

Poverty, Charity and the Image of the Poor in Rabbinic
Texts from the Land of Israel

by

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Dissertation submitted in partial fulfillment of
the requirements for the degree of Doctor of Philosophy in the Program in
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ABSTRACT

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Abstract

This study examines how rabbinic texts from the land of Israel explain and respond to poverty. Through this investigation, I also analyze images of the poor in this literature, asking whether the rabbis considered poor persons to be full participants in communal religious life. Within the context of rabbinic almsgiving, this study describes how Palestinian rabbis negotiated both the biblical commands to care for the poor and Greco-Roman notions of hierarchy, benefaction and patronage .

The sources at the heart of this study are Tannaitic texts: the Mishnah, the Tosefta and Tannaitic midrashim; and Amoraic texts: the Yerushalmi (Palestinian Talmud) and the classical Amoraic Midrashim - *Genesis Rabbah*, *Leviticus Rabbah* and *Pesiqta de Rab Kahana*. Other texts such as Babylonian Talmud, non-rabbinic and non-Jewish texts are included in this study only when they are able to shed light on the texts mentioned above. In reading rabbinic texts, I pay close attention to several textual features: distinctions between Tannaitic and Amoraic compositions, as well as between rabbinic texts from the land of Israel and the Babylonian Talmud, and evidence of texts that were influenced by the Babylonian Talmud. This method of careful assessment of texts according to their time of composition and geographic origin forms the basis of this investigation .

The investigation yields several key findings:

I suggest various factors that shaped Palestinian rabbinic approaches to poverty and almsgiving, including: the biblical heritage, the Greco-Roman and Byzantine

environments, the diverse socio-economic status of the rabbis, and their adherence to "measure for measure" as a key hermeneutic principle .

The study also portrays how the rabbinic charitable system evolved as an expansion of the biblical framework and through engagement with Greco-Roman notions and practices. This unique system for supporting the poor shows evidence of the adoption of select Greco-Roman customs and views, as well as the rejection of other aspects of its hegemonic patterns. We have seen that the language of patronage is absent from the Mishnah's articulation of the rabbinic charitable model.

Several of the texts analyzed in this study indicate that, for the rabbis, the poor were not necessarily outsiders. Following the main stream of biblical thinking, where the ordinary poor are rarely considered sinners who bear responsibility for their abject situation, Palestinian rabbinic texts seldom link ordinary poverty to sinful behavior. In these texts, the poor are not presented as passive recipients of gifts and support, but as independent agents who are responsible for their conduct. Moreover, rabbinic teachings about support for the poor reveal not only provisions for basic needs such as food, clothing and shelter but also attention to the dignity and the feelings of the poor, as well as their physical safety and the value of their time.

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Chapter One: Introduction

Poverty has been a part of human existence from its earliest times. Yet societies and cultures vary in their explanations of poverty, their reactions to this condition, and their behavior towards the poor. This study explores how rabbinic texts from the land of Israel explain and respond to poverty.¹ Through this investigation, I also analyze images of the poor in these texts, asking whether the rabbis considered poor persons to be full participants in communal religious life. The scope of this inquiry is defined by the sources it explores starting with the Mishnah and concluding with classical Amoraic midrashim. This literature contains material relevant to the first centuries of the Common Era, especially from the time following the Destruction of the Second Temple up to the fifth century.

In this study, I describe how these texts expand and elaborate on the biblical imperative to care for the poor. I show their range of explanations for poverty among individuals, claiming that for rabbis in the land of Israel, it was feasible to imagine a poor rabbi or student. The poor, therefore, were not necessarily outsiders. Familiarity with involuntary poverty in rabbinic circles was thus one of the factors that shaped Palestinian rabbinic attitudes towards poverty and almsgiving.

¹ In this study, I use the terms “Palestine” and “the land of Israel.” Palestine became the Roman name of the province that includes Judaea, Galilee, Samaria, the coastal zone, and Idumaea in 135 C.E. The land of Israel (ארץ ישראל) was the Jewish name in rabbinic texts, but it has also several occurrences in the Tanakh (for example, 1 Sam 13:19, 2 Kgs 5:2).

Other elements also contributed to the views regarding poverty and charity in this literature. For the rabbis, the Tanakh (the Hebrew Bible) was an articulation of God's word, and therefore holy. As such it served as the basis for any discussion or ruling in rabbinic texts. Beyond their conceptualized biblical framework, the texts examined in this study were primarily composed and assembled when Jews in the land of Israel were living under Roman rule, which later became Christian after Constantine. Furthermore, comparing Palestinian rabbinic texts to the Babylonian Talmud can illuminate the distinct views held by the rabbis in the land of Israel. None of these texts can be studied in isolation from their historical context.

More about the Scope of this Investigation

Mediating between Torah and the Greco-Roman World

This study describes how Palestinian rabbis negotiated the biblical command to care for the poor and Greco-Roman notions of hierarchy, benefaction and patronage. From the Hebrew Bible, the rabbis inherited a legacy that required care for the weaker segments of society, including the poor. The rabbis further developed this instruction, providing details and describing institutions that are not mentioned in the Tanakh. In their explanations of individual poverty, Palestinian rabbis followed the general pattern set forth in the Hebrew Bible that (with the exception of a small number of verses in Proverbs and Psalms) does not attribute blame to poor individuals for their abject situation. The rabbis identify

themselves as interpreters and teachers of Torah and as such, any of their ideas about poverty and charity should be examined in relation to the Tanakh, which served as their raw material and the starting point for any of their discussions.

The rabbis were also residents of the Roman world. Starting with Alexander's conquests in the fourth century BCE, Jews in the land of Israel lived under varying degrees of Greco-Roman influence, and by the time rabbinic texts were being written and compiled, they belonged to the Roman world. Thus, any aspect of rabbinic thinking that originated in the land of Israel can benefit from an exploration of its Greco-Roman context. In the present study, one can find particular Greco-Roman notions such as: sensitivity towards the embarrassment that might be experienced by a poor person who came from a wealthy background (Chapter Five); the importance of clothing as an indicator of status (Chapter Five and Seven); and, particular fundraising methods that originated in the Greco-Roman world (Chapter Nine). Rabbinic texts, however, exceed the horizons of this world (particularly before the rise of Christianity); following the Tanakh, this literature singles out the poor as eligible for support, articulating sensitivity towards the dignity and feelings of the ordinary poor.

At times, criticism of certain Greco-Roman social norms, such as patronage and honors that were publically conferred on benefactors, come to the fore and are discussed directly. Given the dissonance between the Tanakh's

promotion of care for the poor and the Roman embrace of hierarchy, patronage and benefaction, this study aims to discern the rabbinic strategies for negotiating between their biblical heritage regarding poverty and charity and the values and social framework of the Roman world in which they lived.

The Christian Framework

Jews and Christians both lived within the Greco-Roman world. During the fourth century, Christianity was adopted by the Roman emperors, who eventually led the Empire to change its religious identity, and Palestine became the Christian Holy Land.² There is no scholarly consensus regarding the pace of this change, especially in the rural areas.³

Since Christianity shares the biblical values that emphasize care for the poor with Judaism, the view that the poor represent a special group deserving of particular attention spread throughout the Roman world with the rise of Christianity. Bishops and Christian clergy held key roles in supporting the poor. While it is clear that Amoraic texts, and especially classical Amoraic midrashim,

² See for example, Robert L. Wilken, "Eusebius and the Christian Holy Land," in *Eusebius, Christianity, and Judaism* (eds. Harold W. Attridge and Gohei Hata; Leiden and New York: Brill, 1992), 763-760; Joseph Patrich, "Church, State and the Transformation of Palestine – The Byzantine Period (324-640)," in *The Archaeology of Society in the Holy Land* (ed. Thomas E. Levy; London: Leicester University Press, 1995), 470-487.

³ See, Doron Bar, "The Christianisation of Rural Palestine during Late Antiquity," *Journal of Ecclesiastical History* 54 (2003): 401-421.

are responding on some level to Christianity and even to Christian charitable practices,⁴ there is no agreement whether Tannaitic texts also reflect contact between Christians and Jews. Even later Amoraic texts give little indication whether direct communication between Christian clergy and rabbis existed, or whether similarities (and arguments) in Christian and rabbinic texts stem from the fact that both religious groups expounded common biblical texts, lived in the Roman cultural milieu, and had general knowledge of each other's teachings and practices.

Two factors influence any investigation of the level of personal contact that may have existed between rabbis and Christian bishops in the land of Israel during the centuries examined here: the pace of the Christianization of Palestine, and the geographical setting (rural versus urban) where the rabbis resided. Although there is no scholarly consensus on these subjects, some observations should be can be made. In recent years several scholars have asserted that the Christianization of Palestine, especially in its rural areas, was a slower process than has previously been claimed. For example, Doron Bar writes:

. . . in the rural sectors, where a population resided that assimilated sociological, technological and religious innovations at a far slower pace, the dominant religion penetrated far more gradually. Moreover, vast areas of rural Palestine, such as Galilee and Samaria, had an absolute Jewish or Samaritan majority. The influence of Christianity

⁴ For example, *Pesiq. Rab Kah.* 1:5 (Mendelbaum 20-25). E.E. Urbach, "Political and Social Tendencies in Talmudic Concepts of Charity," *Zion* 16 (1951): 1-27, wrote about this topic.

in these regions was therefore limited and came at a much later stage than in the pagan settlement areas.

. . . it appears that the Christianisation process lasted throughout the entire Byzantine period and was not 'accomplished' until many years after the consolidation of the map of holy sites.⁵

Mordechai Aviam describes precise boundaries between Christians and

Jews in the Galilee:

In the Upper Galilee there is a sharp borderline between Jewish and Christian communities. East of imaginary line stretching from Fassuta in the north to Baqa in the center to Rama in the Beit Kerem Valley, not one church has been identified; however, thirty or more synagogues have been identified. West of the same line, the remains of more than fifty churches and monasteries were identified . . . but not even one site with substantial remains of a synagogue was found.⁶

Thus, in this region there were no mixed settlements to suggest direct engagement among Jews and Christians during the time frame under consideration in this study.⁷ In other areas, the situation had changed by the late fifth century, as

⁵ Bar, "The Christianisation of Rural Palestine," 405-406. See also Mordechai Aviam, "Christian Galilee in the Byzantine Period," in *Galilee through the Centuries: Confluence of Cultures* (ed. Eric M. Meyers; Winona Lake, Ind.: Eisenbrauns, 1999), 281-300: "Thus far there are no archaeological remains in the Galilee of Christianity prior to the fourth century C.E. However, it is very clear that some of the first Judeo-Christian groups were located in Jewish Galilee during the second and third centuries C.E. All of the Galilee finds are from no earlier than the fifth century C.E., and they represent concrete evidence for the vast development of Christianity in the fifth and especially during the sixth century C. E." (p. 283-284); Mordechai Aviam, *Jews, Pagans and Christians in the Galilee: 25 Years of Archaeological Excavations and Surveys: Hellenistic to Byzantine Periods* (Rochester, N.Y.: University of Rochester Press, 2004), 9-21. The Byzantine period in the land of Israel ended with the Muslim conquest of Palestine in 636 CE.

⁶ Aviam, "Christian Galilee in the Byzantine Period," 297-298.

⁷ Regarding the Golan, see, Zvi U. Ma'oz, "Comments on Jewish and Christian Communities in Byzantine Palestine," *PEQ* 117 (1985): 59-68: "The segregation and ethnic seclusion that characterize the villages of the Golan, as well as of Roman-Byzantine Palestine in general, are not characteristic of contemporary urban centers. Many a Hellenistic polis had a well-established Jewish community (Caesarea, Scythopolis, Ptolemais, Gadara, Hippos, Gerasa and others), while, in Roman times, most predominantly Jewish towns included Gentiles among their inhabitants (Tiberias, Diocaesarea, Diopolis and others). In the Roman-Byzantine period there was a growing tendency towards a mixed urban population due to economic

Aviam writes of that period: "In lower Galilee, no border between Christians and Jews could be distinguished. On the contrary, Jewish settlements were scattered throughout the region . . . Churches and monasteries were built in Lower Galilee were built in Lower Galilee close to Jewish villages mainly where Christian cult centers developed."⁸ At other sites, the situation differed, as Aviam notes, "At Sepphoris, Christian remains have been evident for a long time."⁹ Settlement patterns in the vicinity of Christian Holy sites were similar to this description of Sepphoris. If these studies offer an accurate assessment, the likelihood of Jews (or rabbis) having relationships with Christians depended on the region in Palestine where they lived.¹⁰

The question of the situation of rabbis in urban setting is significant, since coming into contact with Christians was more likely in cities. With respect to the

and other factors. Thus in most Byzantine cites in Palestine the population was usually a mixture of pagans, Christians, Samaritans, and Jews who lived side by side." (p. 65).

⁸ Aviam, *Jews, Pagans and Christians in the Galilee*, 203.

⁹ Aviam, "Christian Galilee in the Byzantine Period," 297.

¹⁰ However, Benjamin Isaac, "Jews, Christians and others in Palestine: The Evidence from Eusebius," in *Jews in a Graeco-Roman World* (ed. Martin Goodman; Oxford: Oxford University Press, 1998), 73, writes: "The overwhelming majority of villages had a mixed population: pagan, Jewish, Christian, and Samaritan. Eusebius would have considered this the norm and found it worth mentioning only if a settlement was purely Jewish, Christian, or Samaritan; purely pagan settlements would have been of no interest to him. This, if true, is important. Jews and gentiles would have lived side by side both in cites and in the countryside." See, also, the remark by Andrew S. Jacobs, "Visible Ghosts and Invisible Demons: The Place of Jews in Early Christian *Terra Sancta*," in *Galilee through the Centuries: Confluence of Cultures* (ed. Eric M. Meyers; Winona Lake, Ind.: Eisenbrauns, 1999), 361: "Given the relatively close distances in Palestine in this period, however, it is possible that even a village made up entirely of Jews would never be too far from the habitations, and thus the 'visibility,' of Christians, Gentiles, or Samaritans."

pace of rabbinic "urbanization," I accept the view of Catherine Hezser, who describes the urbanization of Palestine and the rabbis as a "gradual process which began in the first century and continued into the fourth."¹¹ Rabbis are described in cities, towns and rural areas in both Tannaitic and Amoraic teachings.¹² However, while Tannaitic texts frequently associate rabbis and their teachings with rural settings; Amoraic texts, and especially the Yerushalmi, feature more teachings from cities, such as Caesarea, Tiberias, Sepphoris and Lydda. As Stuart S. Miller puts it, "Talmudic sources are richer in urban associations."¹³

Rabbis may therefore have resided in urban and rural settings in both the Tannaitic and Amoraic periods, though urbanization of the land of Israel increased over time, the rabbis participating in that process. Additionally, it is noteworthy that rabbinic legislation discusses and aims to regulate topics pertinent to both rural and urban settings in Tannaitic and Amoraic literature. Whatever their precise geographical distribution, during the entire rabbinic period (or at

¹¹ Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen: Mohr Siebeck, 1997), 157-165. She adds that it is not clear whether the fact that the Yerushalmi present more traditions from Caesarea, Tiberias, Sepphoris, and Lydda, in comparison to Tannaitic texts indicates that most rabbis lived in these centers or whether the editors of the Yerushalmi "had better connections to the rabbis who lived there and received more traditions from them." (p. 164). See also her discussion about the definitions of urban and rural communities.

¹² See also, Ben-Zion Rosenfeld, "Places of Rabbinic Settlement in the Galilee, 70-400 C.E.: Periphery versus Center," *HUCA* 69 (1998): 57-103.

¹³ Stuart S. Miller, *Sages and Commoners in Late Antique 'Erez Israel: A Philological Inquiry into Local Traditions in Talmud Yerushalmi* (Tübingen: Mohr Siebeck, 2006), 9-17, summarizes scholarly opinions on rabbinic urbanization.

least from the introduction of Christianity in Palestine), some rabbis lived in close proximity to Christians.

Although a comprehensive discussion of the connections between rabbis and Christian bishops is well beyond the scope of this study, on several issues, rabbinic teachings on notions and practices of almsgiving can be informed by examining Christian teachings on similar topics. The texts indicate that Christians and Jews encountered similar problems when operating charitable institutions, including defining recipient eligibility, addressing questions of special consideration for the poor from noble families, developing standard responses towards the deceptive poor (those who feigned poverty to receive support) and deciding whether outsiders were qualified to receive alms. I also compare the bishop's role as governor or patron of the poor (that evolved in the fourth century) with textual descriptions of rabbinic involvement in communal almsgiving. The biblical verses regarding poverty and the poor were not identical for Christian and Jews, since the former also rely on New Testament teachings; nevertheless a discussion about rabbinic teachings concerning charity and poverty, and especially from later rabbinic texts, cannot be complete without comparisons to Christian parallels.

The Land of Israel and Babylonia

When examining attitudes toward poverty and charity, it is also valuable to compare texts from the land of Israel with the Babylonian Talmud. Rabbis in both centers expounded the same text: the Mishnah, sharing numerous Tannaitic and Amoraic teachings and exchanging ideas despite the geographic distance; however, a number of contextual differences affected their respective attitudes towards poverty and charity. For example, for most of the period being examined, Babylonian rabbis lived under Sassanid rule, which was characterized by Zoroastrian religious dominance. Scholars also note that rabbis in Babylonia enjoyed higher socio-economic status and greater prominence within the Jewish community than their peers in the land of Israel.¹⁴

Indeed, this study finds dissimilarities in attitudes and practices on issues such as the role of rabbis in charitable communal institutions and the ways that texts from these two centers explain individual poverty. Exposing these differences helps to shed light on the unique character of ideas about poverty and charity found in Palestinian rabbinic texts. In this study, therefore, the Babylonian Talmud is not in the focus of attention, but it is cited when a comparison may contribute to the discussion of texts from the land of Israel.

¹⁴ I will discuss this issue in Chapter Four.

The Sources and Related Methodological Considerations

The sources at the heart of this study are Tannaitic texts: the Mishnah,¹⁵ the Tosefta,¹⁶ Tannaitic midrashim,¹⁷ and Amoraic texts: the Yerushalmi (Palestinian Talmud),¹⁸ and the classical Amoraic Midrashim - *Genesis Rabbah*, *Leviticus Rabbah* and *Pesiqta de Rab Kahana*.¹⁹ Within this body of literature, some of the material on

¹⁵ This note is the first in a series (through note 19) where I present the textual versions and editions texts used in this study. Unless otherwise noted, these are the texts being referred to throughout this investigation.

For the Mishnah, I use the Kaufmann manuscript in *Faksimile-Ausgabe des Mischnacodex Kaufmann A 50: mit Genehmigung der Ungarischen Akademie der Wissenschaften in Budapest* (Haag: Nijhoff, 1929, published again in Jerusalem, 1968).

¹⁶ For the Tosefta, I use Saul Lieberman, *The Tosefta: According to Codex Vienna, with Variants from Codex Erfurt, Genizah MSS. and Editio Princeps (Venice 1521): Together with: References to Parallel Passages in Talmudic Literature: and a Brief Commentary* (New York: Jewish Theological Seminary of America, 1955). Lieberman did not complete an edition of the entire Tosefta, thus, for material that is not available in Lieberman, I use Moses Samuel Zuckerman, *Tosefta: Based on the Erfurt and Vienna Codices: With Parallels and Variants* (Jerusalem: Waharmann Books, 1963).

¹⁷ For choosing the best manuscripts of Tannaitic midrashim, I consulted Menahem Kahana, *Manuscripts of the Halakhic Midrashim and Annotated Catalogue* (Jerusalem: The Israel Academy of Sciences and Humanities and Yad Izhak Ben-Zvi: 1995). Thus, to name a few examples: for the *Sifra*, I use Vatican Ebr. 66 which appears in: *Sifra or Torat Kohanim: According to Codex Assemani LXVI: With Hebrew Introduction by Louis Finkelstein* (New York: The Jewish Theological Seminary of America (1956); for *Sifre Deuteronomy* and *Sifre Numbers*, I use Vatican Ebr. 32.3, which are both available in a facsimile edition: *Midrash Leviticus Rabbah Sifre Numbers Deuteronomy: Codex Vatican 32 (Vat. Ebr. 32): A Limited Facsimile Edition of 160 Copies, by Special Permission of the Vatican Library* (Jerusalem: Makor Publishing, 1972); For *Mekilta de Rabbi Ishmael*, I use Oxford Bodl. 150 Uri 119 manuscript in the database of the Academy of the Hebrew Language. I also consulted: H. S. Horovitz and I. A. Rabin, *Mekhilta D'Rabbi Ismael* (Second Edition; Jerusalem: Shalem Books, 1997).

I limit my use of *Mekilta Deuteronomy*, *Sifre Zuta Numbers* and *Mekhilta de Rabbi Shimon ben Yohay* to the Geniza fragments published in Menahem I. Kahana, *The Genizah Fragments of the Halakhic Midrashim: Part I: Mekhilta d'Rabbi Ishmael, Mekhilta d'Rabbi Shim'on ben Yohay, Sifre Numbers, Sifre Zuta Numbers, Sifre Deuteronomy, Mekhilta Deuteronomy* (Jerusalem: The Hebrew University Magnes Press, 2005). I also use this edition for *Sifre Deuteronomy*, *Sifre Numbers* and *Mekilta de Rabbi Ishmael* when applicable.

¹⁸ For the Yerushalmi, I use Yaacov Sussmann, *Talmud Yerushalmi: According to Ms. Or. 4720 (Scol. 3) of the Leiden University Library: With Restoration and Corrections* (Jerusalem: The Academy of the Hebrew Language, 2005). All references from the Yerushalmi follow the divisions in this volume, which differ from the printed edition in some cases.

¹⁹ For *Genesis Rabbah*, I use Vatican Ebr. 30 that appears in a facsimile edition: *Midrash Bereshit Rabba: Ms. Vat. Ebr. 30: With an Introduction and Index by M. Sokoloff* (Jerusalem: Hamakor Press, 1971)

poverty and charity appears in tractates and chapters dedicated to these topics: most notably, tractate *Peah* in the Mishnah, the Tosefta and the Yerushalmi; *Sifra* 196-198 (*Parashat Qedoshim Pereq* 1-3); and, *Leviticus Rabbah*, chapter 34. Other thematically relevant passages appear in various locations, alongside different subject matter.²⁰

Methodological considerations inevitably arise when subjecting such a variety of texts to this type of analysis. Therefore, the following sections explain and define my selection of sources, describing the methodological assumptions employed in this study, with special attention to issues that lack scholarly consensus.

Taxonomy of Texts

When exploring the rabbinic discourse about poverty and charity, it is vital to investigate texts according to their time and place of origin. Socio-economic and political factors as well as cultural and religious environments may be counted among the phenomena that influenced the rabbinic thinking on these issues. In an attempt to present the most accurate and nuanced picture possible, I pay particular attention to several

and I also consulted Hanoch Albeck, *Bereschit Rabba: mit Kritischem Apparat und Kommentar* (Jerusalem: Wahrmann Books, 1965). For *Leviticus Rabbah*, I use Mordecai Margulies, *Midrash Wayyikra Rabbah: A Critical Edition Based on Manuscripts and Genizah Fragments with Variants and Notes* (New York and Jerusalem: The Jewish Theological Seminary of America, 1993).

For *Pesiqta de Rab Kahana*, I use Bernard Mandelbaum, *Pesikta de Rav Kahana: According to the Oxfrd Manuscript: With Variants from All Known Manuscripts and Genizoth Fragments and Parallel Passages with Commentary and Introduction* (Second, Augmented Edition; New York: The Jewish Theological Seminary of America, 1987).

²⁰ Most passages merit original translations since English translations of these rabbinic texts are often based on printed editions, rather than the manuscripts, the preferred scholarly source. All translations in this study are mine, unless otherwise mentioned.

textual distinctions: between Tannaitic and Amoraic compositions,²¹ between rabbinic texts from the land of Israel and the Babylonian Talmud, and texts that were influenced by the Babylonian Talmud.²² This method of careful assessment of texts according to their time and geographic origin forms the basis of this investigation.

