with the individual.

“You were concerned only about your own welfare. You would pray and offer a burnt-offering only on your own behalf (Job 1:5). **Did you ever once offer a prayer on behalf of a stranger in a spirit of sharing in his grief?** Don't you know, Job, that prayer is the possession of the community as a whole, and that an individual cannot approach the King and appeal to Him and present his requests before Him unless he redeems himself from his isolation and seclusion and attaches himself to the community? Have you forgotten that Jewish prayer is recited in the plural – ‘one should always associate oneself with the congregation’ (TB Brakhot 10a) - that Jewish prayer means that one soul is bound up with another soul, and that stormy and tempestuous hearts merge and blend?...

“Job, if you but wish to learn the teaching of the mending of one's afflictions you must first apprehend the secret of prayer which brings the ‘I’ closer to his fellow.... and you must first understand the idea of *hesed*, **as that idea is embodied by the prayerful person who rises above his individual uniqueness to achieve a sense of communal unity.** You cannot discharge your obligation by merely dispensing a few clattering coins from amidst the abundant wealth with which you have been blessed.”^{xc1}

Rav Soloveitchik's insight about tzedakah is that it is inadequate when lacking in the emotional basis of *hesed*, which is solidarity, not self-sacrifice or self-denying mercy:

“The great miracle occurred. Job suddenly grasped the true nature of Jewish prayer. In that moment he discovered ... the attribute of *hesed* which sweeps the individual from the private to the public domain. He began to live the life of community, to feel its grief, to mourn over its calamities and to rejoice in its happiness. The afflictions of Job found their true rectification when he extricated himself from his fenced-in confines and the divine wrath abated (Job 42:10).”^{xcii}

on their behalf - out of the question! You were fearful lest you be accused of dual loyalty. “ (J.B. Soloveitchik, *Kol Dodi Dofek: It is the Voice of my Beloved that Knocks*)

ⁱ Julie Salamon, *Rambam's Ladder: A Meditation on Generosity and Why It Is Necessary to Give*

ⁱⁱ Maimonides Laws of Gifts to the Poor 10:4: "One joins the poor in grieving for their trouble," as Job did.

ⁱⁱⁱ Menahem Mendel Schneerson *Sefer Shaarei Tzedakah*

^{iv} Reb Menahem Mendel Schneerson, *Sefer Shaarei Tzedakah*, 54-57

^v Zobel, "Hesed" in *Theological Dictionary of the O.T.*, V. 52

^{vi} In late Biblical Hebrew *hesed* can be a quality in someone that evokes kindness towards them such as Esther the beautiful orphan before Hegai (Esther 2:9).

^{vii} *For this I will praise you, Yahweh, among the nations, and sing praise to your name. He saves his king, time after time, displays faithful love for his anointed, for David and his heirs for ever.* (II Samuel 22:50-51).

^{viii} Zobel, "Hesed" in *Theological Dictionary of the O.T.*, V. 52

^{ix} Katharine Doob Sakenfeld, "Love (OT)" in *Anchor Bible Dictionary*, IV 378-380, based on K. Sakenfeld, *The Meaning of Hesed in the Hebrew Bible* (1978)

^x Ruth the widow offers an unusual *hesed* to her mother-in-law, Naomi, and Naomi's aging cousin Boaz, by showing loyalty to the elderly, when she has other options (Ruth 3:10). King David receiving the *hesed* from his old ally Hushai even though David is desperately weakened in his struggle with Avshalom (2 Sam 16:17).

^{xi} The term *hesed* in the David cycle appears often especially in describing David's relationship with Jonathan (I Sam 20:8, 14-15; 2 Sam 9:1, 3, 7). After Jonathan's *hesed* in hiding David from his father, David and Jonathan enter into a covenant even though Saul and David are natural rivals and enemies. Throughout the story David rebukes Saul for returning evil in place of good which has the same structure of moral expectation as *hesed* for *hesed*.

