

“Laws Concerning Gifts to the Poor”

by Moses Maimonides Translated from the Hebrew by Judah Mandelbaum.

Introduction by Amy Kass: Spanish-born philosopher Moses Maimonides (1135-1204), also known as Moses Ben Maimon, or more commonly “RaMBaM,” is one of Judaism’s most revered rabbis (teachers). The famous selection below, excerpted from the final chapter of Hilchot Matanot Ani’im [Laws Concerning Gifts to the Poor], appears in a tractate called Sefer Zera’im [Book of Seeds], which is part of the Mishneh Torah [Retelling of the Torah, i.e., of the first five books of the Hebrew Bible]. For Maimonides, giving to the poor is but one instance of distributing growing things, which is why it appears in this tractate.

In this selection, Maimonides speaks of eight levels of tzedakah, a term often translated as “charity” but perhaps better translated as “righteousness” or “equity.” His term “levels”—as opposed, say, to degrees—suggests differences of kind. Is each level really different in kind from the next? Can you discern the (a?) reason for Maimonides’ order? Should you, as benefactor, feel obliged to regard yourself as a partner of your beneficiary (the best way to proceed, according to Maimonides)? If so, how is such a partnership to be construed? Who should determine when it ought to be terminated? Why might anonymity of giver and recipient (Maimonides’ second level) be important and/or desirable? If total anonymity is impossible, is it more important (better?) that the receiver remain anonymous (Maimonides’ third level) than that the giver be so (Maimonides’ fourth level)? Should one give before (fifth level) or after (sixth level) being asked? Does it ultimately make any difference whether one gives pleasantly (seventh level) or sorrowfully (eighth level)? How can one who gives rightly—that is, in one of the ways suggested by Maimonides—avoid the temptation to become calculating, manipulative, or hypocritical?

There are eight levels of tzedakah, one better than the next. A high level, of which none is higher, is where one takes the hand of an Israelite and gives him a gift or loan, or makes a partnership with him, or finds him employment, in order to strengthen him until he needs to ask help of no one. Concerning this it says, "And you will give strength to the resident alien, so he may live among you," as if to say, strengthen him until we will not falter or need.

EXECUTIVE CERTIFICATE IN RELIGIOUS FUNDRAISING SEMINAR 2 REQUIRED READING

Below this is one who gives tzedakah to the poor, not knowing to whom he gives, while the poor person does not know from whom he takes. For this is [fulfillment of a] commandment for its own sake....

Below this, the giver knows to whom he gives and the poor person does not know from whom he takes. For example: the rabbinic sages who went in secret, tossing coins in the door openings of the poor. In this case, it is proper and good if the alms do not behave precisely.

Below this, the poor person knows from who he takes, and the giver does not know: as per example of the greatest of the sages who would bundle small change in their sheets, and throw them over their shoulders, in sight of the poor, who took, so they would have no shame.

Below this, one puts into another's hand before [the latter] asks.

Below this, one gives another after [the latter] asks.

Below this, one gives another less than is appropriate, in a pleasant manner.

Below this, one gives sorrowfully.

Do you agree with the rank order of the 'levels of giving' evidenced in this reading? How and why might these 'levels of giving' be ranked differently?

It is apparent from this reading that in Judaism an obligation exists on behalf of those having wealth or ownership to rectify the social imbalance evidenced by those of lesser means. Would you consider giving out of a sense of justice or "custodialship," to be one of the main motivations individuals and organizations involve themselves in philanthropic acts today? Why or why not?

How might one consider the 'giver' and the 'receiver' of a philanthropic act to both be the benefactors of the act? Under what conditions might one benefit more than the other?

Would this author consider "teaching someone to fish" of more importance than 'giving someone a fish'? Why or why not?

As a 'giver,' would you prefer to know to whom you are giving? Why or why not? As a 'receiver,' would you prefer to know from whom you are receiving? Why or why not?