The Tannaitic Texts

The rabbinic figures who are mentioned and cited in Tannaitic texts were active from the time of the Second Temple, through the two Jewish revolts against Rome, to the first decades of the third century CE. Scholars differ in their opinions on whether rabbinic texts actually reflect periods prior to the time of their compilation or final editing.²³ In this study, I accept the view that the rabbinic texts include traditions that predate their editing: for example, Tannaitic midrashim reflect a period prior to the mid-third century CE (their estimated editing date) and sometimes "reflect the earlier halakha from the

²¹ Tannaitic texts contain the traditions of sages who were active up to the early third century CE. Amoraic texts incorporate earlier traditions in addition to traditions from rabbis who were active after the first quarter of the third century CE.

²² The importance of distinguishing between the Babylonian Talmud (and texts that demonstrate familiarity with it) and Palestinian texts appears in: Joshua Efron, *Studies on the Hasmonean Period* (Leiden; New York: E. J. Brill: 1987), 143-147, and has become widely accepted by scholars during recent decades.

²³ On one end of the spectrum is the opinion that sees these texts as documents that were edited extensively and, therefore, represent only the their editor's era. Jacob Neusner uses the term "document" when referring to rabbinic texts. For example, Jacob Neusner, *Judaism in Late Antiquity: Volume One* (Leiden and Boston: Brill, 2001), 127, writes: "Study of the history of rabbinic Judaism through the literature just now set forth must proceed document by document, in the sequence presently established for their respective dates of closure." On the other end, is the view that many of these texts are constructed from earlier units that were orally transmitted and cited accurately, and thus reflect more than one stage of editing. Obviously, this is a simplified synopsis of a more nuanced argument.

Second Temple Period."²⁴ Despite the uncertainty that is linked to texts from the Temple era, it is reasonable to assume that Tannaitic texts reflect not only the reality known to their editors and compilers, but also teachings from earlier generations. When attempting to identify early traditions, it is important to consider the stylistic qualities of each text and the editorial work that shapes it. Rigorous editorial work may make it more difficult to discern the borders of literary units from which a composition was assembled.

Another issue that affects our understanding of the development of rabbinic ideas is the relationships among Tannaitic compositions, especially where parallels between texts are known. Let us look, for example, at the Mishnah and the Tosefta. According to scholarly consensus, the Mishnah is dated to the beginning of the third century, whereas the Tosefta was compiled subsequently, according to a similar outline. Traditionally the Tosefta was thought to be comprised of contemporaneous teachings that were not incorporated into the Mishnah, as well as commentaries on the Mishnah. However, Shamma Friedman offers an alternative explanation for the relationship between the Mishnah and the Tosefta:

[T]he Tosefta appears to be an anthology of material relating to the Mishnah, some of which is couched in explanatory formulae, but other materials preserving older forms of the same halakhot contained in the Mishnah. The Tosefta is clearly a work subsequent to the Mishnah in time, and containing an entire post-Mishnah stratum. However, regarding the parallel halakhot, this relationship is reversed; the Tosefta preserves the earlier forms

²⁴ Menahem I. Kahana, "The Halakhic Midrashim," in *The Literature of the Sages: Second Part: Midrash and Targum: Liturgy, Poetry, Mysticism: Contracts, Inscriptions, Ancient Science and the Language of Rabbinic Literature* (eds. Shmuel Safrai, Zeev Safrai, Joshua Schwartz, Peter J. Tomson; Assen: Royal Van Gorcum and Fortress, 2006), 40-42, 60-63.

of the halakhot which were reworked by the editor of the Mishnah. Another way of putting this: part of this post-mishnaic compilation supplies the Mishnah's sources [W]e find the laws recorded in the Tosefta more essential—namely, they are the essence of the given institutions being described—earthy and anthropological; their Mishnah parallels, however, often reflect more abstract legal conceptualization, external and formal. Also the Tosefta parallel is often more rooted in the concrete historical situation of ancient Palestine, with the Mishnah exhibiting abstraction or adaption. The language in the Tosefta parallels preserves linguistic forms antecedent to those in their mishnaic counterparts.²⁵

According to this view, the Tosefta is an anthology that includes teachings that predate the Mishnah as well as post-mishnaic material (including some much later passages). The Mishnah itself reflects a more intensive editorial process. This description is pertinent to any historical study that includes these two texts. Even though this study does not focus on the dating of teachings within their literary placement or on the relationship between the Mishnah and the Tosefta, these notions and assumptions are taken into account.

Baraitot in both Talmuds

In addition to the Mishnah, the Tosefta and Tannaitic midrashim, Tannaitic material known as *baraitot* (sing. *baraita*) are found in both Talmuds. In order to analyze this material, it is imperative to evaluate its historical value in representing Tannaitic views. Let us begin with the Babylonian Talmud.²⁶ In the Bavli, there are numerous passages presented as Tannaitic traditions. Some of these *baraitot* are without parallel in

²⁵ Shamma Friedman, "The Primacy of Tosefta to Mishnah in Synoptic Parallels," in *Introducing Tosefta: Textual, Intertextual and Intertextual Studies* (eds. Harry Fox and Tirzah Meacham; Hoboken, N.J.: Ktav, 1999), 101, 106.

²⁶ Citations from the Babylonian Talmud are according to Ms. Munich 95 unless otherwise noted.

Palestinian texts, while others have equivalents with some variation. We do not know whether the Babylonian versions of these *baraitot* reflect unknown Palestinian sources or whether they were composed by Babylonian scholars who were working with the same collection of Palestinian texts that we possess.

Several recent studies, however, suggest that we should be suspicious: when there are variations between the Bavli and Palestinian sources, careful comparison is advisable. Friedman claims that passages from the Tosefta found in the Bavli are often adapted in light of the rulings and language of the Mishnah.²⁷ When no parallel can be found in texts from the land of Israel, we should be doubtful of their authenticity, especially when the views expounded in Babylonian *baraitot* are completely absent from Palestinian Tannaitic and Amoraic texts. This doubt becomes heightened when these *baraitot* seamlessly fit a position held by Babylonian Amoraim or found in the *stam* (editorial stratum).²⁸

In contrast to the Babylonian Talmud, in the Yerushalmi, which was edited much earlier (circa 360-370 CE) in the land of Israel,²⁹ the textual layers are more readily

²⁷ Friedman, "The Primacy of Tosefta," 104, discusses *baraitot* from the Tosefta that are found in the Bavli, and claims that the Tosefta is the origin of this Babylonian material, noting that: "the type of editing found in the Bavli often introduces elements of the Mishnah into the baraita, and similarly substitute the Mishnah's language for the original (Tosefta) style in the baraita." At the end of Chapter Five in this study, there is an example of such Babylonian editing of a section of the Tosefta.

²⁸ See for example, Yael Wilfand, "Did the Rabbis Reject the Roman Public Latrine?" *BABESCH* 84 (2009): 183-196.

²⁹ Leib Moscovitz, "The Formation and Characters of the Jerusalem Talmud," in *The Cambridge History of Judaism: Volume Four: The Late Roman Period* (ed. Stevan T. Katz; Cambridge: Cambridge University Press, 2006), 665-666. I will mainly use the name "Yerushalmi" when referring to the Palestinian Talmud or the Jerusalem Talmud. The traditional scholarly view is that the Yerushalmi was

discernable due to “general absence of aggressive editorial intervention” and therefore the accuracy of the *baraitot* cited within it can be deemed more trustworthy in transmitting Tannaitic material.³⁰ However, even here, the placement of a *baraita* and its hermeneutic function should be considered with care when it is used to describe Tannaitic views.

The Amoraic Texts from the Land of Israel

In this study, I explore four Amoraic texts from the land of Israel: the Yerushalmi (Palestinian Talmud), *Genesis Rabbah*, *Leviticus Rabbah* and *Pesiqta de Rab Kahana*. However, since particular sections of the Yerushalmi and *Leviticus Rabbah* deal extensively with issues relating to poverty and charity, their contents are quoted and discussed more often. As mentioned above, the Yerushalmi was edited circa 360-370 CE, whereas the Amoraic classic midrashim were compiled and edited in the mid- or possibly late fifth century.³¹

concluded circa the late fourth century or early fifth century CE. See, Yaacov Sussmann in his introduction to, *Talmud Yerushalmi: According to Ms. Or. 4720 (Scal. 3) of the Leiden University Library: With Restoration and Corrections* (Jerusalem: The Academy of the Hebrew Language, 2005), v. For the beginning of the fifth century, see, H. L Stark and G. Stemberger, *Introduction to the Talmud and Midrash* (trans. Markus Bockmuehl; Edinburgh: T&T Clark, 1991), 188-189.

³⁰ Moscovitz, “The Formation and Characters of the Jerusalem Talmud,” 671-672.

³¹ Margulies, *Midrash Wayyikra Rabbah*, XXXIII, claims that *Leviticus Rabbah* and these two other Amoraic midrashim were compiled no later than the middle of the fifth century; Burton L. Visotzky, *Golden Bells and Pomegranates: Studies in Midrash Leviticus Rabbah* (Tübingen: Mohr Siebeck, 2003), 2, offers that these midrashim were edited by the end of the fifth century; Avigdor Shinan "The Late Midrashic, Paytanic, and Targumic Literature" in *The Cambridge History of Judaism: Volume Four: The Late Roman Period* (ed. Stevan T. Katz; Cambridge: Cambridge University Press, 2006), 678-698, dates *Genesis Rabbah* to circa 425 CE, and both *Leviticus Rabbah* and *Pesiqta de Rab Kahana* to around 450

The Amoraic texts examined here discuss the activity and teachings of rabbis that span the period from the first half of the third century to the mid- or late fifth century. This period is roughly concurrent with the spread of Christianity in the Roman Empire, and its rise to power, which began in the fourth century; this transition and its myriad implications are especially relevant for the Amoraic midrashim and should be kept in mind when considering how these texts approach poverty and charity.³²

Another issue for scholarly examination is the degree to which Amoraic texts articulate a shift from the content and positions found in Tannaitic texts. For example, some scholars claim that rabbinic sages became more involved in communal charitable institutions during the third century.³³ Others describe changes in socio-economic status and a process of urbanization among rabbis at that time.³⁴ This study aims to show both

CE; see, Myron B. Lerner, "The Works of Aggadic Midrash and the Esther Midrashim," in *The Literature of the Sages: Second Part: Midrash and Targum: Liturgy, Poetry, Mysticism: Contracts, Inscriptions, Ancient Science and the Language of Rabbinic Literature* (eds. Shmuel Safrai, Zeev Safrai, Joshua Schwartz, Peter J. Tomson; Assen: Royal Van Gorcum and Fortress, 2006), 149, for a later dating of *Leviticus Rabbah* and *Pesiqta de Rab Kahana*.

³² In later writings, however, more attention is given to charity donated by gentiles and to the situation of Jews who are supported by such charity.

³³ See references in Chapter Eight.

³⁴ Regarding the situation of rabbis in urban settings, I accept the view of Catherine Hezser, *The Social Structure*, 157-165, who challenges "[t]he assumption that the third century constituted a major turning-point with regard to the 'urbanization' of the rabbinic movement" (p. 156), by suggesting that rabbinic urbanization, as it occurred in Palestine was a "gradual process which began in the first century and continued into the fourth" (p. 165). According to Hezser, the Tannaitic texts "create the image of a rabbinic movement which was both urban and rural" (p.162). She adds that it is not clear whether the fact that the Yerushalmi present more traditions from Caesarea, Tiberias, Sepphoris, and Lydda, in comparison to Tannaitic texts reflected a situation in which rabbis mainly lived in these centers or whether the editors of the Yerushalmi "had better connections to the rabbis who lived there and received more traditions from them." (p. 164).

continuity and transitions. While there are new developments in later texts, I also find a great deal of constancy between Tannaitic and Amoraic texts regarding the subject of this study (and also in the aforementioned examples), as evidenced by the presence of early rabbinic teachings in the Yerushalmi and Amoraic midrashim. The ability to discern continuity from change relies on a systematic study of texts according to their time of compilation – Tannaitic and Amoraic texts, and also between the Yerushalmi and Amoraic midrashim. Such an approach makes possible a more nuanced understanding of rabbinic notions about poverty and charity.

The Babylonian Talmud

As stated above, the Babylonian Talmud is not in the focus of this study. Nonetheless it is essential to evaluate the evidence that it provides about the land of Israel. In fact, sayings of Palestinian Amoraim are frequently cited in the Babylonian Talmud, as well as abundant stories of rabbis from the land of Israel. Yet, this material should not be accepted as evidence for the land of Israel without critical examination. Traditions in the Babylonian Talmud that depict sages and teachings from the land of Israel should first be compared to the material found in Palestinian texts. When a specific tradition in the Babylonian Talmud contradicts or is absent from Palestinian sources, we cannot simply accept it as a Palestinian teaching. Similarly, when a single teaching appears in both Babylonian Talmud and Palestinian texts, its versions should be

compared, in order to contextualize the content and the tendency of this tradition in each text.³⁵

This study contributes evidence to the claim that teachings by Palestinian Amoraim cited in the Babylonian Talmud are often without parallel in rabbinic texts from the land of Israel, and when parallels exist, the versions are rarely identical. Moreover, on the topics of poverty and charity, the differences between these two rabbinic centers are often consistent. This pattern, together with the distinctive cultural environments and socio-economic conditions that separated Babylonia and Palestine suggest that caution should be applied when treating quotations attributed to Palestinian rabbis or stories about them in the Bavli. Furthermore, because of these differences, comparing parallel Palestinian and Babylonian material often yields a more robust understanding of the texts from the land of Israel that form the heart of this investigation. Thus, this study will utilize the Babylonian Talmud and later texts (compiled after the beginning of the sixth century) only to supplement and elucidate earlier Palestinian texts.

³⁵ On this methodological approach, see, Shamma Friedman, "Historical Aggada in Babylonian Talmud," in *Sefer ha-zikaron le-Rabi Shaul Liberman* (ed. Shamma Friedman; Jerusalem; New York: Bet ha-midrash le-Rabanim be-Amerikah, 1993), 1-46; Shamma Friedman, "Uncovering Literary Dependencies in the Talmudic Corpus," in *The Synoptic Problem in Rabbinic Literature* (ed. Shaye J. D. Cohen; Brown Judaic Studies 326; Providence, Rhode Island: Brown Judaic Studies, 2000), 35-57.

Avot of Rabbi Nathan

Avot of Rabbi Nathan (ARN) has long been considered to be an authentic Tannaitic composition by many scholars, while other scholars have treated it as a Palestinian Amoraic source. However, this text was edited as late as the seventh or eighth century, and therefore is outside the bounds of this study. If it contains remnants of original Tannaitic material, it is impossible to suggest a systematic method for separating later additions from early traditions.³⁶ Moreover, portions of the text indicate influences from the Babylonian Talmud. Therefore, ARN is not included in this study.³⁷

Rabbinic Teachings in their Literary Context

The literary placement of a teaching within a text is significant, especially since passages about charity often occur in more than one text, as noted above. Frequently, these teachings were modified to meet the hermeneutic need of the selection where it was being inserted. Therefore, in this study, I explore the textual placement(s) of stories and teachings, rather than solely treating them as independent units. When it supports a richer understanding of a passage, I bring the chain of teachings in which it appears to present it in context in order to consider the impact of the juxtaposition of these units and the message that this combination suggests.

³⁶ Menahem Kister, "Prolegomenon," in *Avot de-Rabbi Nathan: Solomon Schechter Edition: With References to Parallels in the Two Versions and to the Addenda in the Schechter Edition* (New York and Jerusalem: The Jewish Theological Seminary of America, 1997), 11-13.

³⁷ Similarly, I do not use other "small tractates" due to the late timing of their completion.

Non-Rabbinic Sources

While Palestinian rabbinic literature is the central topic of this study, I use non-rabbinic evidence - including inscriptions, archaeological findings, Qumran writings, pagan works, and Christian sources - when applicable. By drawing on an array of complementary materials, I am able to contextualize rabbinic writings in their wider cultural setting. Unfortunately, often we lack direct supporting material, such as lists of beneficiaries and letters of appeal, like those found in the Cairo Geniza.³⁸ Archaeological remains tend to sidestep the poor, since their material culture has rarely been preserved.³⁹ In addition, with the exception of rabbinic texts, we possess little Jewish literature from this period.⁴⁰

Texts and Reality

Another issue to bear in mind is the relationship between rabbinic texts and historical reality. First, rabbinic literature does not aim to provide historical documentation, but rather to offer moral religious teachings. Furthermore, it is not often clear whether these texts are describing the practices of their time or an idealistic model

³⁸ Cohen, *Poverty and Charity in the Jewish Community of Medieval Egypt* (Princeton and Oxford: Princeton University Press, 2005), 12-13.

³⁹ For a summary of studies on archeological findings related to the poor in the Roman world, see, Ben-Zion Rosenfeld and Haim Perlmutter, "The Poor as a Stratum of Jewish Society in Roman Palestine 70-250 CE: An Analysis," *Historia* 60 (2011): 276, 298-300.

⁴⁰ Two of Yannai's poems (dated provisionally to the sixth century) feature themes of poverty and charity; in many ways, they echo and share similarities with the Palestinian rabbinic midrashim on these same topics. See, Zvi Meir Rabinovitz, *The Liturgical Poems of Rabbi Yannai: According to The Triennial Cycle of the Pentateuch and the Holidays* (Jerusalem: Bialik Institute, 1985), 1:469-478.

to which one should aspire. In this study, which explores rabbinic attitudes towards poverty and the poor as well as ways to cope with social inequity, both are relevant. Thus, verifying whether a certain rabbi was actually poor or whether another rabbi indeed gave alms as the texts portrays is often subordinate to examining why the texts features such stories and teachings and what they reveal about the values and priorities of their authors.⁴¹

The second consideration is the degree to which rabbinic texts may serve as a valuable historical source for the study of attitudes and notions in the Jewish society of their time. Unfortunately, texts that could inform us about non-rabbinic Jewish thinking on poverty and charity during the second to fifth centuries C.E. in the land of Israel are practically non-existent. The extent to which rabbis articulated dominant views within the Jewish societies in which they lived is a subject of scholarly debate. In this study of poverty and charity, when possible, I indicate how data from rabbinic texts might inform us about widely held practices and beliefs.

The case of inscriptions that record donations to the construction and renovation of synagogues is interesting in this context. These records may provide indirect information about general Jewish approaches to charitable giving. Several scholars claim that these inscriptions indicate that Jews adopted the Greco-Roman norms of

⁴¹ The value of rabbinic texts for the study of history has been written about and debated in abundance. See, for example, several articles in Jacob Neusner and Alan J. Avery-Peck, eds. *Judaism in Late Antiquity: Part Three: Where We Stand: Issues and Debates in Ancient Judaism: Volume One* (Leiden and Boston: Brill, 1999), 123-230.

*euergetism*⁴² (in which honors were conferred upon donors in return to their liberality)

during Late Antiquity.⁴³ In her recent book, "*Remembered for Good: A Jewish*

Benefaction System in Ancient Palestine," Susan Sorek argues that:

As this work has shown, the Jewish benefaction system has little in common with euergetism, apart from the most obvious element of recording benefactions on stone. The motivation is entirely different – unlike euergetism, in the Jewish system dependency upon a benefactor is *not* a desirable element. The egalitarian nature, a prime feature of the system, renders such dependency undesirable. There are no inscriptions recording donations of entire buildings or large sums of money, although it seems unrealistic to suppose that no communities had such wealthy members who could have made substantial donations. . . . If wealthy patrons did make benefactions, then they were recorded in the same way as any other benefactor – by name only, no titles, no show of prestige and no honour other than been 'remembered for good' by God, or blessed (presumably by God) for their good work. In complete contrast to euergetism, rewards were obtained in the hereafter, not in the physical world.⁴⁴

My study will show that some of Sorek's conclusions about the values and notions

indicated by the patterns of synagogue inscriptions echo almsgiving as described in

rabbinic texts.

⁴² The term euergetism comes from the Greek word εὐεργετέω, meaning, "I do good things." Historians of the Greco-Roman world use this term to denote a significant donation by a person to his community or his city (or sometimes to other cities), which was usually followed by him receiving honors in return. Peter Brown, *Poverty and Leadership in the Later Roman Empire* (Hanover, NH, and London: University Press of New England, 2002), 3-4, explains euergetism as follows: "The cities were dependent . . . for their economic and political success, on their ability to draw on a seemingly unlimited willingness to give on the part of their richer and more powerful inhabitants . . . As a result, *euergesia*, the urge to 'do good' by public benefaction; the wish to be a *euergetés*, a 'doer of good,' to be a public benefactor; and the desire to be a *philotimos*, to stand out among one's fellows for the extent of one's public generosity: these Greek words became associated with actions that were especially prized by the elites of the classical world and by their inferiors in every city." I elaborate on this topic in Chapter Nine.

⁴³ Seth Schwartz, *Imperialism and Jewish Society: 200 B.C.E. to 640 C.E.* (Princeton and Oxford: Princeton University Press, 2001), 280-287: "By having their names written on the synagogue pavement, the donors were not simply eternalizing their place in the cosmic order but in the social order also . . ." (p. 283); Michael L. Satlow, "Fruits and Fruits of Fruits': Charity and Piety among Jews in Late Antique Palestine" *JQR* 100 (2010): 272: "Jewish euergetism better demonstrates the participation of a Jewish subelite in a wider Greco-Roman practice . . ."

⁴⁴ Susan Sorek, *Remembered for Good: A Jewish Benefaction System in Ancient Palestine* (The Social World of Biblical Antiquity, Second Series, 5; Sheffield: Sheffield Phoenix Press, 2010), 261-262.

Although inscriptions generally relate to donations toward synagogue construction rather than to almsgiving and can therefore provide only indirect and limited support to this study, the similarity between Sorek's understanding of these inscriptions and the ethos of rabbinic texts supports both Steven Fine's definition of Judaism and Stuart S. Miller's hypothesis of "complex common Judaism," at least with respect to Jews in the land of Israel. Fine defines Judaism in Late Antiquity as:

. . . the web of practices, beliefs, sacred stories ("myths"), and cultural inclinations (in no particular order) out of which Jews built their identities – both those elements that were shared across intragroup boundaries and those that were disdained in other Jews. Each of these components was (and still is) given different weight by various elements within the community. These were the elements, nonetheless, by which one Jew would recognize another – even when they spoke different languages or fundamentally disagreed – and often also by which non-Jews might recognize members of the Jewish community.⁴⁵

Miller explains "complex common Judaism" as follows:

The "complex common Judaism" that I am suggesting existed did not come about because of external forces, although they may have played a role, but rather was more directly the result of a shared religious tradition that remarkably, was understood and applied by most Jews in a way that bore identifiable similarities. . . . Thus "commonness" does not preclude variety. It only argues that the different "Jews" who practiced what others would regard as diverse "Judaisms" shared some practices and beliefs that were derived from a common source, even if they otherwise understood and applied the teachings gleaned from that source, the Torah and what would become the *Tanakh*, differently. For Sanders, the practices and beliefs revolved around the temple and priesthood. For Fine, with reference to Judaism in the Post-Destruction period, it included much more. I too contend that the practices and beliefs extended, even the temple times, beyond those associated with the temple and cultic practices, and included all that was derived from a common "biblical" tradition.⁴⁶

⁴⁵ Steven Fine, *Art and Judaism in the Greco-Roman World: Toward a New Jewish Archaeology* (Cambridge: Cambridge University Press, 2005), 3.

⁴⁶ Miller, *Sages and Commoners*, 24.

Following Fine and Miller, in this study, I suggest that some aspects of rabbinic discourse on charity depict attitudes, values, practices, vocabulary and institutions that were valued by Jews beyond rabbinic circles. On the basis of contextualizing data, I would suggest that at least some rabbinic notions and practices regarding poverty and charity were not limited to the rabbis. The importance of caring for the poor is fundamental to biblical thinking and emerges from several Jewish writings from the Second Temple period, such as Ben Sira and Tobit. This theme is also prominent in the New Testament (especially in the Gospels of Matthew and Luke). Thus it is quite likely that the primacy of the value of assisting the poor was extended beyond rabbinic circles.