^{xii} *Hesed* usually begins one-sidedly with a request for help and generous acquiescence, and then it finds a two-way relationship with an implicit covenantal expectation. "I will betroth you in justice and in *hesed* and in mercy" (Hosea 2:21), God's act of *hesed* generates a moral claim on Israel to act with *hesed* to God and to one another (Hosea 4:1-2). Thus justice (*tzedeq* and *mishpat*) – behaving morally person to person - and *hesed* coalesce, even though they are normally thought of as opposites. "Sow righteousness (*tzedakah*) for yourselves, reap the fruits according to *hesed*" (Hosea 10:12). "You must return to your God! Practice goodness (*hesed*) and justice (*mishpat*)" (Hosea 12:7).

^{xiii} *Then Yahweh passed before him and called out. 'Yahweh, Yahweh, God of tenderness and compassion, slow to anger, rich in faithful love (hesed) and constancy, maintaining his faithful-love (hesed) to thousands, forgiving fault, crime and sin, yet letting nothing go unchecked, and punishing the parent's fault in the children and in the grandchildren to the third and fourth generation!* (Exodus 34: 6-7).

When that time comes, Yahweh declares, I shall be the God of all the families of Israel, and they will be my people. Yahweh says this: They have found pardon in the desert, those who have survived the sword. Israel is marching to his rest. Yahweh has appeared to me from afar; I have loved you with an everlasting love and so I still maintain my faithful love for you (Jeremiah 31:1-3).

^{xiv} Proverbs 11:17; 14:22; 21:21

^{xv} Ruth 3:10; Gen. 47:29; Gen 4:13; Jeremiah 2:2; I Sam. 2:8; Gen. 24:49

^{xvi} J. Sacks, *To Heal a Fractured World*, 50

^{xvii} Arukh HaShulkhan Y.D. 247:7.

^{xviii} Things which have no fixed measure: *peah*, first-fruits, appearing [in the temple], deeds of lovingkindness, and Torah study. *Peah* has a minimal [fixed] measure, though not a maximal [fixed] measure." (Tosefta Peah 1:1,6) Translated in *The Jewish Political Tradition* Vol. III edited by Michael Walzer, Menachem Lorberbaum and Noam Zohar (Yale University Press)

^{xix} Yuval Sherlo, "Hesed v Emet," *B'tzedek Ehezeh Panekha*, 50-56

^{xx} Summarized from Avi Sagi, "Siakh HaHemlah vHilkhoh Tzedakah" from *Etgar HaShiva el HaMasorete*

^{xxi} Avishai Margalit *Ethics of Memory*, 8

^{xxii} Avishai Margalit, *Ethics of Memory*, p. 8, cited in Sacks, *To Heal a Fractured World*, 50

^{xxiii} Jonathan Sacks, *To Heal a Fractured World*, 50

^{xxiv} Jonathan Sacks, *To Heal a Fractured World*, 45-46

^{xxv} One who wants to give, but not that others should give - he has an evil or jealous eye towards that which belongs to others;

[One who wants] that others should give, but not that he should give - he has an evil or jealous eye towards that which belongs to himself;

[One who wants] to give and that others should give - [he is] pious [*hasid*];

[One who does] not [want] to give and that others not give - [he is] wicked." (Mishna Avot 5:13)

If he said he would give and then gave, then they give him a reward for saying so and a reward [literally, wages] for doing so.

If he said that he would give, but then did not have enough in hand to give – then they give him a reward for saying so equivalent to the reward for doing.

If he did not say that he would give, but said to others: Give! – then they give him a reward for this, as it says: *For this thing (davar, also word) YHWH your God will bless you*” (Deut. 15:10).

If he did not say to others: Give! But he soothes the poor with beneficent words (*devarim tovim*), then from where do we know that they give him a reward? For it says: *For this thing (davar, also word) YHWH your God will bless you*” (Deut. 15:10).” (Tosefta Peah 4:17)

^{xxvi} In 13th C. Ashkenaz the term for poor often became guest, *oreiakh*, and communities began building or dedicating hostels for the itinerant and local poor which also guaranteed them legal residence as far as the Christian authorities were concerned (Sefer Hassidim #872; Regensburg, 1210) (Rainer Barzen, “The Meaning of Tzedakah for Jewish Self-Organization,” *Iggud 2* (2009) 7-17).