Since the rabbinic texts that focus on almsgiving seldom provide information regarding the impact of rabbinic instruction on the general Jewish population, I prefer another approach to address this question. Rather than examining whether rabbis "controlled" and "supervised" Jewish society overall,⁴⁷ I try to identify when and where rabbinic attitudes and teachings about poverty and charity seem to be shared by other Jews. Conversely, I also consider rabbinic evidence for Jewish practices that go against the ideals articulated in rabbinic teachings.

While the overall focus of this study is on rabbinic thought, namely the rabbis' concepts of poverty and charity, I carefully consider the value of rabbinic literature as a

⁴⁷ As Miller, *Sages and Commoners*, 12, writes: "Indeed, rabbinic Judaism should be understood as a variation, or at least an outgrowth, of common Judaism rather than a distinct attempt to define or 'control' the whole."

source for understanding the contours of Jewish society, and the extent to which these texts reflect actual practices or inspired models.

Previous Research

Rabbinic charity has long been perceived of as an important theme and, therefore, it has been researched by many scholars. In what follows, I present an overview of the major treatments of this topic, starting from the 1930s⁴⁸ with George Foot Moore, who devoted a full chapter of his book *Judaism: In the First Centuries of the Christian Era: The Age of the Tannaim* (first published in 1937) to "Private and Public Charity."⁴⁹ In this study, Moore draws from an array of rabbinic sources, including Tannaitic and Amoraic texts, the Babylonian Talmud and ARN. Often he finds similarities between rabbinic traditions and New Testament teachings. Moore also compares teachings from the Tanakh to his findings in rabbinic texts and concludes that:

It will no doubt have occurred to the reader that most of this fine doctrine about charity is interpreted into the text, not out of it. And that is precisely the thing to be observed about it. The fundamentals of Jewish teaching on the subject from a far earlier time are here ingeniously worked into a single passage only a few verses long.⁵⁰

⁴⁸ See also several pages in Jean Juster, *Les Juifs dans l'Empire Romain: leur condition juridique, économique et sociale* (2 vols.; New York: Burt Franklin, 1914), 1:42, who writes about communal institutions, including those designated for the support of the poor.

⁴⁹ George Foot Moore, *Judaism: In the First Centuries of the Christian Era: The Age of the Tannaim: Volume II* (Cambridge: Harvard University Press, 1946), 162-179.

⁵⁰ Moore, *Judaism*, 168.

In 1944, Rabbi Yehuda Bergman published his book, *The Charity in Israel: Its History and its Institutions*.⁵¹ He dedicated this book to his Jewish community in Berlin, from which he fled in 1934 for Palestine. He articulated his hope that publishing a volume on the subject of Jewish charity would be appropriate at such a time. Bergman presents a chronological study of Jewish charitable practices, opening with the Tanakh and concluding with the first third of the 20th century. The third chapter concentrates on charity in the Talmudic period, first in the land of Israel, then in Babylonia. In this work, Bergman gathered and analyzed rabbinic teachings that address charity; he then presents their similarities to Christian teachings and their differences with Greco-Roman notions. However, Bergman draws on the full complement of rabbinic literature as an undifferentiated body of evidence —early and late, Palestinian and Babylonian— to portray the socio-economic circumstances and the approaches to charity that prevailed in the land of Israel, depicting an idealized and generous community.

In 1951, Ephraim E. Urbach published “Political and Social Tendencies in Talmudic Concepts of Charity,”⁵² an article that examines the relationship between rabbinic teachings about charity with social and political factors. For example, Urbach explains rabbinic attitudes towards gentile almsgiving as responses to Greco-Roman benefaction and Christian charity. He also discusses the influence of several historical processes and

⁵¹ Yeudah Bergman, *The Charity in Israel: Its History and its Institutions* (הצדקה בישראל: תולדותיה (ומוסדותיה), (Jerusalem: Tarshish Books, 1944).

⁵² Urbach, “Political and Social Tendencies,” 1-27.

events on the development of rabbinic legal and moral teachings on charity, the most outstanding among them being the destruction of the Second Temple, the crisis of the third century in the Roman Empire,⁵³ and competition with Christianity in the land of Israel. In his effort to reconstruct the views held in the land of Israel in the Tannaitic and early Amoraic periods, Urbach uses not only texts from the land of Israel, but also the Babylonian Talmud and late (and even medieval) midrashim. In some instances he prefers later teachings despite the availability of early Palestinian versions, without taking into account the possibility that Babylonian Talmud and late midrashim may reflect agenda that differ significantly from those of earlier Palestinian rabbis.

The next year, in 1952, Salo Wittmayers Baron dedicated a few pages in his series, *A Social and Religious History of the Jews*,⁵⁴ to rabbinic "social welfare" by discussing texts from different periods and locations as one whole cloth. This topic was not included in the earlier, shorter version of this work (1937).

Three decades later, in 1983, the volume by Roger Brooks, *Support for the Poor in the Mishnaic Law of Agriculture, Tractate Peah*,⁵⁵ presents most of the Tannaitic material that addresses giving assistance to the poor. The book follows Mishnah *Peah*, bringing

⁵³ However, in recent years, several scholars have claimed that archaeological findings suggest that it is not clear to what extent Palestine was affected by the crisis in the third century. And see for example, Doron Bar, "The 3rd Century Crisis in the Roman Empire and Its Relevance to Palestine during the Late Roman Period," *Zion* 66 (2001): 143-170; Doron Bar, "Was There a 3rd-c. Economic Crisis in Palestine?" in *The Roman and Byzantine Near East: Volume 3* (Journal of Roman Archaeology: Supplementary Series Number 49; ed. J. H. Humphrey; Portsmouth, Road Island: Journal of Roman Archaeology. 2002), 43-54.

⁵⁴ Salo Wittmayers Baron, *A Social and Religious History of the Jews: Volume II: Ancient Times, Part II* (Second Edition, Revised and Enlarged, New York: Columbia University Press, 1952), 269-274.

⁵⁵ Roger Brooks, *Support for the Poor in the Mishnaic Law of Agriculture, Tractate Peah* (Chico, Calif.: Scholars Press, 1983).

translations, explanations and related material from the Tosefta and Tannaitic midrashim. In contrast to most scholars who have researched the theme of charity, Brooks limited his study to Tannaitic textual evidence, usually without pursuing questions about the practical application of these prescriptions.

In 1990, Gildas Hamel published *Poverty and Charity in Roman Palestine, First three centuries C.E.*,⁵⁶ which explores several issues relating to poverty in Roman Palestine, including the food and clothing of the poor and factors that lead to the existence of poverty as a societal reality. Hamel also examines the vocabulary of poverty in Hebrew, Aramaic and Greek as well as evidence for Greek, Jewish and Christian charitable practices in Palestine. He concludes his book with "Views on Poverty and Wealth in the Gentile Church."⁵⁷ Hamel uses rabbinic texts amid a range of other evidence. He assumes that the rabbis were wealthy religious leaders who blamed the poor for their station: "Those people whose lack of means was partly responsible for their religious failures—in terms of purity, tithing or religious education."⁵⁸ Hamel links poverty with impurity: "It was therefore more difficult for poor people to fulfill purity rules."⁵⁹ According to this view, the burden of rabbinic *mitzvot* was too heavy for the poor to bear. He concludes that "the Essenes, the followers of Jesus, and the Ebionites were corrective movements in

⁵⁶ Gildas H. Hamel, *Poverty and Charity in Roman Palestine, First three centuries C.E.* (Berkeley: University of California Press, 1990).

⁵⁷ Hamel, *Poverty and Charity*, 222.

⁵⁸ *Ibid.*, 239.

⁵⁹ *Ibid.*, 55.

the opposite direction."⁶⁰ However, Hamel's reconstruction of rabbinic views and social conditions in Palestine in the first three centuries is often based on the Babylonian Talmud.

Another scholar who extensively discusses the evidence regarding communal charity institutions is Ze'ev Safrai. In his book, *The Jewish Community in Palestine during the Period of the Mishna and the Talmud* (1995) and in several other publications, Safrai describes communal charities in the dual contexts of the Jewish community and the Roman world.⁶¹ For this description, Safrai primarily relies on Palestinian sources, but he also draws from the Babylonian Talmud and late midrashim. Nevertheless, Safrai's research provides a detailed account of communal charitable institutions as described in rabbinic texts.

In 1999, Michael Hellinger submitted his dissertation, "Charity in Talmudic and Rabbinic Literature: A Legal, Literary and Historical Analysis," that discusses rabbinic charity from the Torah through the twentieth century with particular focus on halakhic issues.⁶² When historical context is presented, it often refers to economic conditions that

⁶⁰ Ibid., 198.

⁶¹ Zeev Safrai, *The Jewish Community in Palestine during the Period of the Mishna and the Talmud* (Jerusalem: Merkaz Zalman Shazar, 1995), 62-76, 251, 253, 311-317, 320-324. Safrai examines these topics in others books and articles as well (see Bibliography).

⁶² Michael Hellinger, "Charity in Talmudic and Rabbinic Literature: A Legal, Literary and Historical Analysis" (PhD diss., Bar Ilan University, 1999). See also, Michael Hellinger, "The Emerging Definition of the Poverty Line in Jewish Law," *Jewish Law Association Studies* 14 (2004): 127-139. Michael Hellinger, "The Charity Box and the Poor Who Beg from Door to Door," (קופת הצדקה והעניים) (המחזורים על הפתחים), *Sma'atin* 174 (2008): 93-100.

have influenced halakhic development⁶³ without taking other factors into consideration, such as the Greco-Roman environment.

Over the past decade, numerous other scholars have investigated issues relating to rabbinic charity. Some of them focus on charity, especially redemptive almsgiving, while others also integrate rabbinic attitudes towards the poor in their work. Burton L. Visotzky dedicates a full chapter of his book, *Golden Bells and Pomegranates: Studies in Midrash Leviticus Rabbah* (2003), to charity, poverty and the poor in this Amoraic midrashic collection.⁶⁴

Gary Anderson writes about rabbinic charity in two articles: "Redeem Your Sins by the Giving of Alms: Sin, Debt, and the 'Treasury of Merit' in Early Jewish and Christian Tradition"⁶⁵ and "You Will Have Treasure in Heaven."⁶⁶ In these studies, Anderson discusses rabbinic understandings of charity, especially redemptive almsgiving, in the context of Second Temple Jewish texts such as Tobit and Ben Sira, the New Testament, and writings of Early Church fathers. Whereas Anderson emphasizes belief in a reward in the form of "heavenly treasure," Michael L. Satlow's "'Fruits and Fruits of Fruits': Charity and Piety among Jews in Late Antique Palestine"⁶⁷ highlights belief in

⁶³ For example, Hellinger, "Charity in Talmudic and Rabbinic Literature," 99.

⁶⁴ Visotzky, *Golden Bells and Pomegranates*.

⁶⁵ Gary A. Anderson, "Redeem Your Sins by the Giving of Alms: Sin, Debt, and the 'Treasury of Merit' in Early Jewish and Christian Tradition," *Letter & Spirit* 3 (2007): 39-69.

⁶⁶ Gary A. Anderson, "You Will Have Treasure in Heaven," forthcoming.

⁶⁷ Satlow, "Fruits and Fruits of Fruits," 244-277.

material rewards in this world. Satlow examines "'common' or 'popular' Jewish piety"⁶⁸ and understandings of almsgiving, via rabbinic texts and other evidence, to demonstrate a prevalent belief that God materially rewards those who give charity.

Recently Alyssa M. Gray's "Redemptive Almsgivings and the Rabbis of Late Antiquity" evaluates the notion of redemptive almsgiving by comparing the views found in Tannaitic and Amoraic texts from the land of Israel and the Babylonian Talmud.⁶⁹ Regarding Palestinian texts, Gray claims that there was a shift between the Tannaim and Amoraim in their attitudes to the poor. The Tannaim are not described as having contact with ordinary poor people, and Tannaitic empathy is reserved for "the formerly wealthy poor." According to this view, Tannaitic teachings that address redemptive almsgiving are "without reference to actual poor."⁷⁰ In contrast, Amoraic texts convey "the idea that the poor are a special concern of God's, as well as references to redemptive almsgiving that refer to actual poor people." According to Gray, this change is related to the fact that the Amoraim became more active in communal institutions on behalf of the poor and therefore they were invested in presenting an ideology that would encourage charitable giving.⁷¹

In another article, "The Formerly Wealthy Poor: From Empathy to Ambivalence in Rabbinic Literature of Late Antiquity," Gray looks at rabbinic attitudes towards the

⁶⁸ Ibid, 245.

⁶⁹ Alyssa M. Gray, "Redemptive Almsgivings and the Rabbis of Late Antiquity," *JSQ* 18 (2011): 144-184.

⁷⁰ Ibid., 153-155.

⁷¹ Ibid., 157.

poor who were previously wealthy.⁷² Here, again, Gray presents a shift between the Tannaitic and Amoraic sources, claiming that while Tannaitic texts articulate empathy towards "the formerly wealthy poor," Palestinian Amoraic writings begin to communicate ambivalence towards the formerly elite poor and, in particular, the communal commitment to provide for them according to their former status. Gray bases this change on the socio-economic status of the Amoraim: while the Tannaim were well-to-do, the Amoraim lived during the economic crisis in the Roman Empire (during the third and early fourth centuries) and, as a result, became more involved in charitable endeavors.⁷³ Though Gray's methodology mostly resembles the one that I have adopted, my study reaches different conclusions in some areas, especially regarding the suggested developments and contrasts between Tannaim and Amoraim, and her acceptance of the assessment by Shaye J.D. Cohen that the Tannaim as predominantly well-to-do which shapes her understanding of rabbinic attitudes towards the poor. In this regard, I will present a whole different approach.⁷⁴

⁷² Alyssa M. Gray, "The Formerly Wealthy Poor: From Empathy to Ambivalence in Rabbinic Literature of Late Antiquity," *AJS Review* 33 (2009), 101-133.

⁷³ Gray, "The Formerly Wealthy Poor," 117-123. Shaye J.D. Cohen, "The Rabbi in Second-Century Jewish Society," in *The Cambridge History of Judaism, Vol. 3: The Early Roman Period* (eds. William Horbury, W.D. Davies and John Sturdy; Cambridge: Cambridge University Press, 2008), 936.

⁷⁴ For example, in Chapter Four, I suggest that no particular change in the socio-economic status distinguishes Tannaim and Amoraim; and, in Chapter Five, I claim that ambivalence towards the poor who came from wealthy backgrounds can already be discerned in Tannaitic texts. Yet, Gray's discussion is important on the basis of her methodology.

Another aspect of rabbinic charity has been described by Donizeti Ribeiro in his article, "Les œuvres de miséricorde comme *imitatio Dei*" (2010),⁷⁵ in which Ribeiro describes how rabbinic and early Christian teachings (especially in the Gospel of Matthew) describe giving charity as an imitation of God. The author aims to show similarities between early Judaism and early Christianity to explain the Jewish roots of the New Testament; however, some of the texts he uses, such as *Targum Pseudo-Jonathan* and the Babylonian Talmud, were compiled several centuries after the New Testament.⁷⁶

Recently, Ben-Zion Rosenfeld and Haim Perlmutter discussed rabbinic evidence for a more defined, actual "sub-stratification of poverty" in their article, "The Poor as a Stratum of Jewish Society in Roman Palestine 70-250 CE: An Analysis."⁷⁷ In this study, the authors compare the New Testament, writings by Josephus and Tannaitic texts to Roman literature and archaeological findings. Rosenfeld and Perlemutter suggest that: "The Tannaitic legal literature supplies a more detailed description, creating various

⁷⁵ Donizeti Ribeiro, "Les œuvres de miséricorde comme *imitatio Dei*," *Sens* 354 (2010): 788-805.

⁷⁶ There is no agreement regarding the dating of *Pseudo Jonathan*. See, Paul V. M. Flesher, "The Targumim," in *Judaism in Late Antiquity: Volume One* (ed. Jacob Neusner; Leiden and Boston: Brill 2001), 60-62, and especially note 33. The particular Targum sections from *Pseudo Jonathan* and *Targum Neofiti* that Ribeiro, *ibid*, 792-794, cites as examples in which God carries out acts of *gemilut ḥasadim* ("acts of loving kindness," "benevolence,") only have earlier parallels in rabbinic texts in midrash *Qoheleth Rabbah*, which is dated to the eighth century (though it certainly contains earlier material), but not in earlier midrashim.

⁷⁷ Rosenfeld and Perlmutter, "The Poor as a Stratum of Jewish Society," 273-300.

groups of the poor who had different characteristics and therefore different rights and obligations."⁷⁸

As this overview indicates, while rabbinic charity has been extensively discussed and is widely considered central to the rabbinic ethos, only a minority of scholars has attended to the tangible realities of poverty or to images of the poor in rabbinic texts.⁷⁹ Even fewer have examined rabbinic charity together with rabbinic explanations of poverty and depictions of the poor in these texts. From those who have integrated these themes, only Gray, Visotzky, Rosenfeld and Perlemutter differentiate Tannaitic texts from Amoraic writings and between Palestinian sources and the Babylonian Talmud. This methodology is crucial for presenting a nuanced study of these topics. Moreover, until now, no monograph has been published on the themes being explored and integrated in this study:⁸⁰ a comprehensive examination of rabbinic attitudes toward poverty and the poor, and rabbinic notions of almsgiving, which distinguishes between rabbinic texts from Palestine and Babylonia, and from the Tannaitic and Amoraic eras. I also consider the biblical heritage, the Greco-Roman and Christian contexts of Palestinian rabbinic

⁷⁸ Ibid., 300.

⁷⁹ Urbach, "Political and Social Tendencies," 18-20, noted that, in contrast to Christian views, the rabbis did not elevate poverty. Regarding Babylonia, Moshe Beer, *The Babylonian Amoraim: Aspects of Economic Life* (Ramat-Gan: Bar-Ilan University, 1982), 343-346, describes rabbinic attitudes toward poverty in Babylonia, claiming that fear of poverty prevailed among Babylonian rabbis.

⁸⁰ Many scholars have shown interest in the question of whether the rabbis were in fact poor. However, this subject has usually been pursued by focusing on the rabbis' stature, whereas their opinions about poverty have rarely been discussed.

teachings and, in some instances, I compare the writings of Palestinian rabbis with those of their Babylonian peers.

Order of Chapters

This study begins with an exploration of the rabbinic vocabulary of charity and poverty in both Aramaic and Hebrew. I examine the ways in which rabbinic texts utilize biblical vocabulary for the poor, particularly words that denote almsgiving and special phrases used by the poor to request alms. The rabbinic language of poverty and charity indicate a commitment to the ordinary poor and the centrality of almsgiving in rabbinic thinking. Throughout the course of this study, additional issues with regards to specific terminology will be addressed; however, the goal of this chapter is to present the core vocabulary that pervades the teachings about poverty and charity examined in this work.

Chapter Three describes rabbinic explanations for poverty among individuals, inquiring whether poverty results from sin. Analyzing the views held in the land of Israel in comparison to explanations that appear in the Babylonian Talmud reveals the limited scope of transgressions associated with poverty in Palestinian teachings. In the land of Israel, inappropriate behaviors were often associated with the failure to give alms, in adherence to the standard of "measure for measure." Texts from the land of Israel which detail reasons for individual poverty often focus on the poor whose status had declined from prior wealth. In contrast, in the Babylonian Talmud, explanations for ordinary poverty are usually associated with an array of sins and improper behaviors. Moreover, in

the Bavli, poverty is linked with dirt and death, while wealth is presented as a requirement for prophets and those who wish to receive the divine presence. Towards the end of the chapter, several explanations for this divergence are suggested, among them 1) the distinct exegetical methodologies that developed in the two centers; 2) the particularities of their cultural and political environments; and, 3) the role and socio-economic standing of rabbis within their respective Jewish communities.

This last explanation is further examined in Chapter Four, which discusses the socio-economic standing of the rabbis in the land of Israel. In this chapter, I present the varied scholarly views regarding this issue. I argue that it is likely that the socio-economic standing of the sages in the land of Israel, Tannaim and Amoraim, was diverse. According to Palestinian rabbinic texts, it is feasible to imagine poor rabbis or students, and poverty was not conceived of as mutually exclusive from participation in rabbinic circles. Moreover, I claim that this range in socio-economic status among the rabbis is one of the factors that shape rabbinic notions of poverty and charity.

Just as the texts acknowledge diversity among the sages, so too are several categories of poor people addressed, among them: the ordinary poor and the formerly wealthy who fell into poverty. I refer to this latter group as the “relative poor,” since their impoverishment is sometimes considered in relation to their former standing rather than in absolute terms. In Chapter Five, I discuss these two categorizations of the poor in the context of Greco-Roman culture. In the first portion of this chapter, I analyze eligibility criteria for the poor to receive community support, with particular interest in the

treatment of the relative poor. I demonstrate that while some voices advocate for special consideration regarding this group among the poor population as a whole, others wish to limit the extra support that should be given to them. These reservations emerge in Tannaitic and Amoraic texts alike. Shame and dignity are examined in the second section of this chapter, where I show that even though special attention was given to the dignity and shame of the relative poor, the ordinary poor were also considered.

As this study delves further into its investigation, the focus turns to the ordinary poor, who are the subject of the majority of rabbinic teachings on poverty relief. In Chapter Six, the rabbinic material regarding almsgiving and the support of the poor is divided into five categories. The first two categories appear in the model for assisting the poor in Mishnah *Peah*: biblically described agricultural gifts (henceforth referred to as "produce gifts"), and communal institutions for the support of the poor. The third category is special communal fundraising efforts. The last two categories are privately supporting family members and friends, and giving to beggars. For each of these categories, I examine the relationship between biblical instructions and rabbinic teachings, and whether rabbinic discourse reflects actual practice or an idealized model. Although this chapter is organized according to types of charitable activity, I also aim to discern the aspects of rabbinic ideology indicated in this discourse, be they explicitly articulated, or, more often, implied by how certain practices are described. Wherever possible, I examine views of the relationships between the poor, donors and God.

Chapter Seven offers a detailed exploration of the operational aspects of these charitable practices, with particular attention to expectations placed on those responsible for communal charity institutions or individual benefactors to verify the eligibility of those seeking support. The texts in this exploration provide an opportunity to look at the image of the poor and their relationships with potential and actual supporters. Here I also show that most texts place the onus for honest conduct on the beneficiary rather than on the benefactor, presenting the poor as active agents rather than passive recipients. Moreover, rabbinic discourse about the deceitful poor attempts to persuade people to give despite the possibility that not everyone who petitions their support is in genuine need.

Chapter Eight considers rabbinic involvement in almsgiving, addressing the place of rabbis as communal charitable officials in the land of Israel. I evaluate the evidence, asking whether rabbinic involvement increased during the third century, as some scholars suggest. In addition, I claim that in contrast to certain Christian bishops, who have been presented as patrons or governors of the poor, Palestinian rabbis are rarely described as such. This absence of patronage language should not be interpreted to indicate a want of patronage relationships within the Jewish population in Roman Palestine, but rather as a rhetorical choice stemming from an ideology that presents God as the ultimate patron of Israel.

This philosophical rejection of patronage is also discussed in Chapter Nine, which looks at the framework of rabbinic charity in light of the Greco-Roman *euergetism*, patronage and food distributions. Here I show that while rabbinic literature from the land

of Israel often presents approaches to charity that reject human patronage relationships, and stand in contrast to Greco-Roman norms, Roman norms nevertheless affected rabbinic thinking and practices regarding aspects of charity, including methods of fundraising. However, this chapter also shows that even charitable patterns in rabbinic texts that could be described as alternatives to the Roman forms of patronage can be understood only when they are explained within the cultural context that they aim to reject.

Chapter Two: The Vocabulary of Poverty and Charity¹

The idea that language articulates values and profound concepts appears in the Amoraic midrash, *Leviticus Rabbah*, where Rabbi Zeira claims that the spoken language of the inhabitants of the land of Israel is Torah:

אמי ר' זעירא אפילו שיחתן של בני ארץ ישראל תורה היא. הכיצד, אדם אומר לחברו זכי בי, איזדכי בי, זכי גרמך בי.

Rabbi Zeira said: "Even the conversation of the sons [inhabitants] of the land of Israel is Torah! How so? A [poor] man says to his fellow: "Grant me merit (זכי בי), gain merit through me (איזדכי בי), gain merit for yourself through me (זכי גרמך בי)." (*Lev. Rab.* 34:7)

According to this text, the simple spoken language of beggars and others who directly request support articulates the Torah's idea (as understood in this midrash) that giving alms benefits both the donor and the beneficiary. That language, therefore, should be explained as both the background and foundation for discussing poverty and charity in rabbinic texts. Indeed, an exploration of the particular Hebrew and Aramaic vocabulary of poverty and charity in this literature reveals how poverty and charity were construed textually, and may offer a glimpse into how these social issues were discussed within the contemporaneous Jewish community.²

¹ I took the idea of dealing with "the vocabulary of poverty" from Hamel, *Poverty and Charity*, 164-211, who dedicated a chapter in his book to this theme. The goal of his inquiry, however, is different from mine. Hamel uses the vocabulary to "provide [but] a glimpse of the nature and extent of poverty" (p. 5), while I am interested in rabbinic concepts of poverty and charity.

² While the Tannaitic texts - the Mishnah, the Tosefta and the Tannaitic midrashim - are written in Hebrew with only small, occasional portions in Aramaic, the later Amoraic texts - the Yerushalmi, *Leviticus Rabbah*, *Genesis Rabbah*, and *Pesiqta de Rab Kahana* - present a combination of Hebrew and Aramaic. See, for example, Visotzky, *Golden Bells and Pomegranates*, 45-47, about the use of Aramaic and Hebrew in *Leviticus Rabbah*.

In this chapter, therefore, I first explore the Hebrew vocabulary of poverty in rabbinic literature,³ followed by its usage in texts from Qumran. Since these two textual traditions incorporate biblical terminology about poverty in different ways, examining the Qumranic use of these words further illuminates their meanings within rabbinic texts. Next I consider the antonyms for the word "poor person" found in rabbinic texts, which is followed by a discussion of the Hebrew words for charity. Finally, I examine the Aramaic vocabulary for charity and the poor that appears in Amoraic texts, including analysis of the particular phrases used by the poor who sought alms.

The Vocabulary of Poverty and Charity -- Hebrew

The poor

In *Leviticus Rabbah*, several biblical terms for “a poor person” are explained, shedding light on the rabbis' use and interpretation of these words:

שבעה שמות נקראו לו עני אביון מסכן רש דל דך מך. עני כמשמעו. אביון שהוא מתאוה לכל. מסכן שהוא בזוי לפני הכל, כמי ד' אמי וחכמת המסכן בזויה (קהלת ט, טז). רש שהוא רש מן הנכסים. דל שהוא מדולל מן הנכסים. דך שהוא מדוכדך, רואה דבר ואינו אוכל רואה דבר ואינו שותה. מך שהוא מך לכל, עשוי כאסקופה התחתונה.

Seven names were given to him [to the poor]: poor (עני), impoverished (אביון), despised (מסכן), dispossessed (רש), denuded (דל), crushed (דך) [and] lowly (מך). "Poor" (עני) as the word indicates. "Impoverished" (אביון) because he desires everything. "Despised" (מסכן) because he is held in contempt by everybody, as in the following verse: "The wisdom of a despised person is held in contempt" (Ecclesiastes 9:16). "Dispossessed" (רש) because he is dispossessed of all his property. "Denuded" (דל) because he is denuded of all his property. "Crushed" (דך) because he is crushed. He sees something [to eat] but does not

³ During this study and particularly in this chapter, I use transliteration to present Hebrew and Aramaic words. For frequently repeated terms, I first provide transliteration according to the SBL academic style when I introduce the term, and then I utilize the Brill simple transliteration system (http://www.brill.nl/downloads/Hebrew_transliteration_simple.pdf).

eat it, sees something [to drink] but does not drink it. "Lowly" (מך) because he is lower than anyone, like the lowest threshold.⁴ (*Lev. Rab.* 34:6)

This midrash explains the different biblical names depicting the poor by distinguishing between various types of poverty and aspects of being poor.⁵ It is clear, however, that one designation— *‘ani* (עני - a poor person; pl. *‘ani'im*/ענייִם) – requires no explanation (*‘ani* as the word indicated").⁶ Indeed, this is the most frequently occurring Hebrew word referring to the poor in rabbinic texts, functioning as the generally used term.⁷

One group of words, which denotes the vulnerable members of society in the Hebrew Bible, is completely absent from this list in *Leviticus Rabbah*: the *ger* (גֵר *gēr* - a stranger or the resident alien; pl. גֵרִים *gērīm*),⁸ the orphan (היתום) and the widow (האלמנה). In biblical literature, these persons are often poor, and therefore in need of support and

⁴ This translation is adapted from Jacob Neusner, *The Components of the Rabbinic Documents: From the Whole to the Parts: X: Leviticus Rabbah: Part Two* (South Florida Academic Commentary Series number 96; Atlanta, Georgia: Scholars Press, 1997), 226-227.

⁵ A parallel version of this midrash perhaps appears in a Tannaitic midrash, *Mekhilta to Deuteronomy* (Midrash Tannaim) on Deut 15:7 (Hoffmann 81). However, the accuracy of this version is not certain since this midrash was reconstructed by David Hoffmann according to a small number of Geniza pages and according to *Midrash Ha-Gadol*, a late Yemenite midrash. Unfortunately, we do not possess Geniza fragments of this section of the midrash.

In a poem of Yannai, probably from the sixth century CE, there is a list of eight names:

"חגיגת מך ודך וחזקת מט ודל // מצות עני ורש זכות אביון ותך"

See, Rabinovitz, *The Liturgical Poems of Rabbi Yannai*, 1:477.

⁶ In this study, I use transliteration only when necessary, in this case—because there is more than one Hebrew word denoting "poor person," I especially use transliteration for Hebrew and Aramaic words that I discuss extensively. In other cases, I use transliteration when the Hebrew word has more than one meaning (or its meaning has been transformed over time) and there is no one English equivalent that can express these aggregate meanings and transformations.

⁷ For example, *m. Peah* 1:2; 4: 1, 9-11; 5: 1, 2, 4-7.

⁸ While NRSV translates the word *ger* as "a resident alien," JPS translates it as "a stranger."

defense.⁹ Exod 22:20-23, for example, forbids the exploitation of these weaker members of society.¹⁰

וְגֵר לֹא-תוֹנֶה וְלֹא תִלְחָצֶנּוּ בֵּי-גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם. כָּל-אֲלֻמָּנָה וְיָתוּם לֹא תַעֲנֹן:
You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt.
You shall not abuse any widow or orphan . . . (NRSV)

In contrast to most of the words for the poor in the list of *Leviticus Rabbah*, the *ger*, the orphan and the widow commonly occur in rabbinic texts. However, their meaning became transformed and the rabbis did not automatically associate members of these three categories with socio-economic disadvantage. For example, while *ger* denotes a stranger or a resident alien in the Hebrew Bible, it often refers to a proselyte in rabbinic texts.¹¹

The procedure for converting to Judaism evolved during the Second Temple period and was "a fully established institution among the Jewish people by the time of the Rabbis."¹² Some scholars trace the origin of conversion to the Babylonian exile, while others suggest that it originated in the Hasmonean period.¹³ According to rabbinic texts

⁹ About the widow and the fatherless, see Nachum Avraham, "Marginal People in Israelite Society in the Biblical Period" (PhD diss., University of Haifa, 1999), 267-277.

¹⁰ Some of the examples are Exod 22:21; Deut 10:18, 14:29, 24:17; Ps 10:18, 68:6, 82:3.

¹¹ David Novak "Gentiles in Rabbinic Thought," in *The Cambridge History of Judaism: Volume IV: The Late Roman-Rabbinic Period* (ed. Steven T. Katz; Cambridge: Cambridge University Press 2006), 658, 659. Regarding the biblical definition, according to Ludwig Koehler and Walter Baumgartner, *The Hebrew and Aramaic Lexicon of the Old Testament* (trans. M. E. J. Richardson; Leiden and New York: Brill, 1994), 1:201, the word *ger* refers to "a man who (alone or with his family) leaves village and tribe because of war, famine, epidemic, blood guilt etc. and seeks shelter and residence at another place, where his right of landed property, marriage and taking part in Jurisdiction, cult and war has been curtailed."

¹² David Novak "Gentiles in Rabbinic Thought," 660.

¹³ David Novak "Gentiles in Rabbinic Thought," 660: "According to many biblical scholars, full conversion to Judaism as an act of volition, not involving any change in political status, arose only during

and the writings of Josephus, some *gerim* were wealthy and even came from aristocratic families, as indicated in the story of King Monbaz (discussed below). Thus, the definition of the word *ger* developed along with these social realities and its new meaning referred to converts, who could be poor or wealthy. Even though the meaning of the words “widow” and “orphan” retain their biblical definitions in rabbinic texts, they also were no longer taken as indicators of poverty. According to rabbinic texts, some widows were well-to-do.¹⁴ *Sifre Deuteronomy* discusses Deut 24:17, that commands: “. . . you shall not take a widow’s garment in pawn (JPS)”:

.ולא תחבל בגד אלמנה, בין עניה בין עשירה ואפילו היא כמרתא בת בייתוס.
 “You shall not take a widow’s garment in pawn” (Deut 24:17, JPS), whether she is poor or wealthy or, and even [if] she is [as wealthy] as Martha the daughter of Boethus. (*Sifre Deuteronomy* 281; Finkelstein 298)

This midrash assumes that a widow could be wealthy or poor, therefore the biblical command not to “take widow’s garment in pawn” is not interpreted in relation to her socio-economic status.¹⁵ This passage provides an example of a very wealthy woman, Martha the daughter of Boethus, who lived during the last days of the Second Temple.¹⁶

the Babylonian exile, when the Jews themselves had to be convinced religiously to retrieve their Jewish identity voluntarily . . .”; but compare with Chapter Four, in Shaye J. D. Cohen, *The Beginning of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley and Los Angeles: University of California Press: 1999).

¹⁴ And so are some fatherless.

¹⁵ Parallels for this midrash and the idea that a widow may be wealthy can be found in: *m. B. Metz.* 9:13; *t. B. Metz.* 10:10; *Sifre Deuteronomy* 110; *y. B. Metz.* 9:13, 12b; *b. Sanh.* 21a.

¹⁶ See for example, *y. Ketub.*5:11, 30b; *b. Git.* 56a; according to the Yerushalmi, she became destitute after the Destruction of the Second Temple.

Martha appears in several rabbinic texts as the symbol of a wealthy woman. This midrash illustrates that rabbinic texts recognize that a widow could be wealthy and own property.

The rabbinic explanation of another biblical passage also highlights the changed socio-economic status, and therefore conceptualization, of the *ger*, the widow and the orphan. Deuteronomy requires the giving of a tithe every three years for benefit of the Levite, the *ger* the orphan and the widow:

מִקְצֵה | שְׁלֹשׁ שָׁנִים תּוֹצִיא אֶת-כָּל-מַעֲשֵׂר תְּבוּאָתְךָ בַשָּׁנָה הַהִוא וְהִנַּחְתָּ בְּשַׁעְרֶיךָ: וּבָא הַלֵּוִי כִי אֵין-לוֹ
חֶלֶק וְנַחֲלָה עִמָּךְ וְהַגֵּר וְהִיתוֹם וְהָאֱלֻמְנָה אֲשֶׁר בְּשַׁעְרֶיךָ וְאָכְלוּ וְשָׂבְעוּ לְמַעַן יְבָרְכֶךָ יְהוָה אֱלֹהֶיךָ
בְּכָל-מַעֲשֵׂה יָדְךָ אֲשֶׁר תַּעֲשֶׂה

Every third year you shall bring out the full tithe of your produce for that year, and store it within your towns; the Levites, because they have no allotment or inheritance with you, as well as the resident aliens, the orphans, and the widows in your towns, may come and eat their fill so that the Lord your God may bless you in all the work that you undertake. (Deut 14:28-29, NRSV)

In rabbinic texts, this tithe is called “the poor man's tithe” (מעשר עני).¹⁷ This terminology is not coincidental. Rather, this phrase implicitly acknowledges that some *gerim*, widows and orphans were not necessarily poor, and thus would not all be recipients of this tithe. This option is explicitly stated in a Tannaitic midrash, *Sifre Deuteronomy*, in a discussion of Deut 14: 28-29:

”והגר והיתום והאלמנה אשר בשעריך”, יכול בין חסרים ובין שאין חסרים? . . . תלמוד לומר “עני” (ויקרא יט ז) מה עני חסר אף כולם חסרים . . .
“. . . and the *ger*, the fatherless, and the widow in your settlements” (Deut 14:29, adapted from JPS). Is it feasible that [the poor man’s tithe should be given to the *ger*, the fatherless, and the widow] whether they are in need or not in need? . . . [Therefore] scripture says: “a poor person” (Lev 19:10) [to teach that] just as the poor person is in need, so all [who are eligible to receive poor man’s tithe] are in need. (*Sifre Deuteronomy* 110; Finkelstein 171)

¹⁷ See for example, *m. Peah* 8:3; *Sifre Deuteronomy* 108 (Finkelstein 169).

The midrash raises the question of whether the *ger*, the orphan and the widow are eligible for the “poor man's tithe” even if they are not poor— the answer being negative and the rabbinic name for this tithe "the poor man's tithe" (מעשר עני) reaffirming this response.

A survey of rabbinic literature from the land of Israel reveals that the rabbis did not use the terms “the *ger*,” “the orphan” and “the widow” to indicate the poor or in automatic association with the poor; they actually distinguished between wealthy or poor persons within these groupings. While these three terms and the word ‘*ani* are used throughout rabbinic texts, the additional six words from the list in *Leviticus Rabbah* only appear in discussions of biblical verses or fixed phrases that include this vocabulary.

Let us now return to explore that list of terms for the poor. The midrash explains some of these words of the poor by discussing their root and sound in a way that reveals a certain awareness and sensitivity held by the rabbis to the various types of poverty. However, that rabbinic list gives no indication of the frequency or context for these terms. Here, I will examine *dal* and *evyon* as representative examples of this vocabulary and its usage:

dal (דל)

In the Tanakh, the word *dal* (דל - a poor person; pl. *dalim*/דלים) denotes: low, weak, helpless, insignificant, poor and thin.¹⁸ According to the midrash in *Leviticus*

¹⁸BDB, p. 195; Koehler and Baumgartner, *The Hebrew and Aramaic Lexicon*, 1:221-222.

Rabbah, the word *dal* refers to the one who lost his possessions.¹⁹ This understanding may stem from the meaning of the Hebrew root דלל (*d-l-l*), which often refers to the agricultural practice of pruning grape vines and other plants to improve their yield. In the biblical verses and stock phrases that are found in rabbinic texts, the word *dal* often occurs in relation to more modest sacrifice required from the poor.²⁰

evyon (אביון)

In its biblical usage, *'ebyôn* (hereafter *evyon*) denotes “needy” or “poor.”²¹ Examining the context of its 61 occurrences in the Hebrew Bible indicates that *evyon* often appears beside the word *'ani*. This proximity suggests that the two words convey similar meanings. In the Bible, the *evyon* indicates a weak person with low social standing. Often an *evyon* has nothing: he lacks bread, clothing, a home and a father or any alternate provider. He is down in the dust, humiliated by a level of poverty from which only God can raise him.²² Nachum Avraham claims that it is difficult to identify the root of this word since the meaning of the root אבה (*'-v-h*) is “to agree” or “to want.”²³

The rabbis also take on the challenge of explaining the etymology of this word, for instance in the *Leviticus Rabbah* list above, this explanation appears:

¹⁹ See Marcus Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* (New York: Pardes, 1950), 308.

²⁰ For example, *m. Sheqal.* 5:3; *m. Neg.* 14:7; *t. Ker.* 1:13.

²¹ See BDB and Koehler and Baumgartner, *The Hebrew and Aramaic Lexicon*.

²² As is clearly articulated in 1 Samuel 2:8: “He raises the poor (*dal*/דל) from the dust, lifts up the needy (*evyon*/אביון). Setting them with nobles, granting them seats of honor.” (JPS). See also Ps 113:7-8.

²³ Avraham, “Marginal People,” 238; Koehler and Baumgartner, *The Hebrew and Aramaic Lexicon*, 3.

"אביון" שהוא מתאוה לכל.
"Impoverished" (*evyon*) because he desires everything.²⁴

Here the rabbis link the name *evyon* with the verb "to desire"—one who has desires that will always be unrequited. This explanation probably stems from the similar sounds of *evyon* and *mit'aveh* (מתאוה), or from the affinity between the roots תאב (*t-ʿ-v*) and אבה. However, *mitaveh* means “longs for” and “desires,” which is reasonably close to the root אבה, which means “to want.”²⁵

Another rabbinic teaching about the word *evyon* appears in the Tannaitic midrash, *Sifre Deuteronomy*, which explains Deut 15:7. This midrash provides the order of alms distribution, offering guidelines for who has priority when alms are distributed:

"אביון", תאב, תאב קודם.
Evyon (impoverished), desirous, desirous should come first. (*Sifre Deuteronomy* 116, Finkelstein 174)²⁶

According to this midrash, the *evyon* is placed at the front of the line for charitable distributions, since he desires (תאב) things (that cannot otherwise be fulfilled).²⁷ Here the word *evyon* is linked to the root תאב that denotes “desirous.”²⁸ Thus, the rabbinic explanation for prioritizing the *evyon* in the ordering of charitable distributions is linked to the etymology of the term. However, even though the rabbis

²⁴ According to Jastrow, *A Dictionary*, 5, the translation is “he is called *ebyon* because he longs for everything.”

²⁵ Jastrow, *A Dictionary*, 5; 1641.

²⁶ Some of the English translations do not mention the etymological issue. For example: according to Reuven Hammer, *Sifre: A Tannaitic Commentary on the Book of Deuteronomy* (New Haven and London: Yale University Press, 1986), 161, the translation is “a needy man—the one most needy takes precedence.”

²⁷ See also in Horovitz and Rabin, *Mekilta deRabi Ishmael*, 326.

²⁸ Jastrow, *A Dictionary*, 1641.

discussed the etymology of *evyon*, and even deduced a practical implication based on it, its usage in rabbinic literature remains limited to instances such as its appearance in the biblical texts and phrases being quoted. One example of such a phrase is ‘gifts to the poor’ (מתנות לאביונים) that were given on the festival of Purim. This phrase, mentioned in the Scroll of Esther, is discussed in several rabbinic texts.²⁹

In conclusion, this analysis of the use of different biblical words that describe the poor exposes rabbinic sensitivity to varying types and aspects of poverty. However, only one of these words, ‘*ani*, is used frequently in rabbinic texts that are written in Hebrew. It is feasible that the prevalence of the term ‘*ani* indicates the development in spoken language at that time. In contrast to a previously held view, scholars today argue that Hebrew functioned as a spoken language in the land of Israel at least until 200 CE. As Moshe Bar-Asher writes: "[t]he view is generally accepted that the Hebrew preserved in tannaitic literature reflects living speech current in various regions of Palestine."³⁰ However, it is impossible to determine if the occasional, textually bound use of other terms from the list in *Leviticus Rabbah* could also be a result of arguments with sectarian sects who specifically used the term *evyon* in their names,³¹ or whether this sparse usage simply indicates an unselfconscious development of the Hebrew language in this period.

²⁹ For example, this phrase appears in *m. Meg.* 1:4; *t. Sotah* 3:12; *b. Ber.* 18a; 34b; 61b; *y. Ber.* 1:5, 3d.

³⁰ Moshe Bar-Asher, "Mishnaic Hebrew: An Introductory Survey," in *The Cambridge History of Judaism: Volume IV: The Late Roman-Rabbinic Period* (ed. Steven T. Katz; Cambridge: Cambridge University Press, 2006), 369. And see the references there.

³¹ See the discussion about Qumran in the following pages, and also the Jewish-Christian group "the Ebionites."

A glimpse at how this vocabulary was used in texts from Qumran may shed additional light on the rabbinic usage of the biblical language of poverty.

Comparing the Rabbinic Use of Words Denoting the Poor with Texts from Qumran

The word *'ani* - the most prevalent term used in rabbinic texts written in Hebrew to denote the poor - carries more than one meaning in the Hebrew Bible. The semantic field of this term covers a wide range of meanings, including various situations of disadvantage and weakness, such as hunger and humiliation, economic and mental challenges. More specifically, its root ענה/נ (*'-n-h* and sometimes *'-n-w*) integrates two main meanings: one refers to a material lack, and the other represents humility. In the Bible, there is a variation on the poor (עני) and the humble (ענו) that may stem from the shared characteristic of physically crouching.³² In some of the occurrences of the word *'ani*, both meanings appear together.³³

In contrast to its dual meaning in the Bible, rabbinic texts almost exclusively use the term *'ani* to denote the needy (who suffer economic deprivation when compared to others). Only seldom does the word denote the “humble” or “modest” person. This

³² A poor person crouches because of his low status and humiliation, while a humble person crouches because of his humbly. Avraham, "Marginal People," 234.

³³ These explanations are found in Koehler and Baumgartner, *The Hebrew and Aramaic Lexicon*: 856: “1. in a sociological sense: without (sufficient) property and therefore dependent on others. 2. in a general sense poor, wretched, in a needy condition . . . 4. Humble (often difficult to distinguish from 2).” See, also, BDB, p. 776, that renders: "poor, afflicted, humble."

phenomenon is especially striking when compared to its usage in the Qumran writings, where the word *'ani* (usually in the plural form) rarely denotes the needy; instead it often appears as part of the name of a specific community. Similarly, in texts from Qumran, the plural forms of *evyon* and *dal* are also used in reference to a particular community. Let us now further explore this usage.

The Vocabulary Denoting the Poor in Texts from Qumran

An analysis of the biblical vocabulary of poverty in Qumranic texts reveals a few occurrences of the words *'ani* and *evyon* that clearly refer to the needy and the destitute. The most definitive examples are found in passages from the Damascus Document from the Cairo Geniza version: "and to strengthen the hand of the poor and destitute and proselyte"³⁴ (ולחזיק ביד עני ואביון וגר) (CD VI, 21). A second example is found in both the Cairo Geniza and in Qumran: "and from it they will strengthen the hand of the poor and the destitute, and to the old man," (ולזקן ואביון עני ממנו יחזיקו ביד) (CD XIV, 12-19; 4QD^a 10 i 5-13).³⁵ The expression "to strengthen the hand of the poor and the destitute" is from Ezek 16:49, a verse that explains the sin of Sodom.³⁶ In the Damascus Document, this

³⁴ Catherine M. Murphy, *Wealth in the Dead Sea Scrolls and in the Qumran Community* (Leiden; Boston; Köln: Brill, 2002), 461. Evidence from the Damascus Document was found in both the Cairo Geniza and at Qumran. However, this sentence occurs in a section from which very few fragments were preserved at Qumran.

³⁵ Ibid, 490-491.

³⁶ "Only this was the sin of your sister Sodom: arrogance! She and her daughters had plenty of bread and untroubled tranquility; yet she did not strengthen the hand of the poor and the destitute (יד-עני) (ואביון לא החזיקה)." This English translation is adapted from JPS.

same expression appears in the laws that regulate the community's support of its own needy.³⁷

However, in other texts from Qumran such a literal use of the biblical vocabulary of poverty is rare. This terminology, especially the words 'ani and evyon, often appears in the name of a community or depicts its members, without necessarily indicating their economic situation.³⁸ For example, the community appears in texts from Qumran identifying itself as "the congregation of the poor" (עדת האביונים),³⁹ developing the biblical idea, especially as it appears in the Psalms, that there is a special relationship between God and the poor. In this view, the poor depend completely upon God, who responds to their prayers.