In 14th C. Spain these hostels were called *hekdesh*, or *confratria*. To enter the poor hostel one must deposit all one’s possessions with the administrators and the relatives must who are no longer supporting them must renounce the right to inherit from their relatives in the public hostel. (Yom Tov Assis, “Welfare and Mutual Aid,” 331)

^{xxvii} Yisrael Al-Nakawa, *Menorat HaMaor*, Tzedakah, before Gate #1

^{xxviii} **Sefer Hahinuch, Mitzvah 479** “*Because for this thing (the Lord your God will bless you in all your work, and in all that you put your hand to* (Dt. 15:10): If a person had said that he would give and then gave, he would receive one reward for the saying and another reward for the act of giving. If he had said that he would give but was then unable to do so, he would receive a reward for the saying equivalent to the reward for the act of giving. If he did not say that he would give but told others to give, he would receive a reward for that, as it is said, *Because for this thing.*” If he neither said that he would give nor told others to give, but **comforted the done with kind words**, whence do we learn that he would receive a reward even for that? From the statement, “*Because that for this thing the Lord thy God will bless thee in all your work.*” (Sifre Deut. 15)

^{xxix} Unlike Maimonides who does not mix his comfort with spiritual preaching, Basil's rhetoric serves as a higher form of nourishment offered to the famine victims in addition to aiding the physically starving. Basil “provided the nourishment of the Word and that more perfect good work and distribution being from heaven and on high; if the bread of angels is the Word, whereby souls hungry for God are fed and given to drink, and seek after nourishment that neither diminishes nor fails but remains forever; thus [i.e., by his sermons] this supplier of grain and abundant riches [he who was] the poorest and most needy [person] I have known, provided, not for a famine of bread or a thirst for water, but a longing for the truly life-giving and nourishing Word, which effects growth to spiritual maturity in those nourished well on it.” (Gregory of Nazianzus) (Cited in Susan Holman, *The Hungry*, 72)

^{xxx} Yisrael Al-Nakawa, *Menorat HaMaor*, Tzedakah, before Gate #1

^{xxxi} J. David Pleins, “Poverty” in *Anchor Bible Dictionary*, V 406 (Job 20:10, 19; 34:28-29; 36:6,15)

^{xxxii} In the early modern era Elijah the Cohen wrote in his *Meil HaTzedakah* (#1140) about “Generosity of the Speech” and mentioned a person who comforted someone and later it turned out that he had kept him from committing suicide. (Y. Bergman, *HaTzedakah B’Yisrael*, 116)

^{xxxiii} R.N. Whybray, *Wealth and Poverty in the Book of Proverbs* (JSOT Series #99), 113

^{xxxiv} A. Alkalay, *Dichos i Refranes Sefaradies*, 132

^{xxxv} “Four are considered as if dead: the poor, the leper, the blind, and the childless.” (TB Nedarim 64b)

^{xxxvi} Jeffrey Dekro, *Jews, Money and Responsibility*, 113-114

^{xxxvii} Al Ghazzali, *The Mysteries of Almsgiving – IV On the Voluntary Almsgiving: its Excellence, the Rules of Receiving it and Giving it*, 75. Al-Nakha'i said once, “If anything be set aside for God it should have no defect, for that would displease me.”

^{xxxviii} Translated in Yaron Ben Naeh, “Poverty,” 171-172

^{xxxix} Cited in Y. Naeh, “Poverty,” fn. 10

^{xl} Haim Palachi, *Tokhahat Haim*, III 139a, 1874 cited in Yaron Ben Naeh, “Poverty,” 180

^{xli} Palachi, 37

^{xlii} Palachi, 35- 37

^{xliii} R. Eliyahu Ha-Cohen of Izmir, *Me'il Tzedakah*, 74b translated in Yaron Ben Naeh, “Poverty,” 171-172

^{xliv} Yaron Ben Naeh, “Poverty” (171) collects some of the positive images of the poor promulgated by Rabbi Elijah of Izmir: “The poor man is full of Commandments (has performed many Commandments) the poor man has been tested by God, the poor is the one who brings the Shekhinah (the divine Presence) on earth... the poor man is beloved of the Omnipresent... the poor man is God's moral staff... the poor man is very

important to God... God loves the poor... the poor are the messengers of the All-Merciful... and they are the ones who hope for the coming of the Redemption.” (*Me'il Sedakah*, 73c-74a).