³⁷ During this paper, I use the titles "group" and "community" to denote the community being described in each text. However, for the purposes of this study, I do not discuss the historical identity or (possible) reality of the groups mentioned in these texts.

³⁸ Some scholars have argued that the use of this biblical vocabulary of poverty for community names indicates the economic situation of their members. For example, David Flusser, *Judaism of the Second Temple Period: Qumran and Apocalypticism* (ed. Serge Ruzer; Jerusalem: Yad Izhak Ben-Zvi Press and the Hebrew University Magnes Press, 2002), 7, argued that these community names articulate an ideology of poverty that stemmed from the fact that most members of the Qumran community came from a lower stratum of Jewish society. Murphy, *Wealth in the Dead Sea Scrolls*, 35-36, who follows Flusser, claims that the use of the phrase "the poor ones of the flock" (עניי הצאן) –which originally appears in Zech 11:11—in the Damascus Document (CD-A XIX 5-11) "may be entirely gratuitous, or it may have been chosen because it corresponded to the community's experience of economic deprivation at the hands of its enemies." Thus, Murphy ignores the other meaning of the word poor as "humble," symbolizing a special relationship with God, as he maintains that the use of these words in the community's name indicates economic reality. Moreover, Flusser, "Qumran and the Famine during the Reign of Herod," *Israel Museum Journal* 6 (1987): 7-16, asserts that: "It was at such times of hardship that the wilderness sect, with its ethic shared goods, equitable portions and ample storerooms, was particularly attractive to the populace." Murphy, *Wealth in the Dead Sea Scrolls*, 44, following Flusser, writes: "real economic conflicts and circumstances, such as severe famine, contributed to the growth of the Damascus Document community."

³⁹ 4Q171 1-2ii9; 4Q171 1+3-4iii10.

Since scholars have pointed out an affinity between the function of the words 'ani and evyon in the sectarian Dead Sea Scrolls and in Psalms, an additional short discussion concerning "the prayers of the poor" in Psalms is in place. In Psalms, the poor person is not necessarily needy in the economic sense, as shown by Yehezkel Kaufmann, who discusses the prayers of the poor as a genre in the Psalter:

The worshippers often call themselves the poor (עניים), the destitute (אביונים), and the failing (כושלים); they mention the character of God as the defender of the poor, the father of the orphans, and the judge of widows (דיין האלמנות). But it does not mean that they are actually impoverished or oppressed poor.

As a matter of fact, in the entire book there is no one psalm that includes a prayer about "bread to eat and a garment to wear" –this is the main prayer of the actual poor, the daily worker, and the beggar . . .

In no psalm is there a prayer regarding hunger and nudity, aridity and cold without shelter, concerning cruel masters, short-temper, and hard work. The book of Psalms includes prayers of the persecuted who have powerful enemies who ambush their life and their property, and they [the worshippers] pray to be rescued from the hand of these enemies.⁴⁰

Kaufmann's explanation concerning the prayers of the poor in biblical psalms helps to clarify the use of such motifs in Qumran. Kaufmann demonstrates that the poor in Psalms do not represent the needy, but perhaps the persecuted. Although Kaufmann was not commenting here on texts from Qumran, his argument supports the concept that similar to the Psalms, in the Dead Sea Scrolls, biblical terms for poverty in a community name need not indicate its economic state.

Indeed, scholars have suggested a similar understanding of the Qumranic texts, arguing that the presence of 'ani and evyon in a community's name does not necessarily

⁴⁰ Yehezkel Kaufmann, *Toledot ha'-Emanah ha- Yisra'elit* (Jerusalem and Tel Aviv: Mosad Bialik & Devir, 1945), pt. 2, bk. 2, 524. I would like to thank Kalman Bland for his help with this translation.

indicate the economic status of the group, but shows their unique relationship to God. For example, in his discussion on *Pesher Zephaniah*, Moshe J. Bernstein states:

The author of the *pesher* calls his sect "the congregation of the poor" (1-10.ii.10; 1-1-.iii.10; restored in 1-10.i.21), not to refer to their financial status (cf. 1QpHab xii.3, 10 and often in 1QH), but, borrowing from the language of the biblical *Psalms*, to indicate their dependence upon God's mercy in the face of the larger, wicked world around them.⁴¹

A similar idea has been articulated by James H. Charlesworth:

The Qumranites transformed the concept of "the poor" from an economic concept to a religious attribution of themselves. The term is found not only in 1QHodayot^a it appears, for example, in the War Scroll (1QM) and elsewhere (1QpHab xii.3, 6, 10; 4QpPs^a 1.9, 2.10; CD vi. 21, xiv. 14). There "the poor" appears with a meaning synonymous to "we in the lot of your truth" (1QM xiii.12-14; cf. xi.9, 13).⁴²

In sum, in the few instances where biblical terms for the poor in sectarian texts from Qumran actually convey economic deprivation, they discuss support of the congregation's poor by fellow community members. However, this literature typically uses the biblical vocabulary of the poor (*evyon*, *'ani*) to identify the community as a whole. This appellation is without correlation to an economic condition, but rather it emphasizes the unique relationship between God and the community, drawing from the bond shared by God and the poor in Psalms. Thus, the biblical vocabulary of the poor is most often used for theological purposes, by describing the suffering community that merits God's deliverance. In the Hebrew Bible, even where terms for "the poor" appear

⁴¹ Moshe J. Bernstein, "Pesher Zephaniah," *Encyclopedia of the Dead Sea Scrolls*, 2: 656.

⁴² James H. Charlesworth, "Suffering," *Encyclopedia of the Dead Sea Scrolls*, 2: 900.

in their plural forms, they do not name a certain community. In that sense, the authors of the Qumran scrolls utilized biblical terms to further develop their ideas.

The rabbis opted for a different approach. As mentioned above, in rabbinic literature, this vocabulary rarely refers to “the humble,” but primarily denotes the actual poor, who suffer material lack and economic deprivation when compared to others. Only in a few discrete cases where liturgy is discussed, mostly concerning verses from Psalms, does the word *‘ani* refer to the humble.⁴³ Moreover, in rabbinic texts, the biblical terms for “the poor” are not used to represent specific religious groups that form a special relationship with God. Therefore, the comparison with Qumran shows that the rabbis focused on the “real” poor, the needy, and obligations toward them.⁴⁴ Similarly, the antonyms that provide conceptual contrasts for the word *‘ani* in rabbinic texts also confirm the rabbinic focus on the indigent, in the material sense, as the next section explains.

Contrasts Convey Meaning: Antonyms of the Word *‘ani*

Meanings can be illuminated through the exploration of the textual setting in which words function, including the use of antonyms. In rabbinic texts, the word *‘ani* is typically contrasted with the word “wealthy” (עשיר/ *ašir*; pl. עשירים/ *aširim*) and to a lesser extent with the term “householder” (בעל הבית/ *ba‘al ha-bayit*; pl. בעלי בתים/ *ba‘alêy*

⁴³ For example: *y. Ber.* 1:5, 3d; 4:1, 7a; 4:4, 8b; 9:1, 13a; *b. Ber.* 26b.

⁴⁴ In contrast to Qumran, the word *‘ani* was not used as part of a name or identification by the rabbis.

bātîym).⁴⁵ This pair of contrasting ideas is used differently in rabbinic texts, and therefore, according to my view, the word “householder” is not synonymous with the word “wealthy.” In what follows, I will explore the roles of these antonyms.

The Wealthy and the Poor

The contrast between the wealthy and the poor is usually discussed when there is differentiation in the economic requirements for religious obligations, mostly offerings, but also in relation to family obligations. The texts emphasize the economic differences between the wealthy and the poor that influence their abilities and, therefore, their obligations. Starting with the Torah, required offerings are adjusted according to economic means. Mishnah *Bikkurim*, which describes bringing offerings of first fruits to the Temple, also notes distinctions in the practices of the wealthy and the poor:

העשירים מביאים בכוריהם בקלתות של כסף ושל זהב והעניים מביאין אותם בסלי נצרים של ערבה
קלופה

The wealthy bring their first fruits [to the Temple] in baskets of silver and gold, and the poor bring them in baskets made of peeled willow twigs.⁴⁶ (*m.Bik.* 3:8)

In this mishnah, the different practices of the wealthy and the poor reflect a purely economic gap. An example in the realm of family obligations, also describes expectations that differ between the wealthy and the poor in the case of a husband who uses a vow to

⁴⁵ A rare contrast is *'ani - mēkūbad* (מכורבד) that appears in *m. Ketub.* 5:9 and in later texts that cite this mishnah. It seems that in this context, the word *mēkūbad* is identical to “the wealthy.”

⁴⁶ This English translation is adapted from the translation by Margaret Wenig Rubenstein and David Weiner in Jacob Neusner, *The Mishnah: A New Translation* (New Haven and London: Yale University Press, 1988), 174.

prohibit his wife from wearing jewels. According to Rabbi Yose (*m. Ketub. 7:3*), in the case of a wealthy woman, after thirty days without jewels, the husband should divorce his wife and give her her *ketubba* (release her from their commitment by paying her marriage contract); in the case of a poor woman, only if the husband placed no time limit on the prohibition (שלא נתן קצבה), should he divorce his wife and give her the *ketubba*. This mishnah calibrates expectations according to economic conditions — for a wealthy woman who probably owns jewels, such a prohibition is intolerable. According to the anonymous narrator (*tana qama*), however, three months should apply to everyone without regard to economic status.

In addition to different economic requirements according to a person's means, instruction is also provided for judges to treat the poor and the wealthy fairly. This requirement is first mentioned in the Torah:

לֹא־תַעֲשׂוּ עֹולִים בְּמִשְׁפָּט לֹא־תִשָּׂא פְּנֵי־דָל וְלֹא תִהְדָּר פְּנֵי גָדוֹל בְּצֶדֶק תִּשְׁפֹּט עַמִּיתְךָ:

You shall not render an unjust judgment, you shall not be partial to the poor or defer to the great; with justice you shall judge your neighbor (Lev 19:15, NRSV).

The *Sifra* expands on this verse:

"לא תשא פני דל," שלא תאמר עני הוא זה, הואיל ואני ועשיר הזה חייבין לפרנסו אזכנו ונמצא מתפרנס בנקיות לכך נא' "לא תשא פני דל."
 "לא תהדר פני גדול," שלא תאמר עשיר הוא זה בן גדולים הוא זה אביישנו ואראה בבושתו, על אחת כמה שאני מביישו לכך נא' "לא תהדר פני גדול."⁴⁷

"You shall not be partial to the poor" [this verse teaches that] you should not say: "This is a poor man. Since I and this rich man are obliged to provide for him, I will favor him [in court], and [so] he will easily be provided for. Because of this it was stated [in Scripture]: "You shall not be partial to the poor."

⁴⁷

See also a similar midrash in *Sifre Deuteronomy*, 17, (Finkelstein 28).

"You shall not show deference to the great" [this verse teaches that] you should not say: "This is a rich man. This is a son of the great ones. I will embarrass him and see his embarrassment [if I sentence him]; [since he is from an aristocratic family] even more so that [if I sentence him] I would embarrass him. Thus it is stated [in Scripture]: "You shall not show deference to the great." (*Sifra* Kedoshim 2, chapter 4, 89a)

While the verse in Leviticus prohibits favoring the wealthy or the poor, the midrash provides the possible motivations for such a behavior by a judge. Here too the stark economic divide between the wealthy and the poor is underscored. As in these representative examples, when the wealthy and the poor are coupled, it is often to emphasize the economic variance between the two parties. In contrast, when the householder and the poor appear together, it is usually in the context of almsgiving where the economic gap between the two parties is not always so steep.

The Householder and the Poor

The term "householder" often appears in contrast to a poor person or to the poor in general, especially in tractate *Peah* in the Mishnah, the Tosefta and the Yerushalmi,⁴⁸ where we find the poor receiving charity and householders providing it. Some scholars explain that the term householder (in its singular or plural forms) refers to the wealthy class.⁴⁹ For example, Shaye J. D. Cohen writes that the term "householders" often refers to prosperous landowners.⁵⁰ He claims that "[t]hose tannaim about whose economic

⁴⁸ For example, *m. Peah* 4:1, 10, 11; 5:2, 4, 7; 6:6; 7:3,4, 7; *t. Peah* 2:2, 4-7, 12; *y. Peah* 4:1, 18a; 5:3, 19a; 6:2, 19c.

⁴⁹ Meir Ayali, *Laborers and Craftsmen: Their Work and Status in Rabbinic Literature* (Israel: Masadah, 1987), 34-36, understands the householder or householders as having wealth.

⁵⁰ Cohen, "The Rabbi in Second-Century Jewish Society," 930, note 35.

status anything is known seem to have been *ba'ale batim*, landowners.”⁵¹ Cohen, therefore, defines the term (in most of its occurrences) as a class of well-to-do householders. A survey of its usage shows that even though “householder” refers to a specific, wealthy landowner in some instances, in the majority of the texts the picture is less clear.⁵² Since some of the plots of land being mentioned in relation to produce gifts to the poor are quite small,⁵³ the householder discussed in these texts may have owned a very modest property.⁵⁴ Based on this evidence, I would claim that the term householder does not itself indicate wealth, but rather the ownership of property—small or large. Thus, determining the socio-economic meaning of the use of this term would require further examination of the specific context of each tradition where it appears.

⁵¹ Shaye J. D. Cohen, “The Place of the Rabbi in Jewish Society of the Second Century,” in *The Galilee in Late Antiquity* (ed. Lee I. Levine; New York: Jewish Theological Seminary of America; Cambridge, Mass.: Distributed by Harvard University Press, 1992), 170; Cohen, “The Rabbi in Second-Century Jewish Society,” 930.

⁵² In early rabbinic texts from the land of Israel, only a small number of texts use the term “householders” (בעלי בתים) in reference to a specific wealthy class. For example, according to *t. B. Qam.* 8:14 (Lieberman 40), Rabbi Simeon Shazuri says:

אמ' ר' שמעון שזורי מבעלי בתים שבגליל היו בית אבא ומפני מה חרב מפני שדנו דיני ממונות באחד ושגידלו בהמה דקה ואע"פ חורש היה לנו סמוך לעיר ושדה מפסקת בינו לעיר שהבהמה נכנסת ויוצא דרך עליה

Rabbi Shimon Shazuri said: “[My] father’s house (family) belonged to the householders (בעלי בתים) that were in the Galilee. And for what reason was it (the family) destroyed? Because they conducted civil court cases with a single [judge] and [because] they raised small livestock (such as sheep and goats); even though we had thicket next to the town and a field separated it (the thicket) from the town, and the cattle went in and out through it (the field).

See the discussion of this text in Chapter Four, note 13. Another section of the Tosefta in which the term “householders” refers to members of a wealthy class is: *t. Sukkah* 2:5 (Lieberman 262). In Amoraic texts, there are several examples in which this term denotes the well-to-do; see, for example, *Lev. Rab.* 34:13; in the Babylonian Talmud, see, *b. Tem.* 16a.

⁵³ See for example in, *m. Peah* 3:6, which presents different opinions about the minimum plot of land required to designate *peah* (produce gift for the poor from the edge of the field).

⁵⁴ See also, Ze'ev Safrai, *The Economy of Roman Palestine* (London and New York: Routledge, 1994), 328.

One example of the ambiguity resulting from such sparse information is the famous Mishnah and Tosefta that opens tractate *Shabbat*. Cohen refers to this text when demonstrating the socio-economic gap between the wealthy householder who stands at the door of his home and gives to the poor person who stands outside.⁵⁵ The Mishnah, however, does not provide information about the economic status of this householder. It is interesting to note that in this scenario, the householder, rather than a servant, opens the door for the poor person. Anneliese Parkin, in her study of pagan customs of giving to the poor, explains that direct interactions between the prosperous and beggars in the Roman world were rare. The rich “will have been largely protected from the attentions of beggars by their servants, clients or lictors . . .” In the home, she claims, the destitute would usually have had contact with slaves or servants and not with the masters themselves.⁵⁶ According to Richard Finn, Chrysostom describes the excuses of the well-to-do who “were reluctant to give alms in person rather than through their servant, perhaps on account of the shame or social stigma involved in direct contact with the very poor.”⁵⁷ Returning to the encounter described in Mishnah and Tosefta *Shabbat*, we see that the householder himself opens the door and gives to the beggar. This householder certainly

⁵⁵ Cohen, “The Rabbi in Second-Century Jewish Society,” 930, note 35.

⁵⁶ Anneliese Parkin, “‘You Do Him No Service’: an Exploration of Pagan Almsgiving,” in *Poverty in the Roman World* (eds. Margaret Atkins and Robin Osborne; Cambridge: Cambridge University Press, 2006), 68-69.

⁵⁷ Richard Finn, *Almsgiving in the Later Roman Empire: Christian Promotion and Practice (313-450)* (Oxford: Oxford University Press, 2006), 100-101.

has greater means than the beggar standing before him, yet, the extent of his wealth is not specified and it may be modest.

According to Rabbi Yehosua Ben Levi, an Amora cited in the Yerushalmi, it was normative for eligible householders (בעלי בתים) to receive produce gifts, indicating that they were considered poor.⁵⁸ Thus, in Tannaitic and early Amoraic texts, the term "householders" does not necessarily indicate a wealthy landowning class, nor does it describe a precise socio-economic standing.

On the whole, the term "householder" often occurs in contrast to the poor, especially in discussions of produce gifts. Yet it does not automatically indicate wealth, but simply the ownership or holding of a house, a field, a shop or other property without indicating value or scale. Very few texts clearly use this term to denote an affluent class.

Summary: Hebrew Vocabulary Denoting the Poor

Within rabbinic texts written in Hebrew, the word *'ani* is the most prevalent term used to denote a poor person. Most of the other vocabulary that refers to the poor in the Hebrew Bible is only mentioned in texts that comment on biblical verses and phrases where they occur. In addition, the words *ger*, orphan and widow, which are often associated with poverty and weakness in the Torah, do not function the same way in rabbinic texts. Not only is the word *'ani* commonly used, but it also appears with

⁵⁸ y. *Peah* 4:9, 18b and *Ma'aser Sh.* 5:9,56c. However, according to Ayali, *Laborers and Craftsmen*, 34-36, the poor householders also include the wealthy who lost their property.

antonyms as a way to highlight contrasting positions: the pairing of poor-wealthy usually appears in the context of a sheer economic gap that affects one's abilities and obligations; the poor-householder pairing often occurs in relation to produce gifts. The definitions and uses of *'ani* in various textual traditions are also significant. While in the Hebrew Bible, the word carries two main meanings: 1) the absolute poor (the needy), and 2) the humble, the rabbis rarely used the second meaning. Their preference stands in contrast to texts from Qumran, in which the word *'ani* as well as the words *evyon* and *dal* (usually in the plural) were used in group and community names, indicating their special relationship with God. By favoring the first definition, the rabbis were focusing on those who were materially poor, their needs and individual as well as communal responsibility towards them. In the coming chapters, we will discuss this approach further.

The Hebrew Vocabulary of Charity—*Tzedakah* and *Gemilut Ḥasadim*

Tzedakah

The meaning of the Hebrew word *šēdāqâ* (צדקה, hereafter *tzedakah*) had changed over time. While in rabbinic texts it generally refers to the act of giving (alms) to the poor, in the Hebrew Bible, *tzedakah* refers to a variety of meanings, including the deeds of the righteous and the merit gained by such acts.⁵⁹ For example, according to Gen 15:6, God considers Abraham's faith as a merit (והאמן בה' ויהשבה לו צדקה). *Tzedakah* can also

⁵⁹ See, Yaakov S. Licht, "sedaka," *Encyclopadia Biblica*, 6:679-681.

signal the sum total of a righteous individual's deeds, his ethical and moral standing, as well as his worldview and the ideals he aims to achieve. In the Hebrew Bible, the word *tzedakah* was often linked to the word *mišpāt* (משפט, hereafter *mishpat*), which means "justice." The common phrase *mishpat u-tzedakah* (משפט וצדקה) can be translated as "justice and righteousness."⁶⁰ According to Jacob Licht, these two words are often synonymous, conveying similar meanings,⁶¹ as exemplified by Israelite kings who were expected to rule morally, to avoid evil and to perform justice and righteousness (משפט וצדקה). Here the phrase *mishpat u-tzedakah* conveys applying justice to all, and especially towards the poor and the oppressed.⁶² However, these requirements were not limited to kings; in several texts the people of Israel are instructed to support their fellows when they are in need.⁶³ Yet, at least one biblical text which uses the word *tzedakah* specifically refers to supporting the poor, as Moshe Weinfeld observes:

The prophet Ezekiel, in referring to the individual "righteous man" *who performs righteousness and justice*, mentions that he refrains from oppression, from seizing pledges, from theft, from usury, and from performing injustice (Ezek. 18:7-8, 12-13, 16-17). But this is insufficient. The ideal of performing *justice and righteousness* is not confined to abstention from evil; it consists primarily in doing good: giving bread to the hungry and clothing to the naked (Ezek. 18:7, 16).⁶⁴

⁶⁰ Following Moshe Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East* (Jerusalem and Minneapolis: Magnes and Fortress Press, 1995), 25.

⁶¹ Licht, *Encyclopadia Biblica* 6:681.

⁶² Ibid.

⁶³ Usually these texts do not use the word *tzedakah*.

⁶⁴ Weinfeld, *Social Justice in Ancient Israel*, 18.

In Ezekiel 18, however, supporting the poor represents but one of the good deeds attributed to the righteous. Thus, even though this paragraph indicates an association between the word *tzedakah* and care for the poor, this link is not exclusive.

During the Second Temple period, however, the meaning of *tzedakah* became more specific, referring almost without exception to the act of almsgiving. Franz Rosenthal has argued that this change had already occurred by the second century BCE and perhaps even earlier, during the exile in Babylonia.⁶⁵ Rosenthal links this modified usage to the meaning that word contains in Aramaic that was used by the Jews, implying that the change reflects a development within Semitic languages:

The root *ṣdk*, in the Semitic languages, developed connotations which can approximately be rendered by right-privilege-grant-gift. Aramaic *ṣidkâ* in this meaning was used by the Jews, and, in a time of social and religious fermentation, combined with the usual Hebrew meaning of *ṣḏâkâ* to yield a term which expressed the idea of giving a stipulated gift as the appropriate course of action.⁶⁶

Ze'ev Safrai also locates this shift in meaning to the time of the Second Temple, but he attributes it to the importance and common practice of almsgiving in that era.⁶⁷

The lack of agreement about the catalyst for this semantic shift seems to go hand in hand

⁶⁵ Franz Rosenthal, "Sedaka, Charity," *Hebrew Union College Annual* 23 (1950-1951): 411; on page 430 Rosenthal suggests: "It is, therefore, not impossible that the fusion of the Aramaic term and the Jewish concept already started in the period of the Babylonian exile. Rather than during the Maccabean struggles, it might have been in the course of the resettlement of Israel in the fifth century which required great financial contributions for the success of the whole and for the support of those small means, that the Aramaic word came into use for the stipulated sums which were levied upon the people first for the common welfare, and then for that of the indigent individuals." Rosenthal did not give examples from the book of Ben Sira that, as we shall see, support his claim that the change in the meaning of the word *tzedakah* occurred before the "Maccabean struggles."

⁶⁶ Rosenthal, "Sedaka, Charity," 413.

⁶⁷ Safrai, *The Jewish Community*, 322-323.

with the inability to identify when this change occurred.⁶⁸ Rosenthal presents Dan 4:24 as the first biblical text in which the word *tzedakah* denotes alms or charity.⁶⁹ In the book of Ben Sira, which was composed before the Hasmonean period (in the early second century BCE), the word *tzedakah* occurs several times, sometimes following earlier biblical conventions, and in other occurrences indicating giving money or gifts to the poor.⁷⁰ If this interpretation is correct, the word *tzedakah* denoted almsgiving by that time.⁷¹

Despite our inability to determine the timing of this change,⁷² we can document the differing usage of the word *tzedakah* with confidence: in the Hebrew Bible its

⁶⁸ See, Avi Hurvitz, "The Biblical Roots of a Talmudic Term: The Early History of the Concept צדקה [=charity, alms]," *Language Studies* II-III (1987): 155-160.

⁶⁹ Rosenthal, "Sedaka, Charity," 427-428.

⁷⁰ Moore, *Judaism*, 171 note 1, mentions the occurrence of the word *tzedakah* in "the Elephantine papyri (fifth century) as well as in the Hebrew Sirach."

⁷¹ The occurrences of the word *tzedakah* in Ben Sira are cited according to: Moshe Zvi Segal, *The Complete Ben Sira* (Second edition; Jerusalem: Bialik Institute, 1972). I also refer to Pancratius C. Beentjes, *The Book of Ben Sira in Hebrew: A Text Edition of All Extant Hebrew Manuscripts and a Synopsis of All Parallel Hebrew Ben Sira Texts* (Leiden; New York: Brill, 1997).

--Ben Sira 7:11 (Beentjes, 7:10, p. 30) -- According to Segal, *The Complete Ben Sira*, 45, the word *tzedakah* in this verse refers to almsgiving.

--Ben Sira 29:8, 11 -- According to Segal (p. 178), in these verses the word *tzedakah* occurs as almsgiving, however, there is no Hebrew text from the Geniza for these verses, and most of it is translated from the Greek. In addition, the first occurrence (29:8) is missing from the Syriac, thus it is not clear whether the word occurred in this position in the Hebrew version.

--Ben Sira 3:30 (Beentjes, p. 24) -- It is very difficult to conclude whether in this verse the word *tzedakah* refers almsgiving or to righteousness. Segal (p. 20) mentions the two possibilities, but adds that almsgiving fits better to the context of the next section.

--Ben Sira 12:3 and 16:14 (Beentjes, pp. 39, 46) -- Here, the word *tzedakah* is used to mean good deeds, similar to the biblical usage.

⁷² In addition to Rosenthal, several other scholars also discussed this shift. Safrai, *The Jewish Community*, 322-323, notes that the word denotes almsgiving from the middle of the Second Temple period, referring to Tobit 1:3. However, only fragments from this text are extant in Hebrew and Aramaic; most of what we have is written in Greek and Latin. Hurvitz, "The Biblical Roots of a Talmudic Term," 155-160, notes the beginning of a change in the meaning and context of the word in two biblical books: Psalms and Proverbs. See also, David Fluser, "Israel Religion in the Second Temple Period" in *The History*

definition as “caring for the poor” was one of numerous connotations, whereas in rabbinic texts the word *tzedakah* holds one clear meaning—giving (alms) to the poor. This later understanding of *tzedakah* enabled the rabbis to interpret many verses from the Tanakh as indicating giving to the poor. Such rhetorical practice was even applied to verses that did not originally refer to giving alms. For example, 2 Sam 8:15 describes the actions of King David:

...וַיְהִי דָוִד עֹשֶׂה מִשְׁפָּט וצְדָקָה לְכָל-עַמּוֹ:
 . . . [A]nd David established justice and righteousness (וצדקה) for all his people.⁷³

In this verse, the word *tzedakah* is part of the phrase "justice and righteousness" (משפט וצדקה) and originally referred to legal “acts on behalf of the poor and less fortunate classes of the people” by the king.⁷⁴ In the Yerushalmi, however, the rabbis expounded *tzedakah* in 2 Sam 8:15 and gave it a different emphasis:

"מלך לא דן ולא דנין אותו" כולי. "לא דן". והכתי' "ויהי דוד עושה משפט וצדקה לכל עמו" ות[נ]י מר הכן. אמור מעתה. היה דן הדין. זיכה הזכיי וחייב החייב. היה החייב עני נותן לו משלו. נמצא עושה דין לזה וצדקה לזה . . .

"A king may not judge and [others] may not judge him, etc." (*m. Sanh.* 2:2). "[A king] does not judge." [But] is it not written [in Scripture]: "And David established justice and righteousness (וצדקה) for all his people" (2 Sam 8:15), and [still] you say so [that a king does not judge]? Say from now: "He indeed judged. He cleared the innocent and

of the Jewish People: Society and Religion in the Time of the Second Temple (eds. Michael Avi-Yonah and Zvi Bres; Jerusalem: Am Oved, 1982), 10-11.

⁷³ This translation is adapted from Weinfeld, *Social Justice in Ancient Israel*, 45.

⁷⁴ According to Weinfeld, *Social Justice in Ancient Israel*, 9, this phrase was associated with acting on behalf of the poor: “The execution of righteousness and justice in the royal domain refers primarily to acts on behalf of the poor and less fortunate classes of the people. These were carried out by means of social legislation, initiated by the kings and the ruling circles.” However, the phrase originally did not denote “almsgiving.”

sentenced the guilty. If the liable party was poor, [David] would give him from his own [assets, what the liable was required to pay]. So he would provide judgment for this one and charity to that one . . .”⁷⁵ (y. *Sanh.* 2:2, 20a)

According to this tradition, the rabbis understood *mishpat* as judgment and *tzedakah* as almsgiving.⁷⁶ Thus, in the Talmudic era, the biblical phrase "justice and righteousness" (משפט וצדקה) came to be understood as two distinct elements of King David's judicial activity.

Given that the word *tzedakah* occurs more than 150 times in the Tanakh, its later understanding had a significant impact on rabbinic perspectives on obligatory support for the poor. It provided plenty of ample fodder for those who wished to encourage almsgiving. Let us look at an additional example of this type of rabbinic exposition, in this case from Proverbs:

לא־יִנְעִילוּ אוֹצְרוֹת רָשָׁע וְצַדִּיקָה תַּצִּיל מִמָּוֶת:
Treasures of evil are of no avail, but righteousness saves from death.⁷⁷
לא־יִנְעִיל הוֹן בְּיוֹם עֶבְרָה וְצַדִּיקָה תַּצִּיל מִמָּוֶת:
Wealth is of no avail on the day of wrath, but righteousness saves from death.
(Prov 10:2, 11:4, JPS)

While these verses originally taught that righteousness saves one from death, the rabbis used them to endorse almsgiving. In this case, such use of these verses makes sense since their context is already in the domain of money and possessions.⁷⁸ An

⁷⁵ See also in *b. Sanh.* 6b.

⁷⁶ See, Weinfeld, *Social Justice in Ancient Israel*, 35.

⁷⁷ The English translation was adapted from JPS.

⁷⁸ Hurvitz, "The Biblical Roots of a Talmudic Term," 155-160, refers to these verses as the beginning of a change in the use of the word *tzedakah*. See also, Anderson, "Redeem Your Sins by the Giving of Alms," 51.

example of this rhetorical usage is found in a story in the Yerushalmi: when King Monbaz defends his decision to disburse all of his property to the poor, he quotes these verses from Proverbs to demonstrate how he will benefit by giving to the poor: by redistributing his wealth among the destitute, he gathered treasures for himself for the world to come.⁷⁹ This tale illustrates how these verses are readily enlisted to encourage almsgiving in rabbinic texts.

Almsgiving and Justice

Scholars have noted the difference between the Hebrew term *tzedakah* and the word charity, claiming that while charity means mercy and compassion, *tzedakah* is associated with justice.⁸⁰ According to this view, the rabbinic texts on giving to the poor are less motivated by feelings of compassion or mercy, but more on the basis of social justice according to the law.⁸¹ The story about King Monbaz may support this impression, given the semantic affinity that it communicates between the act of almsgiving (צדקה), justice (צדק) and the righteous (צדיק). Feelings of compassion and mercy towards the poor are absent in Monbaz's explanatory speech.

⁷⁹ Regarding this story, the rabbis in the Yerushalmi ask whether he (Monbaz) did not die; they answer that he indeed died in this world but that he will not die in the world to come. For other uses of this verse to encourage almsgiving, see *b. Shabb.* 156b; *b. Rosh HaSh.* 16b.

⁸⁰ For example, Juster, *Les Juifs dans l'Empire Romain*, 1:427, note 2, mentions the relationship between *tzedakah* and justice.

⁸¹ Hellinger, "Charity in Talmudic and Rabbinic Literature," 18, note 8.

Josephus mentions the family of King Monbaz of Adiabence in the context of their conversion to Judaism (*Ant.* 20:17-96) and their donations to the people of Jerusalem during a time of famine (especially by his mother, Queen Helena, *Ant.* 20:51).⁸² According to the Mishnah, King Monbaz and Queen Helena donated funds for the improvement of Temple facilities (*m. Yoma* 3:10). Furthermore, Josephus informs us that two relatives of King Monbaz participated in the First Jewish Revolt against Rome (*J.W.* 2:520, 4:567, 6:356). Israel Ben Shalom and Menachem Ben Shalom situate the narrative about Monbaz's distribution of his property at the time of the Great Revolt against Rome, and claim it is linked to the expectations of heavenly deliverance among the Zealots.⁸³ This historical context, however, is not mentioned in rabbinic writings, which portray Monbaz as not only contributing the entirety of his possessions, but also as providing ideological justification for this act. In the Yerushalmi, King Monbaz's act is presented as an exemplar, delivering a moral message for all time.⁸⁴ Even though, in both Talmuds, the rabbis reject the act of donating one's property to the poor in its entirety, approval for Monbaz's act is indicated through the telling of this story:

מונבז המלך עמד וביזבו את כל נכסיו לעניים. שלחו לו קרוביו ואמרו לו. אבותיך הוסיפו על שלהך ועל שלאבותיהן ואת ביזבזתה את שלך ואת שלאבותיך. אמ' להך. כל שכן.

⁸² Josephus actually speaks of two kings with this name. One of them is the husband of Queen Helena, while the other is her son. On Queen Helena's support in a time of famine, see Sorek, *Remembered for Good*, 53-54.

⁸³ Menachem Ben Shalom, *Hassidut and Hassidim: In the Second Temple Period and in the Mishnah Period* (Tel-Aviv: Hakibbutz Hameuchad, 2008), 192-195.

⁸⁴ In the two other versions of this story - in the Tosefta and in the Bavli - Monbaz's distribution of his possessions occurred during year (or years) of drought, therefore having been motivated by a crisis. This provision of an external cause for his distribution stands in contrast with the Yerushalmi's presentation of Monbaz's act without an explanatory context.

אבותיי גנזו בארץ ואני גנזתי בשמים. שנא' "אמת מארץ תצמח וצדק משמים נשקף".
אבותיי גנזו אוצרות שאין עושין פירות. ואני גנזתי אוצרות שהן עושין פירות. שני "אמרו צדיק כי טוב
כי פרי מעלליהם יאכלו".
אבותיי כנסו במקום שהיד שולטת בו. ואני כנסתי במקום שאין היד שולטת בו. שני "צדק ומשפט מכון
כסאו".
אבותיי כנסו ממון ואני כנסתי נפשות. שני" [פרי צדיק עץ חיים]⁸⁵ ולוקח נפשות חכם".
אבותיי כנסו לאחרים ואני כנסתי לעצמי. שני "ולך תהיה צדקה".
אבותיי כנסו בעולם הזה ואני כנסתי לעולם הבא. שני "וצדק תציל ממות".

King Monbaz stood and distributed all his property to the poor. His relatives sent for him, saying: "Your fathers added to their [own property] and to their fathers' [property], while you distributed your [property] and your fathers' [property]." He said to them [to his relatives]: "All the more so [that my deeds are better than those of my fathers, since],⁸⁶ My fathers hoarded on earth, while I hoarded in heaven, as it is stated [in Scripture]: 'Truth springs up from earth and justice (צדק) looks down from heaven' (Ps 85:12, JPS). My fathers hoarded treasures that do not bear fruit [interest], while I hoarded treasures that do bear fruit [interest], for it is stated [in scripture]: 'Tell the righteous (צדיק) how fortunate they are, for they eat the fruit of their labors' (Isa 3:10, adjusted from NRSV). My fathers gathered [treasures] in a place where a [human] hand can reach it, while I gathered in a place where no [human] hand can reach it, as it is stated [in Scripture]: 'Righteousness (צדק) and justice are the base of His throne' (Ps 97:2, JPS). My fathers gathered wealth (*mammon*), while I gathered souls, as it is stated [in Scripture]: '[The fruit of the righteous (צדיק) is a tree of life; and a wise man collects (לוקח) souls' (Prov 11:30; adapted from JPS).⁸⁷ My fathers gathered for others, while I gathered for myself, as it is stated [in Scripture]: 'And it will be your merit (צדקה) [before the Lord your God].' (Deut 24:13, JPS). My fathers gathered for this world, while I gathered for the world-to-come, as it is stated [in Scripture]: 'Almsgiving (צדקה) saves from death' (Prov 10:2, adapted from JPS). (y. Peah 1:1, 15b)

According to this rabbinic tradition, Monbaz cites several verses while defending his decision and he also differentiates himself from the behavior of his forefathers. The story conveys a dialectical tension: while the audience, like King Monbaz's relatives, may think that the king has lost everything, especially in comparison to the tradition of prior generations of his family, the verses show that the opposite is true. While it may seem

⁸⁵ I inserted the beginning of the biblical verse.

⁸⁶ This sentence does not appear in the versions found in the Tosefta or the Babylonian Talmud. I translated it according to the interpretation of the *Peni Moshe*.

⁸⁷ The meaning of the second part of this verse is not clear. The NRSV, for example, translates it as "but violence takes lives away." In the context of the Yerushalmi, however, its meaning is positive.

that Monbaz gave everything to others and that his forefathers hoarded for themselves, Monbaz claims the reverse: his ancestors accumulated for others and he gathered for himself. Monbaz supports his assertion with a biblical quotation, “and it will be your merit (צדקה) [before the Lord your God]” (Deut 24:13, JPS). By preserving the original biblical meaning of the word *tzedakah* as merit,⁸⁸ the verse supports the argument that by giving to the poor, in fact, one gathers for oneself. Thus, the benefit of the act of almsgiving actually goes to the benefactor.

Let us now take a closer look at the vocabulary in the six verses in King Monbaz’s speech. All of them include a word with the root צדק/צדקה/justice, צדקה/almsgiving and צדיק/righteous; each term occurs in two of the verses cited by Monbaz. The act of almsgiving, therefore, is connected to justice and righteousness. The use of these verses suggests that almsgiving (צדקה) is actually an act of justice (צדק) that is carried out by the righteous (צדיק). Compassion and mercy, the etymological themes connected to the term charity, are not explicitly mentioned in King Monbaz’s story, nor are they the focus of the discussion. Although neither compassion nor mercy are absent from rabbinic discourse about almsgiving,⁸⁹ the affinity between *tzedakah* (צדקה);

⁸⁸ The quotation is in the context of a loan accompanied by a pledge to a poor person:
 וְאִם-אִישׁ עֲנִי הוּא לֹא תִשָּׁכַב בְּעֵבְטוֹ: הֲשִׁיב־תְּשִׁיב לּוֹ אֶת-הָעֵבוֹט כִּבְנֵי הַשֶּׁמֶשׁ וְשָׁכַב בְּשִׁלְמָתוֹ וּבִרְכָךְ וְלֵךְ תְּהִיָּה צְדָקָה לְפָנַי הָיָה אֱלֹהֶיךָ:

If the person is poor, you shall not sleep in the garment given you as the pledge. You shall give the pledge back by sunset, so that your neighbor may sleep in the cloak and bless you; and it will be your credit before the Lord your God. (Deut 24:12-13, NRSV).

⁸⁹ For example, see the saying of Abba Shaul on the same page of the Yerushalmi (*Peah* 1:1, 15b) and also in *Mekilta de-Rabbi Ishmael*:

almsgiving) and justice (צדק) in rabbinic Hebrew most aptly articulates the rabbinic association of almsgiving with justice.

To summarize this study on the significance and implications of *tzedakah* in the Hebrew vocabulary of charity: in the Hebrew Bible, *tzedakah* had a variety of meanings, including “the deeds of the righteous” and “the merit gained through those deeds.” The word is often paired with the term *mishpat*, meaning “justice and righteousness.” During the Second Temple period, at least by the time of Ben Sira, *tzedakah* came to denote giving to the poor. By the compilation of rabbinic texts in the second century CE, “almsgiving” had become the central definition of *tzedakah*. This transition in meaning provided the rabbis with an array of verses that could be used to encourage almsgiving. Moreover, since the word *tzedakah* originally appeared in biblical contexts of justice and righteousness, the rabbinic concept of almsgiving reinforces this general range of meaning.

Gemilut Ḥasadim

Another key term in rabbinic discourse about supporting the poor is *gēmīlūt ḥāsādīm* (גמילות חסדים, hereafter *gemilut ḥasadim*), which is usually translated as “acts of

אבא שאול אף. אדמה לו. מהו חנון ורחום. אף את תהא חנון ורחום.
Abba Shaul says: I shall be like Him. As He is gracious and merciful, so [shall] you [be] gracious and merciful. (*Mek. de-Rabbi Ishmael*, Tractate *Shirata* 3; Horvitz-Rabin 127)
See also, *t. Peah* 4:21.

loving kindness,” “benevolence,” or “charity.” The verb *gāmal* plus the noun *ḥesed* (גמל - חסד) denotes “to do something good for another person.” In rabbinic texts, such good deeds include carrying a stranger to burial and taking an active part in a wedding by bringing delight to the bride and groom. The phrase *gemilut ḥasadim* does not occur in the Tanakh in any form. However, the root גמל (*g-m-l*) occurs in the Tanakh with the meanings “to deal fully or adequately with,” “to complete,” “to wean (a baby),” or “to do or show.”⁹⁰ The phrase also appears in Ben Sira, in a warning against seeking advice about *gemilut ḥesed* from a bad man:

אל תועץ . . . עם איש רע על גמילות חסד
Do not consult . . . with a wicked man about *gemilut ḥesed*. (Ben Sira 37:10-11)

This quotation indicates that the phrase was already in circulation before the Hasmonean period. Tosefta *Peah* provides a rabbinic era comparison between *gemilut ḥasadim* and *tzedakah*:

צדקה וגמילות חסדים שקולין כנגד כל מצות שבתורה, אלא שהצדקה בחיים גמילות חסדים בחיים
ובמתים, צדקה בעניים, גמילות חסדים בעניים ובעשירים, צדקה בממונו, גמילות חסדים בממונו
ובגופו.

Tzedakah and *gemilut ḥasadim* are equal (in their importance) to all the *mitzvot* (commandments) in the Torah [together], except that *tzedakah* applies to the living, while *gemilut ḥasadim* applies to the living and to the dead; *tzedakah* applies to the poor, while *gemilut ḥasadim* applies to the poor and to the wealthy; *tzedakah*—[one performs it] with his money, while *gemilut ḥasadim*—[one performs it] with his money and with his body. (*t. Peah* 4:19)

According to this tosefta, *gemilut ḥasadim* includes almsgiving, but it is a much broader category that encompasses more wide-ranging ways of supporting others. Thus, while *tzedakah* applies to the poor, *gemilut ḥasadim* also includes helping people from diverse

⁹⁰ See, BDB, 168; Koehler and Baumgartner, *The Hebrew and Aramaic Lexicon*, 1:197.

socio-economic backgrounds, during their lifetimes and also at the time of burial. While *tzedakah* requires one to contribute money (or other possessions), *gemilut ḥasadim* is an umbrella term that includes monetary (or material) gifts and active personal involvement. The portion of Yerushalmi that quotes this tosefta (or a close parallel) offers an additional discussion that ponders over God's preference-- *gemilut ḥasadim* or *tzedakah*, drawing the conclusion that God prefers *gemilut ḥasadim* over *tzedakah*.⁹¹ It is noteworthy that the term *gemilut ḥasadim* is used in rabbinic texts in a general manner and is not always associated with supporting the poor.

On the whole, textual evidence indicates that as early as the Second Temple period and surely by the time of the rabbinic texts, the importance of almsgiving can be discerned by the use of specific vocabulary. The word *tzedakah* (צדקה), which in the Tanakh and in rabbinic texts was closely associated with justice (צדק) and the righteous (צדיק) provides the supporters of almsgiving an abundance of biblical verses to encourage such a giving. The phrase *gemilut ḥasadim*, which includes a broader variety of good deeds applying to all (and not only towards the poor), is often paired with the word *tzedakah* in rabbinic literature. Exploring the Hebrew vocabulary of poverty and charity offers a fundamental background for analyzing the approaches to poverty and charity in rabbinic texts. However, since the bulk of the stories and sayings on these subjects in the

⁹¹ y. *Peah* 1:1, 15c. See also b. *Sukkah* 49b.

later Amoraic texts were written in Aramaic, the vocabulary of charity and poverty in Aramaic forms the closing section of this chapter.

The Vocabulary of Poverty and Charity --Aramaic

The main Aramaic word for the poor in rabbinic texts from the land of Israel is *misken* (מסכן; pl. מסכנין or מיסכיניא/*miskenin* or *miskenaya*).⁹² For example:

אבא בר בא יתב לשמואל בריה פריטין דפלג למיסכיניא. נפק ואשכח חד מסכן אכל קופד ושתי חמר.
Abba bar [A]bba gave his son Samuel money to distribute among the poor (למיסכיניא).
He went out and found a poor man (מסכן) who eats meat and drinks wine. (y. *Peah* 8:9
21b)

The word *misken* also occurs in Hebrew, including four occurrences - also with the meaning “a poor person” - in Ecclesiastes.⁹³ Yet, within the Tanakh, this use is limited to Ecclesiastes.⁹⁴ In rabbinic texts from the land of Israel, this word mostly appears in the Aramaic sections. In the Babylonian Talmud, the words ‘*anya* (עניא) for the poor and ‘*anyuta* (עניותא) for poverty are common. For example:

היינו דאמרי אינשי : בתר עניא אזלא עניותא.
This is what people say: "poverty (עניותא) follows a poor person (עניא)." (b. *B. Qam.* 92a;
b. B. Bat. 174b; *b. Arakhin* 23a; *b. Hul.* 105b)

In the land of Israel, however, Amoraic texts did not employ these Aramaic words in regard to poverty and the poor. Rather, several Amoraic stories describe a coincidental

⁹² This word is also commonly found in the Targumim.

⁹³ Eccl 4:13, 9:15 (x2), 9:16.

⁹⁴ This term also occurs in Ben Sira 30:14. According to scholars, the word comes from an Akkadian term meaning “a poor person from the lower class of society.” In another form, the word מסכנות occurs as poverty in Deut. 8:9.

encounter with a poor person in the street with the phrase: *pag'a be-hon/beh had misken* (פגע בהון/ביה חד מסכן) – a poor man encountered them/him). The verb פגע (*p-g-*) means to "meet" or to "encounter." Another meaning which is rare in Aramaic, but common in Hebrew is "to attack."⁹⁵ Indeed, in some of these stories, these chance encounters result in the death of the poor person and sinful behavior attributed to those who failed to provide immediate assistance when it was requested. Examples of such spontaneous meetings that occur in the Yerushalmi include:

ר' יוחנן ור' שמעון בן לקיש עלון מיסחי בהדין דימוסין דטיבריא. פגע בון חד מסכן. אמ' לון. זכין בי. אמרו ליה. מי חזרון. מי חזרון אשכחניה מית. . . .⁹⁶
 Rabbi Yohanan and Rabbi Shimon ben Laqish went⁹⁷ to bath in the public bath of Tiberias. [On their way], a poor man encountered them (פגע בון). He told them: "Gain merit through [assisting] me (זכין בי)." They told him: "On returning [we will give you alms]." On returning, they found him dead. (y. *Peah* 8:9, 21b)

נחמיה איש שיחין פגע ביה ירושלמי אחד. אמ' ליה. זכי עימי חדא תרנגולתא. אמ' ליה. הילך טימיתיה וזיל זבון קופד. ואכל ומית. . . .
 Nehemiah of Shihin, was encountered (פגע ביה) by one Jerusalemite, who told him: "Gain merit (זכי עימי) by giving me a hen!" [Nehemiah] said to him: "Here is its price for you. Go and buy [red] meat; he ate [it] and died. (y. *Peah* 8:9, 21b)

נחום איש גס-זו היה מוליך דורון לבית חמוי. פגע ביה מוכה שחין אחד. אמ' לו. זכה עמי ממה דאית גבך. אמ' ליה. מיחזר. חזר ואשכחיה מית. . . .⁹⁸
 Nahum of *Gam Zo*, was carrying a gift to the house of his father-in-law. One man, afflicted with boils, encountered him (פגע ביה) [on the way]. [The afflicted man] told him: "Gain merit (זכה עמי) by giving me [something] from what you have with you." [Nahum] said to him: "On my return." He returned and found him dead. (y. *Peah* 8:9, 21b)

⁹⁵ An example of the verb פגע + ביה as "to attack" appears in Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 424. This usage may be a loan from Hebrew; see BDB, 803 for examples from biblical Hebrew. In rabbinic Hebrew, see, for example, *m. Sanh.* 9:6; *y. Sanh.* 9:7, 27b.