^{xlv} Elijah HaKohen, *Midrash Ha-Itmari*, Salonika (1824), 44a. in Y. Naeh, “Poverty,” fn. 10

^{xlvi} “Come and behold: we learned ... that the poor man has nothing of his own, save that which he is given. The moon, *MALCHUT [Kingdom, Shekhina]*, also has no light of her own, save that which he is given... Come and behold: why is the poor man considered to be as a dead? Because this is brought about by that place, as he is in a place of death ...the tree of knowledge of good and evil [which may bring death] Therefore the poor is called ‘dead.’ One who shows compassion to him and gives him tzedakah causes the Tree of Life, ‘tzedakah’ to rest upon the tree of knowledge of good and evil which is the tree of death, as it is written, *tzedakah delivers from death* (Proverbs 10:2). Thus, as a person does below relieving the poor called dead, so does one do above ...Therefore tzedakah surpasses everything.” (Zohar Part III 110b)

^{xlvii} *Dependence and Dignity* by David Hartman and Tzvi Marx, Shalom Hartman Study Unit

^{xlviii} Nancy Mairs, “On Being a Cripple”, *Plain Text*, 20

^{xlix} *Plain Text*, 20

^l Rav Abraham Isaac Kook, *Mamarei HaRav Kook*, 261

^{li} Justice Albie Sachs linked amnesty to truth telling confessions, rather than as a grant of general immunity. Only after the voluntary truth telling did the Amnesty and later the reparations committee meet. Not Apartheid was investigated but torture and murder which even under the apartheid regime was considered illegal even if seldom prosecuted and usually kept secret. (A. Sachs, *The Strange Alchemy of Life and Law*, 71)

^{lii} “The problem I had afterwards was: why does so little truth come out in a court of law, when so much emerged from the Truth and Reconciliation Commission? It poured out in huge streams, with overwhelming and convincing force. One of its huge achievements was to eliminate denial. Court records, on the other hand, are notoriously arid as sources of information. Outside the specific details under enquiry, you learn little. The social processes and cultural and institutional systems responsible for the violations remain uninvestigated. The answer to this puzzle must lie in the differing objectives of the respective enquiries. Courts are concerned with accountability in a narrow individualized sense. They deal essentially with punishment and compensation. Due process of law relates not so much to truth, as to proof. Before you send someone to jail there has to be proof of responsibility for the wicked details charged. When the penalties and consequences are grave and personalized, you need this constrained mode of proceeding. The nation wishing to understand and deal with its past, however, is asking much larger questions: How could it happen, what was it like for all concerned, how can you spot the warning signs, and how can it be prevented from occurring again? If you are dealing with large episodes, the main concern is not punishment or compensation after due process of law, but to achieve an understanding and acknowledgement by society of what happened so that the healing process can really start.” (Justice Albie Sachs, *The Strange Alchemy of Life and Law*, 83-85)

^{liii} Sachs, *Strange Alchemy*, 83-85

^{liv} Sachs, *Strange Alchemy*, 83-85

^{lv} Charles Bronfman and Jeffrey Solomon, *The Art of Giving*, 40, 19

^{lvi} Jeffrey Dekro, *Jews, Money and Responsibility*, 113-114

^{lvii} Gerald Blidstein, “Tikkun Olam” in *Tikkun Olam*, 28

^{lviii} Jonathan Sacks, *To Heal a Fractured World*, 46

^{lix} Resh Lakish interprets Isaiah’s “draw out your soul to the hungry and satisfy their afflicted soul” (Isaiah 58:10): If you have nothing to give them, comfort them with words. Say to them, I am profoundly grieved that I have nothing to give you” (Leviticus Rabbah 34:15)

^{lx} *The Horeb: A Philosophy of Jewish Laws and Observances*, by Samson Raphael Hirsch, translated by I. Grunfeld, #579

^{lxi} Rabbi J.B. Soloveitchik, *Abraham’s Journey*, 102

^{lxii} Siegel, *Giving your Money Away*, 4

^{lxiii} “You have heard the phrase, “Money is the root of all evil.” Tzedakah money - combined with *gemillut hasadim*, acts of caring, lovingkindness - is the diametric opposite of this view. ... “Tzedakah money makes the world go ‘round.’” (Daniel Siegel, *Giving your Money Away*, 3)