⁹⁶ Another version of this story appears in *Lev. Rab.* 34:10.

⁹⁷ Literally: "entered to bathe in the public bath of Tiberias."

⁹⁸ The last two stories also occur in: *y. Sheqal.* 5:5, 49b.

These narratives provide a rare glimpse into the language that was used by the poor to petition for alms, at least according to the Yerushalmi and the Amoraic midrashim. While the Mishnah, the Tosefta and Tanaitic midrashim present descriptions and legislation concerning giving and receiving of alms, Amoraic texts quote phrases that the poor used when requesting alms: זכין בי, זכי עימי, זכה עמי.⁹⁹ The poor person asks the benefactor to give him support and at the same time “to earn a divine reward or merit through [assisting] me.”¹⁰⁰ Therefore, in this connotation, the verb זכי/זכה (z-k-h or z-k-y) denotes to acquire a merit through the giving.¹⁰¹ Indeed, the midrash pays attention to the phrases of request mentioned above. According to *Leviticus Rabbah*, these phrases, which were unique to the land of Israel, articulate the Torah’s idea about giving to the poor:

אמי ר' זעירא אפילו שיחתן של בני ארץ ישראל תורה היא. הכיצד, אדם אומר לחברו זכי בי, איזדכי בי, זכי גרמך בי. ר' חגי אמי סכי בי. איסתכל בי מה הוינא, ואיסתכל בי מה אנא.
 Rabbi Zeira said: "Even the conversation of the sons [inhabitants] of the land of Israel is Torah! How so? A [poor] man says to his fellow: "Grant me merit (זכי בי), gain merit through me (איזדכי בי), gain merit for yourself through me (זכי גרמך בי)." Rabbi Haggai said: "See me, look at what I was, and look at what I am [now]." (*Lev. Rab. 34:7*)

⁹⁹ The use of these phrases when requesting alms occurs in other stories as well, for example: 34:14 (Margulies 807). The spoken language being quoted when alms are requested is often Aramaic (not Hebrew), even within stories and midrashim that are otherwise written in Hebrew.

¹⁰⁰ This is the scholarly understanding of the phrase: for example, Jastrow, *A Dictionary*, translates it as: "to obtain a claim on divine favor;" and similarly, Margulies, *Midrash Wayyikra Rabbah*, 783; Visotzky, *Golden Bells and Pomegranates*, 131; Anderson, "Redeem Your Sins by the Giving of Alms," 53-54.

¹⁰¹ The meaning of this phrase is explained in another section of *Leviticus Rabbah*, written in Hebrew:

. . . אם באת רעה לחבירך הוי מסתכל בו היאך לזכות בו ולפרנסו כדי שתקבל מתן שכרו.

If your friend experiences adversity, consider [his situation and] how to gain merit through [assisting] him (לזכות בו) and provide for him so that you will receive his reward [from God]. (*Lev. Rab. 34:5; Pesiq. Rab. Kah. 28*)

According to Jastrow, *A Dictionary*, The root z-k-h/y in Hebrew has several meanings, including "to gain" and "to obtain." Here supporting a fellow is an opportunity to obtain divine reward.

In the land of Israel, therefore, the common phrases for requesting alms are in Aramaic and clearly articulate the idea that the benefactor receives heavenly merit through the act of giving to an impoverished fellow. In comparison, in Babylonian texts about analogous requests for charity, the verb פרנס (*p-r-n-s*) often appears, usually in Hebrew.

To illustrate these distinct textual norms, let us compare the story about Nahum, the man of *Gam Zo*, cited above from the Yerushalmi, to its Babylonian Talmud parallel.

נחום איש גס-זו היה מוליך דורון לבית חמוי. פגע ביה מוכה שחין אחד. אמ' לו. זכה עמי ממה דאית גבך. אמ' ליה. מיחזר. חזר ואשכחיה מית. . .¹⁰²

Nahum of *Gam Zo* was carrying a gift to the house of his father-in-law. A man, afflicted with boils, encountered him. [The afflicted man] told him: "Gain merit (זכה עמי) by giving me [something] from what you have with you." [Nahum] said to him: "On my return." He returned and found him dead. (y. *Sheqal.* 5:5 49b)

While in the Yerushalmi, the man requesting alms uses the phrase: “זכה עמי”

(gain merit thorough assisting me), in the Bavli's version the phrase of request is "provide for me" or "sustain me" (פרנסני):

פעם אחת הייתי מהלך לבית חמי, והיה עמי משאוי שלש חמורים, אחד של מאכל ואחד של משתה ואחד של מיני מגדים. נזדמן לי אדם אחד. אמ' לי ר' פרנסני. - אמרתי לו: המתן עד שאפרק מן החמור. לאחר שפרקתי מן החמור חזרתי לאחורי ומצאתיו מת.¹⁰⁴

Once I was traveling to the house of my father-in-law, and I had with me a three asses load: one with food, one with drinks, and one with various delicacies. I encountered one person. He said to me: 'Rabbi sustain me (פרנסני).' I told him: 'Wait until I unload the ass.' After I had unloaded the ass, I turned around and I found him dead. (b. *Ta'anit* 21a)

In this version, the story is written in Hebrew and there are several changes and additions to the version from the Yerushalmi.¹⁰⁵ The request for alms, however, is “רבי

¹⁰² The last two stories also occur in: y. *Sheqal.* 5:5 49b.

¹⁰³ The word Rabbi (ר) does not appear in Munich 95, but it occurs in most of the other manuscripts.

¹⁰⁴ The version is according Munich 95, except for one change that I have noted.

פרנסני" ("Rabbi, provide for me"). This phrase appears in a number of stories in the Babylonian Talmud, where a person in need comes before a rabbi and asks for help.¹⁰⁶ In Palestinian texts, this expression is rare.¹⁰⁷

Another phrase used in petitioning for alms occurs once in *Leviticus Rabbah*:

אמ' רש לאותו עשיר: "תן לי מצווה."

A poor man said to a rich man: "Give me a *mitzvah* (alms)." (*Lev. Rab.* 34:4)

Since we do not have vocalization for this midrash, it is not clear whether this phrase of request is in Hebrew or in Aramaic.¹⁰⁸ At least from the third century, the Hebrew word *mitzvah* denotes not only "a commandment," and especially a religious act and a meritorious deed, but also "alms" or "charity."¹⁰⁹ In Aramaic sections of rabbinic texts, this use is even more prevalent. For example, the Yerushalmi tells:

ר' חנינא בר פפא הוה מפליג מצוה בלילא

¹⁰⁵ Among the changes in the Babylonian story are: 1) Nahum himself tells his students about the encounter with the person who requested alms; 2) the load is described, while in the Yerushalmi such details are not mentioned; 3) the person who requests alms is not a man afflicted with boils but rather an "ordinary" person; 4) this poor person died before Nahum finishes unloading the ass, while in the Yerushalmi Nahum finds him dead when he returns from the house of his father-in-law.

¹⁰⁶ For example, *b. B. Bat.* 8a; 11a; *Ketub.* 66b; *Hag.* 15b.

¹⁰⁷ I found one occurrence of this expression in *Sifre Deuteronomy* 305 (Finkelstein 325).

¹⁰⁸ See, William. B. Stevenson, *Grammar of Palestinian Jewish Aramaic: Second Edition* (Oxford: Oxford University Press, 1962), 61-62. This midrash appears also in *b. Tem.* 16a, but in this version the poor person says: פרנסני to the rich person.

¹⁰⁹ Jastrow, *Dictionary*, 823-824. See, Saul Lieberman "Two Lexicographical Notes" *JBL* LXV (1946): 69-72; Idem. *Midrash Debarim Rabbah: Edited for the First Time from the Oxford ms. No. 147 with an Introduction and Notes* (Second Edition; Jerusalem: Shalem Books, 1992), 36, note 10. About the meanings and the use of the word *mitzvah* in Tannaitic texts, see: Marc Hirshman, "On the Nature of Mitzva and its Reward in the Mishnah and the Tosefta," in *Proceedings of the Tenth World Congress of Jewish Studies: Jerusalem, August 16-24, 1989: Division C: Volume I: Jewish Thought and Literature* (Jerusalem: The World Union of Jewish Studies, 1990), 54-60.

Rabbi Hinena bar (the son of) Papa distributed alms at night.¹¹⁰ (y. *Peah* 8:9, 21b; *Sheqal.* 5:6, 49b)

This transition in the meaning of *mitzvah* may indicate the importance that was conferred on charity, since giving alms appears as “the meritorious deed” or “the commandment” par excellence. However, in contrast to the transformation in meaning of the Hebrew word *tzedakah*, which came to denote almsgiving almost exclusively in rabbinic texts, the Aramaic word *mitzvah* continued to carry more than one meaning (and even more so in Hebrew).¹¹¹

The various meanings of the word *mitzvah* are sometimes confusing. In several texts, context alone enables us to conclude whether the word *mitzvah* denotes an act of almsgiving or a good deed in general. This story from *Leviticus Rabbah* illustrates this dilemma; only by context can we determine that מצווין denotes almsgiving:¹¹²

עובדה הוה בחד גבר דהוה ליה תרין בנין חד הוה עביד מצווין סגין וחרנה לא הוה עביד כל עיקר. דין דהוה עביד מצווין סגין זבין ביתיה וכל מה דהוה ליה בגין מצוותא. חד זמן ביום הושענא יהבת ליה איתתיה עשרה פורין אמרה ליה פוק זבון לבניך כלום מן שוקא. כיון דנפק מן שוקא פגעון ביה גבאי צדקה אמרי הא מרי מצוותא אתא ליה. אמרי ליה הב חולקיך בהדין מצוותא דאנן בעיין מיזבון קלוב להדה יתמתא, נסב הלוך פורייא ויהב להון. . .

There is a story of a man who had two sons. One performed many charitable deeds (מצווין), while the other did not perform [charity] at all. The one who performed many charitable deeds (מצווין) sold his house and all he owned for charity (מצוותא). Once, on the day of *Hosanna*¹¹³ his wife gave him ten *follarions* (coins). She told him: "Go and buy your sons something [to eat] from the market." As soon as he went out to the market,

¹¹⁰ See also, *Lev. Rab.* 34:14: ואתה אמרתה כל עמא יפקון ויפלגון מצוה: Margulies, *Midrash Wayyikra Rabbah*, 808, (תתה).

¹¹¹ Rosenthal, who compares the word *tzedakah* with the word *mitzvah* in “Sedaka, Charity,” 413, writes that “*Misva*, for instance, which also came to denote ‘charity’ . . . remained a much looser and wider term.”

¹¹² I cite here only the beginning of the story. About this story and its meaning, see: Avigdor Shinan "Once upon an Ethrog . . ." *Jerusalem Studies in Jewish Folklore* 13-14 (1992): 61-79; Satlow, "Fruits and Fruits of Fruits," 248-250.

¹¹³ The term *Hosanna* refers to the seventh day of the festival of Sukkot (Tabernacles).

charity collectors encountered him. They said: "Here comes the Master of Charity"! They told him: "Give your share in this charity: we wish to buy a tunic for this orphan." He took those *follarions* and gave them to them. (*Lev. Rab. 37:2*)

While the first sentence of this story could be read as discussing good deeds in general and not specifically refers to almsgiving (“חד הוה עביד מצווין סגין”), the rest of the story tells us that the word מצווין is a reference to charity.¹¹⁴ Thus, one of the sons gave alms excessively and not merely practiced good deeds, while the other son did not give alms at all. Only by reading the story in its entirety can we translate this word accurately.

Finally, as Ze’ev Safrai notes, at a certain point, the word *mitzvah* began to denote giving in a more general manner, including contribution to other communal goals, such as the construction or renovation of a synagogue.¹¹⁵

In sum, *misken* (מסכן) was the main Aramaic word used to denote “a poor person” in rabbinic texts from the land of Israel. In the Babylonian Talmud, the main Aramaic word is *anya* (עניא). The word *mitzvah* denotes almsgiving, in addition to meaning a commandment and positive action. This particular meaning of *mitzvah* implies that almsgiving was considered the ultimate good deed. Both the Yerushalmi and the classical Amoraic midrashim inform us about the phraseology that was used by the poor who requested alms. This language included the verb זכי/ה whose usage articulates the view

¹¹⁴ And see the translation in Neusner, *The components of the Rabbinic Documents: X Leviticus Rabbah: Part Two*. Neusner translates מצווין as "religious duties" rather than "charity" or "alms."

¹¹⁵ Safrai, *The Jewish Community*, 312-317; Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* (New Haven & London: Yale University Press, 1999), 372.

that not only the poor is benefited by the alms, but also the benefactor acquires a merit through this act.

Conclusion

The exploration of both the Hebrew and Aramaic vocabulary of poverty and almsgiving in rabbinic texts reveals some of the themes and patterns that are central to rabbinic discourse on these issues.

First, the choice and usage of biblical vocabulary denoting the poor indicate the rabbinic commitment towards the poor in the material sense. Though the word *'ani* carries two main meanings, “a poor person” and “a humble one,” the rabbis usually used it to indicate an ordinary poor person. This linguistic choice stands in contrast with the texts from Qumran that incorporate *'ani*, as well as *dal* and *evyon*, in the names of the communities described therein. The Qumranic use of this biblical vocabulary was intended to emphasize the unique relationship between God and the members of the Qumranic community rather than to demonstrate economic hardship. When using this terminology, the attention of the rabbis, however, was generally concentrated on issues of material welfare. Their focus on the ordinary poor also emerges when rabbinic texts examine the eligibility of the *ger*, the fatherless and the widow for alms. Here too rabbinic interpretations of biblical language indicate that aid should be given to those

with material needs. Rabbinic inquiry into the etymology of the word *evyon* also exposes the rabbinic focus on the ordinary poor and their commitment towards them.

Second, Amoraic rabbinic texts provide us with phrases that were used in the land of Israel to request alms. These Aramaic formulae articulate the idea that a benefactor receives a divinely bestowed reward, whether in this world or in the next, by responding positively to a beggar's plea. Even though Tannaitic texts record no such documented speech, the idea that one who gives alms would be rewarded by God exists there as well, as indicated by the story of King Monbaz.

Third, the texts distinguish between the contrasts "the poor – the wealthy" and "the poor – the house holder." While the first pair often indicates a sheer gap in economic standing, the second is found in texts where the economic difference between the parties may be less clear. Sometimes the property of the householder is modest and, as we shall see later in this study, the gap between those who give alms and those who receive is not always steep.

Fourth, the words that denote charity or almsgiving also convey meanings and nuances that develop over time. The word *tzedakah*, that in the Tanakh expresses an array of meanings -including the deeds of the righteous and the merit gained by such acts - comes to almost exclusively denote almsgiving in rabbinic texts. This shift provides rabbinic interpreters to harness a large selection of biblical verses to support their encouragement for giving help to the poor, without losing the connotations righteous and justice in the term *tzedakah*. The change in meaning in the word *mitzvah*, especially in

Aramaic sections of Amoraic texts, also reflects the growing importance of charity at that time. While *mitzvah* originally denoted good deeds or God's commands, in later texts it can also indicate almsgiving. Thus in these texts almsgiving emerges as “the meritorious deed” or “the commandment” par excellence.

Fifth, in rabbinic texts, the vocabulary of poverty and the poor, as well as the phrases used by the poor to request alms, varied between Babylonia and the land of Israel. As we shall see later in this study, there are significant differences between these two rabbinic centers not only in their terminology but also in how they discuss poverty and charity and in their attitudes towards the poor.

Finally, this study of terminology and its usage reveals the rabbis’ awareness that language can have a role in articulating deep ideas. Interestingly, this applies not only to biblical vocabulary, but also to the common language of a beggar who requests support. In the following chapter, we will see how this vocabulary is used when poverty is explained.

Chapter Three: Understanding and Explaining Poverty: Comparing Babylonia and the Land of Israel

Exploring the explanations of poverty in rabbinic texts is a complicated task. Sayings and discussions about poverty are not aggregated in one thematic section, but rather, they are found in various contexts, such as legal writings, interpretations of biblical verses and passages that encourage charitable giving. Their placement in a particular literary context affects the representations of poverty, according to the goal of each specific text. For example, when the rabbis are trying to make a case for giving charity, poverty can be represented as a punishment for those who refuse to give. We need, therefore, to refrain from drawing conclusions on the basis of a single saying without looking at its literary context, studying it in relation to other relevant texts, and especially seeking patterns of how poverty is explained and perceived. By comparing explanations of poverty within texts from the land of Israel with those in the Babylonian Talmud, we can expose the contrasting views of poverty that were prevalent in each of these Jewish centers. In some examples, we will see that even a slight change or addition in a Babylonian parallel indicates a shift in meaning. In discussions of poverty, these differences can be significant.

In this chapter, therefore, I explore the concepts of poverty in rabbinic texts from the land of Israel and Babylonia through an analysis of rabbinic explanations of individual poverty, which differ from their treatment of collective poverty as experienced

by the entire community. In antiquity, collective poverty was often caused by war, famine, drought and other catastrophes, which were explained as punishment for collective sin. In the Hebrew Bible, for example, a number of such economic disasters are presented as divine retribution against the people of Israel. Numerous rabbinic texts develop this idea, presenting collective poverty as a penalty for the entire people.¹ For example, Mishnah *Avot* asserts:

שבעה מיני פורעניות באים על שבעה גופי עבירות : מקצתן מעשרין ומקצתן שאינן מעשרין-- רעב של בצורת בא-- מקצתן רעבים ומקצתן שביעים. גמרו שלא לעשר --רעב שלמהומה ושל בצורת בא. שלא ליטול את החלה-- רעב של כליה בא. . . .

Seven kinds of retribution come from seven kinds of transgression. [When] some tithe [their produce] and others do not tithe [their produce]—a famine from drought comes— [then] some are hungry and others are satisfied. [When] they [all] decided not to tithe— a famine from tumult [war] and drought comes. [When they all decided] not to separate the dough offering—a destructive famine comes. . . . (*m. Avot* 5:8)

In contrast, explanations for the involuntary poverty of individuals reveal another aspect of how poverty is understood in these texts. Is poverty a result of inappropriate behavior? In other words, is individual poverty a sign that someone is being punished for past deeds, or could this status occur regardless of one's behavior? If poverty were understood as a punishment, it could affect communal attitudes and behavior towards the poor, since the poor would then be held responsible for their situation.

At least one rabbinic text shows a link between individual sin and consequent poverty in public opinion:

¹ Regarding Christian explanations for the existence of poverty, see Steven J. Friesen, "Injustice or God's Will: Early Christian Explanations of Poverty," in *Wealth and Poverty in Early Church and Society* (ed. Susan R. Holman; Brookline, Massachusetts: Baker Academic), 17-36. However, Friesen does not address the reasons for individual poverty, but rather with the existence of poverty in society.

... אין התורם נכנס לא בפרגוד חפות ולא במנעל ולא בסנדל ולא בתפילה ולא בקמיע שמא יעני ויאמרו מעון הלשכה העני או שמא יעשיר ויאמרו מתרומת הלשכה העשיר שאדם צריך לצאת ידי הבריות כדרך שהוא צריך לצאת ידי המקום שני (במדבר ל"ב) והייתם נקיים מה' ומישראל ואו' (משלי ג') ומצא חן ושכל טוב בעיני אלהים ואדם :

The one who withdraws [*shekalim*]² may not enter [the chamber wearing] a hemmed garment,³ nor with a shoe or sandal, nor with phylactery (*tefilin*), nor with an amulet. Lest he become poor and [people] will say: "Because of the sin of the chamber he became poor," or lest he become wealthy and [people] will say: "Because of donations to the chamber he became wealthy." Therefore a man should please people the same way he pleases God, as stated [in Scripture]: "You shall be clear before the Lord and before Israel," (Num 32:22, JPS). And he says [in Scripture]: "And you will find favor and approbation in the eyes of God and man," (Prov 3:4, JPS). (*m. Sheqal. 3: 2*)

The Mishnah prescribes precautionary measures for one who handles funds that have been donated to the Temple. This text does not claim that a person may fall into poverty as a result of stealing from the Temple, but rather that this would be the public perception. According to this popular notion, poverty is a divine response to sin.

Did the rabbis in the land of Israel and Babylonia accept such a link between poverty and sin? First let us trace this concept chronologically, starting with the Biblical legacy concerning this question, then systematically examine rabbinic sources.

Reasons for Poverty among Individuals

Tanakh

In the Hebrew Bible, the poor are generally not held responsible for their situation, nor are they blamed for it. God appears as the protector of the weakest

² Or "the one who donates money." For these two possibilities, see, Shmuel and Ze'ev Safrai, *Mishnat Eretz Israel: Tractate Shkalim: (Moed E): With Historical and Sociological Commentary* (Jerusalem: The E. M. Liphshitz Publishing House College, 2009), 117-118.

³ Some translated חפות as "sleeved cloak;" and see, Safrai, *Mishnat Eretz Israel: Tractate Shkalim*, 118.

members in society, as “the father of orphans, the champion of widows” (Ps 68:6, JPS). However, James L. Crenshaw shows that “[a] look at proverbs concerned with the rich and the poor can provide a counterweight to the claim that there is a single biblical outlook on poverty.”⁴ Indeed, in a small number of places in the Hebrew Bible, the wealthy are praised, while the poor are identified with moral deficiency. This minority view, which is especially present in Proverbs, is explained by Crenshaw:

. . . People who found themselves in a miserable situation must surely have possessed some character flaw, sometimes visible but often concealed from public scrutiny.⁵

Such a view can be found in Prov 6:10-11 and 24:30-34, which depict laziness that leads to poverty. The association between laziness and fraud with poverty is also articulated in Prov 10:4 and 19:15. Furthermore, the idea that a righteous person will never know hunger appears in Psalms:

נָעַרְוָה הָיִיתִי גַם־זָקֵנְתִי וְלֹא־רָאִיתִי צַדִּיק נֶעְזָב וְזָרְעוֹ מִבְּקֶשׁ־לֶחֶם:

I have been young and am now old, but I never seen a righteous man abandoned, or his children seeking bread. (Ps 37:25, JPS)

Crenshaw links the development of this attitude toward socio-economic status in these texts to their authors:

The poor fit badly in the scheme of things devised by the authors of Proverbs, Job, and Ecclesiastes, who enjoyed the privileges bestowed on society’s influential leaders. As advisors to kings, friends of aristocrats, and professional teachers, the wise lived a protected existence.⁶

⁴ James L. Crenshaw, “Poverty and Punishment in the Book of Proverbs,” in *Urgent Advice and Probing Questions: Collected Writing on Old Testament Wisdom* (Macon, GA: Mercer University Press, 1995), 396.

⁵ Crenshaw, “Poverty and Punishment,” 396. See also, Avraham, “Marginal People,” 264-266.

⁶ Crenshaw, “Poverty and Punishment,” 396.

Indeed the approach toward individual poverty expressed in a particular body of literature may be influenced by the socio-economic background of its writers. In this case, Crenshaw attributes this understanding of poverty as an indication of moral deficiency, to the socio-economic background of the poets who composed them. However, personal wealth does not necessarily determine a belief that poverty results from a “character flaw” or immorality. Neither do expressions of care and empathy towards the poor stem only from impoverished writers. This lack of direct correlation in no way undermines the value of examining the socio-economic background of the rabbis as a significant aspect of studying their explanations of individual poverty and their attitudes towards the poor. Therefore, I will consider the socio-economic status of the rabbis later in this chapter, and especially in Chapter Four, after surveying rabbinic explanations of poverty.