^{lxiv} Siegel, *Giving your Money Away*, 2

^{lxv} Siegel, *Giving your Money Away*, 1-2

^{lxvi} “Tzedakah makes you feel good about yourself. You know you are *somebody* because your acts of Tzedakah have done so much for others. Social workers and every kind of therapist are often called upon to work with individuals who have lost their self-image. These specialists have developed many fine methods for dealing with a person's broken, battered, suppressed, or lost self-esteem. Every day, the therapists build and re-build their clients' bruised **self-image**.... . Giving Tzedakah can serve as a constant reminder that you are someone of value.... Mitzvah heroes know intimately how very great the power of Tzedakah is to remind

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- others that they are *somebody*. And not only that they are somebody, but somebody of great value both to themselves as well as to others." (Daniel Siegel, *Giving your Money Away*, 18)
- ^{lxvii} Siegel, *Giving your Money Away*, 5
- ^{lxviii} Siegel, *Giving your Money Away*, 17
- ^{lxix} Siegel, *Giving your Money Away*, 17
- ^{lxx} Siegel, *Giving your Money Away*, 61
- ^{lxxi} Siegel, *Giving your Money Away*, 17
- ^{lxxii} Erich Fromm , 1900-1980 .
- ^{lxxiii} Fromm, *The Art of Loving*, 21
- ^{lxxiv} Fromm, *The Art of Loving*, 22-23
- ^{lxxv} Fromm, *The Art of Loving*, 22-24
- ^{lxxvi} Fromm, *The Art of Loving*, 24-25
- ^{lxxvii} Irving Yitz Greenberg, "Personal Service: A Central Jewish Norm for Our Time" in *Contact* #4:1 . 3-4
- ^{lxxviii} Yitz Greenberg, "Personal Service," 3-4
- ^{lxxix} Or HaHaim on Exodus 22:24
- ^{lxxx} "To respect a person is not possible without knowing him; care and responsibility would be blind if they were not guided by knowledge. Knowledge would be empty if it were not motivated by concern. ... We cannot help desiring to penetrate into the secret of man's soul, into the innermost nucleus which is he." (Fromm, *The Art of Loving*, 28-29)
- ^{lxxxii} Fromm, *The Art of Loving*, 28-29
- ^{lxxxiii} Fromm, *The Art of Loving*, 28-29
- ^{lxxxiii} Sometimes that possessive love is not so active but passive. "Desire is passive, for when I desire something I want it to come to me. I am in the center and I long for the things to the center and fall into it." Jose Ortega y Gasset's *Essays on Love*, p. 9-10, cited in Hebrew translation from Avi Sagi, "On Love, Control and Sovereignty," in *Darsheni* journal of Shalom Hartman Institute, Jerusalem, #1 Spring 2010 (Hebrew) p.28
- ^{lxxxiv} Fromm, *The Art of Loving*, 21
- ^{lxxxv} Avi Sagi, "On Love, Control and Sovereignty," in *Darsheni* journal of Shalom Hartman Institute, Jerusalem, #1 Spring 2010 (Hebrew) 26-27 citing her book translated into Hebrew *Gravity and Grace* as *Koved and Hesed* , p. 98
- ^{lxxxvi} Jose Ortega y Gasset's *Essays on Love*, p. 10, cited in Hebrew translation from Avi Sagi, "On Love, Control and Sovereignty," in *Darsheni* journal of Shalom Hartman Institute, Jerusalem, #1 Spring 2010 (Hebrew) 27
- ^{lxxxvii} Rainer Maria Rilke, to Illse Jahr, Feb. 22, 1923 in *Ahead of All Parting: The Selected Poetry and Prose of Rainer Maria Rilke*, 216
- ^{lxxxviii} Rainer Maria Rilke, to Franz Xaver Kappus, May 14, 1904, in *Ahead of All Parting: The Selected Poetry and Prose of Rainer Maria Rilke*, 227
- ^{lxxxix} A. Brooks, *Who Really Cares*, 98-99
- ^{xc} A. Brooks, *Who Really Cares*, 130-132
- ^{xcii} J.B. Soloveitchik, *Kol Dodi Dofek: It is the Voice of my Beloved that Knocks*
- ^{xcii} J.B. Soloveitchik, *Kol Dodi Dofek*