Rabbinic Literature

In rabbinic texts there are two major explanations for poverty among individuals:

- 1) Poverty as a punishment for sinful or inappropriate behavior.
- 2) Poverty is a phenomenon that exists in the world that no one (or at least no family) can completely avoid. According to this explanation, righteous behavior cannot help someone to avert poverty.

A third opinion appears in the Babylonian Talmud:

- 3) Neither poverty nor wealth can be humanly controlled or influenced; rather, socio-economic standing is prenatally determined, directly by God or indirectly, according to one's astrological lot.

These explanations are distributed throughout various texts from different periods and locales. The following sections will explore these understandings, locating them in the context of their specific texts, eras and geographic locations. I will also examine the nuances of tone when particular traditions appear in different settings.

Tannaitic Explanations

Tannaitic texts that discuss changes in economic status often do so with a matter-of-fact tone and without attaching any moral value to this shift. Fluctuations in economic status could easily influence one's abilities to fulfill legal or religious obligations.⁷ Only a few sources address the causes for falling into poverty, namely drawing the connection between economic downfall and specific sins. For example, *Mekhilta De-Rabbi Ishmael* states:

... עני שפשט ידו לבעל הבית ובעל הבית רוצה ליתן לו, "מאיר עיני שניהם ה'"; אבל עני שפשט ידו לבעל הבית ואין בעל הבית רוצה ליתן לו, "עושה כלם ה'". מי שהעני זה סוף שיעשרנו, ומי שהעשיר זה סוף שיעני אותו. . .

[When] a poor man stretches out his hand towards the householder, and the householder wants to give him [something, then]: "The Lord gives luster to the eyes of both" (Prov 29:13, JPS). But [when] a poor man stretches out his hand towards the householder and the householder does not want to give him [anything, then]: "The Lord is the maker of them all" (Prov 22:2, JPS). The One who made this one poor will eventually make him

⁷ For example, *m. Ketub.* 6:6; *t. Ketub.* 5:9; *t. Arak.* 1: 5.

wealthy and the One who made this one wealthy will eventually make him poor. (*Mek. De-Rabbi Ishmael*, Tractate Amalek *parashah* 2; Horvitz and Rabin 201-202, Lauterbach 228-229)⁸

This midrash uses two verses from Proverbs as biblical prooftexts for these two possible encounters between a poor person and a wealthy individual:

עָשִׂיר וְרֵשׁ נִפְגְּשׁוּ עֲשֵׂה כְּלָם יְהוָה

Rich man and poor man meet; The Lord made them both (Prov 22:2, JPS).

רֵשׁ וְאִישׁ תְּכַכִּים נִפְגְּשׁוּ מְאִיר־עֵינָי שְׁנֵיהֶם יְהוָה:

A poor man and a fraudulent man meet; The Lord gives luster to the eyes of both (Prov 29:13, JPS).

According to the midrash, there are two possible outcomes for the interaction between this pair of individuals, one poor and the other wealthy: either the wealthy one gives, and both he and the poor person are rewarded, one by God and the other from the gift he received, or the wealthy person refuses to give anything to the poor one, resulting in God's reversal of their respective economic standing. Poverty, therefore, may be a consequence of refusing to give alms.⁹ The close relationship between sin and punishment expressed here reflects the rabbinic principle of "measure for measure," that appears in multiple texts as:

בַּמְדָּה שֶׁאָדָם מוֹדֵד בָּהּ מוֹדֵד לוֹ

With the measure that a man measures [out], [so] they measure for him. (*m. Sotah* 1:7)¹⁰

⁸ This midrash is also transmitted in later rabbinic texts, for example, *Lev. Rab.* 34:4; *b. Tem.* 16a. Gray, "The Formerly Wealthy Poor," 108.

¹⁰ There are several occurrences of this phrase, among them: *t. Sotah* 3:1; 4:1; *Mek. de-Rabbi Ishmael*, Tractate Beshallah, Chapter 1 (Lauterbach, 120); Tractate *Shirata*, Chapter 4 (Lauterbach, 191); *Pesiq. Rab Kah.*, 11:4 (Mandelbaum 179). This notion appears also in the New Testament, see, Matt 7:1-2; Luke 6: 37-38.

In Tannaitic literature, this principle is often applied in texts where poverty appears as a punishment. It is important to note that these repercussions come from Heaven, not from human actions (or reactions).

Similar to the midrash from the *Mekhilta*, the measure for measure principle is invoked in texts that discuss misconduct related to giving or receiving almsgiving, such as refusal to give charity by potential benefactors or acceptance of alms in the absence of need. Therefore, Tannaitic texts show a close relation between sin and consequence. The final mishnah in tractate *Peah* presents an example:

וכל מי שאינו צריך ליטול ונוטל אינו מת מן הזקנה עד שיצטרך לביריות¹¹ וכל מי שהוא צריך ליטול ואינו נוטל אינו מת מן הזקנה עד שיפרנס לאחרים משלו על זה נאמ' (ירמיהו יז) "ברוך הגבר אשר יבטח בה' והיה ה' מבטחו."¹²

And whoever does not need to take [alms] but takes, will not die of old age before he being dependent on others. And whoever needs to take [alms] but does not take, will not die of old age before he provides for others from his own [possessions]. Of this it is stated [in Scripture]: "Blessed is the man who trusts in the Lord, whose trust is the Lord" (Jer 17:7). (*m. Peah* 8:9)

This mishnah concludes a discussion of economic eligibility for receiving alms.

According to this text, one who takes without need will have genuine need in the future.

Poverty as a punishment, therefore, is closely related to the sin.¹³

¹¹ This version is according to the Kauffmann manuscript; the version that appears in the printed edition differs slightly.

¹² This is the original ending of tractate *Peah* in the Mishnah. In the printed edition, there is an addition; see J. N. Epstein, *Introduction to the Mishnaic Text* (Jerusalem: Magnes, 2001), 975-976.

¹³ See also *t. Peah* 4:14, concerning a person who pretends to be disable in order to receive charity. For a discussion of this text, see Chapter Seven. A more general statement, that still preserves the relationship between human behavior and its consequences, appears in *m. Avot* 4:9. There is one text, *t. B. Qam.* 8: 14 (Lieberman 40), in which Rabbi Shimon Shazuri speaks of the destruction of his family in the Galilee:

The few Tannaitic texts that include the causes of poverty usually look at the reasons why the wealthy become poor, rather than discussing the poverty of individuals who have always been poor. The focus is placed on the transition. This theme of the decline from wealth to poverty was important in Greco-Roman culture,¹⁴ and I will discuss its affect on rabbinic texts in subsequent chapters.

On the whole, a small number of sections in Tannaitic texts address the reasons for individual poverty. In most of them, there is a close relationship drawn between poverty as a consequence of particular sins, which are usually related to misconduct in almsgiving. The context of these Tannaitic traditions is instructional — encouraging adherence to particular norms, such as giving alms to the poor and refraining from accepting alms if the support is unwarranted. Furthermore, the scant attention devoted to the causes of poverty in Tannaitic texts is often given to those who fall to poverty rather

Rabbi Shimon Shazuri said: “[My] father’s house [family] belonged to the householders (בעלי בתים) that in the Galilee. And for what reason was it [the family] destroyed? Because they held civil court cases with a single [judge] and [because] they raised small livestock [sheep, goats]; and even though we had thicket next to the town and a field separated between it (the thicket) from the town, and the cattle would go in and out thorough it (the field).

However, it is not clear whether the destruction of this family implies that they fell into poverty. If it does, this is an example where the relationship between a sin and its consequence is less discernable (at least to me). Another text which links misconduct to poverty is *t. Qidd. 5:15*. However, this passage does not specify types of misconduct that might lead to poverty.

¹⁴ Hamel, *Poverty and Charity*, 47. Transitions from wealth to poverty was common in the Roman society, as Seth Schwartz, "Political, Social, and Economic Life in the Land of Israel: 66-c. 235" in *The Cambridge History of Judaism: Volume IV: The Late Roman-Rabbinic Period* (ed. Steven T. Katz; Cambridge: Cambridge University Press, 2006), 43, writes:

[I]n this world, upward social mobility was possible, but downward mobility was not rare. Though in hard times –periods of extended drought, epidemic, war, or political instability – these processes were accelerated, they were never absent, since they were a fixed and necessary component of the pre-modern Mediterranean agrarian economy.

than the ordinary poor. As we shall soon see, in Amoraic texts, the link between specific behavior and poverty was further developed.

Amoraic Texts from the Land of Israel

Poverty as a Consequence

Amoraic texts from the land of Israel usually continue to apply the principle of "measure for measure," therefore maintaining a close connection between behavior and consequence as cause and effect. In several midrashim, poverty results from a refusal to give alms. For example, *Leviticus Rabbah* expounds the instruction in Isaiah to "take the wretched poor into your home" (Isa 58:7, JPS). The midrash explains the phrase the "wretched poor" (ועניים מרודים) through the etymology of the word מרודים (wretched). According to this midrash, this word comes from the root ירד (*y-r-d*, "to descend") thus, defining these poor as those who descended from their wealthy status:

"ועניים מרודים תביא בית" (ישעיהו נ"ח, ז'). . . אילו הן עניים מרודים, אילו בעלי בתים שירדו מנכסיהן. מי גרם להם שייענו, על ידי שלא פשטו ידיהם במצות, ועל ידי שלא עשו רצון אביהן שבשמים. לכך נאמ' "ועניים מרודים תביא בית."

"And bring the lowest poor (עניים מרודים) into your home," (Isa 58:7). Who are these "lowest poor"? These are householders who have lost their property. Who caused them to become poor? It was because they did not stretch their hands to [give] alms [*mitzvot*], and because they [therefore] did not carry out the will of their father in heaven. For such [a situation] it is stated [in Scripture]: "And bring the lowest poor (עניים מרודים) into your home," (Isa 58:7). (*Lev. Rab.* 34:13)

This midrash teaches that these householders fell into poverty because they avoided giving alms.¹⁵ In its textual placement within chapter 34 of *Leviticus Rabbah* that concerns charity, this midrash serves to encourage almsgiving.

Another verse that is used in a similar context is Deut 15:10, which conveys the promise that God will bless one who gives generously. *Leviticus Rabbah* includes this verse to explain socio-economic mobility in society:¹⁶

אמ' ר' אייבו "נתון תתן לו". אמ' ר' נחמן "כי בגלל הדבר הזה", הדין עלמא מידמי לגלגלא דאנטילייה, דמתמלא מתרוקן ודמתרוקן מתמלא.
Said Rabbi Aibu "Give him liberally" (Deut 15:10). Said Rabbi Nahman: "For (*biglal*) on this account" (Deut 15:10, NRSV)—this world is like a wheel (*galgal*) of buckets [for drawing water; the bucket] that is filled [with water] becomes emptied, and the one that is empty becomes filled.¹⁷(*Lev. Rab.* 34:9)

Rabbi Nahman compares this world - namely, society- to a water wheel. Just as each section of the wheel goes down empty, returns full, then becomes empty again, so too the people who give to the poor will receive more wealth; since they emptied themselves, they will become full again. Conversely, those who refuse to give (and therefore are full) will become poor (empty). As in the previous example, this midrash aims to encourage almsgiving by convincing the audience (whether readers or listeners) that giving from

¹⁵ Compare this midrash to the explanation of מרודים in the late Amoraic or post-Amoraic midrash, ARNB 14. Here the word מרודים is linked to the root *m-r-d*, which denotes "to rebel/revolt." In this text, poverty is a consequence of a rebellion against God. For the original biblical meaning of the word מרודים, see Avraham, "Marginal People," 235, especially note 37.

¹⁶ Another version of this midrash appears in *Lev. Rab.* 34:3:
אמ' ר' אייבו "נתון תתן לו". אמ' ר' נחמן "כי בגלל הדבר הזה" (דברים ט"ו י'), גלגל הוא והוא עובר על הכל.
Rabbi Aibu said: "Give him liberally" (Deuteronomy 15:10). Said Rabbi Nahman: "For (*biglal*) on this account" (Deut 15:10, NRSV)—this is a wheel (*galgal*) and it overtakes everyone.

See also in a later text: *Ruth Rab.* 5:9.
¹⁷ Rabbi Nahman's statement makes use of the similar sounds of the word בגלל that is translated here as "For on this account" (Deut 15:10, NRSV), and the word גלגל (wheel).

one's wealth will not cause poverty, but rather, it may prevent it; and refraining from almsgiving could actually lead to impoverishment. In practical terms, this metaphor also teaches that economic mobility – upward and downward - is inherent in human society as created and maintained by God.

Overall, the Amoraic texts from the land of Israel that discuss individual poverty as a consequence of one's own contributions to the poor (or the lack thereof) appear primarily in the context of encouraging almsgiving. The textual examples above give particular attention to those who could give to the poor, but avoid it, which is representative of this genre. In contrast to the wealthy who lost their position because of their refusal to give, the ordinary poor usually do not appear as sinners. Another significant pattern in these texts is that the sins that lead to poverty are mainly limited to the realm of giving and receiving charity.¹⁸

No One Can Avoid Poverty

Another view found in Amoraic texts from the land of Israel is the idea that no one can evade poverty, or at least no family can. In Yerushalmi *Gittin*, we read:

תני בר קפרא. אין לך אדם שאינו בא לידי מידה זו. אם לא הוא בנו. אם לא בנו בן בנו.
Bar Qappara taught: "You have no person that can avoid this measure [of poverty]; if not him – his son; if not his son – his grandson." (y. *Git.* 3:7, 45a)

¹⁸ I found a single Amoraic teaching from the land of Israel that implies that the condition of a particular poor person is a consequence of his sins: *Lev. Rab.* 27:1. See a discussion of this story in Visotzky, *Golden Bells and Pomegranates*, 130-131: "There seems to be the presumption that the victim was deserving of his poverty. God punishes strictly, perhaps without mercy, but in the end, justly. This is hardly valorization of the poor." (p. 131). However, the story does not specify the sins of this poor person.

The same tradition appears also in *Leviticus Rabbah*:¹⁹

” . . . ומבשרך לא תתעלם” (ישעיהו נ”ח, ז’), [בר קפרא אמר]²⁰ הוי רואה בשרו כבשרך, דתני בר קפרא אין לך אדם שאינו בא למידה הזאת, אם לא בא הוא בא בנו, אם לא בנו בן בנו.

"And you should not ignore your own flesh" (Isa 58:7), [Bar Qappara said] –you should see [regard] his flesh as your own flesh. Since Bar Qappara taught: "You have no person that does not come to this measure [of poverty]; if he does not come [to poverty]—his son comes; if his son does not [come to poverty] — his grandson [comes to poverty]." (*Lev. Rab.* 34 14)

According to this view, poverty is not necessarily a consequence of a particular behavior, but rather it exists in the world and no one can escape it. On the basis of its placement in *Leviticus Rabbah*, this teaching is linked to encouragement to give to the poor: it is better to help the poor because in the future the contributor (or his progeny) will inevitably encounter hardship and depend on those with the means for support. Empathy and sympathy towards the poor stem from the fact that poverty is part of the lot of everyone in the community; it is only a question of time until poverty reaches one's family. It is interesting to note that the view that no one can escape poverty exists along with the opinion that the one who refuses to give becomes poor. In the Babylonian Talmud, as we shall see, these two opinions become integrated in the same paragraph.

Babylonian Talmud

In the Babylonian Talmud, the opinion that no one can avoid poverty was integrated with the view that giving charity can prevent one from becoming poor:

¹⁹ See also *Ruth Rab.* 5:9.

²⁰ This part is missing in some manuscripts.

- (A) תניא ר' אלעזר הקפר בריבי אוי לעולם יבקש אדם רחמים על מדה זו שאם הוא לא בא [בא] בנו ואם בנו לא בא בא בנו שני בגלל הדבר הזה
- (B) תניא דבי ר' ישמעאל²¹ גלגל שהוא חוזר בעולם
- (C) אמ' רב יוסף דנקטינן האי צורבא מרבנן לא מעני
- (D) והא קא חזינן דמיעני²²
- (E) אהדורי אפיתחא לא מהדר²³
- (F) איל ר' חייא לדביתהו כי אתי ענייא אקדים ליה ריפתא כי היכי דלקדמי להו לבנייכי אמרה ליה מיליט קא לייטת להו איל קרא כתיי כי בגלל הדבר הזה ותאנא דבי ר' ישמעאל גלגל הוא שחוזר בעולם²⁴
- (G) תניא רבן גמליאל ב"ר אומי "ונתן לך רחמים ורחמך והרבך" כל המרחם על הבריות מרחמין עליו מן השמים²⁵ וכל שאינו מרחם על הבריות [אין] מרחמין עליו מן השמים²⁵
- (A) It has been taught in a Tannaitic tradition: Rabbi Elazar Ha-Qappar *birabi*²⁶ says: A person shall always ask for mercy concerning this measure [poverty] for if he does not come [to poverty], his son comes; and if his son does not come [to poverty], his grandson comes, [therefore] it is stated [in Scripture]: "For on this account" (Deut 15:10, NRSV).
- (B) It has been taught in a Tannaitic tradition of the School of Rabbi Ishmael: "It [poverty] is a wheel (*galgal*) that turns in the world."
- (C) Said Rav Yosef: "We hold [a tradition] that a Torah student²⁷ will not become poor."
- (D) But we see that [such a student] becomes poor!
- (E) [At least] he does not go begging at [other peoples'] doors.
- (F) Rabbi Hiyya said to his wife: "When a poor man comes, give him bread first [before he asks] so that [others] will give [bread] to your sons [before they ask]." She told him: "You are cursing them!" He told her: "[There is] a verse in Scripture [where] it is written: 'For on this account,' (Deut 15:10, NRSV), and it has been taught in a Tannaitic tradition of the School of Rabbi Ishmael: 'It [poverty] is a wheel (*galgal*) that turns in the world.'"
- (G) It was taught in a Tannaitic tradition: Rabban Gamliel bar Rabbi says: "And show you compassion, and have compassion on you, and multiply you," (Deut 13:18), [this

²¹ In Munich 95 אליעזר (Eliezer) occurs here, in contrast to all other manuscripts, therefore it seems to be a mistake.

²² Section D does not exist in Munich 95; the text here is according to Oxford Opp. Add. fol. 23.

²³ In the printed edition, the text is "אם איתא דמיעני, אהדורי אפתחא לא מהדר"

²⁴ Section F is mostly according to Oxford Opp. Add. fol. 23.

²⁵ The Hebrew and Aramaic text here is mostly according to Munich 95.

²⁶ According to Mordechai A. Friedman, *Jewish Marriage in Palestine: A Cairo Geniza Study*, Vol.2 (Tel Aviv; New York: Jewish Theological Seminary of America, 1981), 411-414, this term was used as a name for a family of rabbis or to indicate a son of a rabbi; Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 101; this word occurs also in inscriptions from the land of Israel. For example, S. Gutman, Z. Yeivin and E. Netzer, "Excavations in Synagogue at Hurvat Susiya" in *Ancient Synagogues Revealed* (ed. Lee I. Levine; Jerusalem: The Israel Exploration Society: 1981), 128.

²⁷ The phrase צורבא מרבנן is translated by Michael Sokoloff, *A Dictionary of Jewish Babylonian Aramaic of the Talmudic and Geonic Periods* (Ramat Gan: Bar-Ilan University Press, 2002), 956, as "a member of an intermediate scholarly class between the common people and the scholars."

verse teaches that] whoever shows compassion towards [God's] creatures is shown compassion from Heaven; and whoever does not show compassion towards [God's] creatures is not shown compassion from Heaven."²⁸ (*b. Shabb. 151b*)

According to Bar Qappara, in the Yerushalmi and *Leviticus Rabbah*, no one can evade poverty, however in the Babylonian Talmud, this lot can be averted by pleading for mercy and by giving to the poor. The Babylonian Talmud brings this passage (A) as a *baraita*—a Tannaitic tradition that originated in the land of Israel—yet this precept does not exist in Palestinian texts in this exact form; rather, this tradition combines several Palestinian teachings. For example, a request for mercy to the petitioner's level of subsistence occurs in *t. Qidd. 5:15*, while the idea that no one (or at least no family) can avoid poverty occurs in the Yerushalmi and *Leviticus Rabbah* passages above. However, citing Deut 15:10 at the end of this passage transforms its meaning since, according to this verse [as it is used here], giving to the poor saves one from poverty. Thus, according to the Bavli, poverty can be prevented. Section B presents the idea of the wheel, which occurred in *Leviticus Rabbah*. In the Babylonian Talmud, however, it is cited as a Tannaitic tradition.

Interestingly, the remark from Rav Yosef that follows (C) also implies that it is possible to stave off poverty:

Said Rav Yosef: "We hold [a tradition] that a Torah student will not become poor."

²⁸ A tradition that is similar to G occurs in *t. B. Qam. 9:30*; *Sifre Deuteronomy 96*; *b. Betzah 32b*.

According to Rav Yosef, Torah students (or novice Torah scholars) are shielded from falling into poverty. This statement indicates a noteworthy difference between the two centers: while in the land of Israel, at least according to Bar Qappara, no one (including the rabbis) is exempt from poverty, according to Rav Yosef, those who belong to the rabbinic circle are protected from poverty.

In the next section (D), the *stam* (the editorial stratum of the Talmud) of the *sugya* remarks:

But we see that [such a student] becomes become poor!

For later generations, this statement attributed to Rav Yosef was problematic since they (who added this comment) were familiar with a situation in which poor rabbis also exist. The contradiction between Rav Yosef's statement and the existence of poor young scholars was resolved with the talmudic comment (E):

[At least] he does not go begging at [other peoples'] doors.

Thus, in the event that a student of Talmud is poor, at least he does not go from door to door seeking assistance. Even if he is impoverished, a young scholar will not humiliate himself by begging. The timing of the addition (D), however, remains unclear.

Following the seeming resolution provided by (E), the Babylonian Talmud continues with two related traditions (F and G); both support the view that almsgiving and caring for the poor may offer protection from poverty.

Overall, this *sugya* presents two opinions regarding the factors that lead to poverty: 1) no one (or at least no family) can avoid poverty, and 2) refraining from giving

to the poor may lead to poverty. The *sugya*, however, creates a modification of the primary position with the second opinion, stating that giving to the poor is a precaution against poverty, thus reducing the role of randomness. Moreover other practices, such as prayers and being a Torah scholar, may also be effective in avoiding poverty.

Indeed, in the Babylonian Talmud, poverty as a consequence of wrongdoing was associated not only with almsgiving, but also with various other sins and inappropriate behaviors. An analysis of the sections from the Babylonian Talmud that discuss the actions that can lead to poverty highlights the limited scope of Palestinian textual explanations for poverty. For example, Bavli *Shabbat* lists three causes of poverty:

אמ' ר' אמ' ואמרי לה במתניתא תנא : שלשה דברים²⁹ מביאין את האדם לידי עניות ואלו הן המשתין
מים בפני מטתו ערום והמזלזל בנטילת ידים ומי שאשתו מקללתו בפניו.³⁰

Said Rabbi Ammi, but some say that it was taught in a Tannaitic tradition (*baraita*):
"Three things bring a man to poverty, and they are: the one who urinates in front of his bed naked; and the one who neglects [the *mitzvah* of] washing hands; and the one whose wife curses him to his face." (*b. Shabb. 62b*)

This text is presented in the Babylonian Talmud as either a *baraita* or a quotation by Rabbi Ammi, who was active in the land of Israel during the third century. However, no parallel version of this tradition can be found in the Palestinian texts. Here poverty is attributed to several inappropriate behaviors. None of them are related to almsgiving, but rather to forms of unhygienic, repulsive or rude personal conduct.³¹ In addition, this

²⁹ The word דברים is absent from Munich 95, but occurs in the majority of manuscripts.

³⁰ The version is mostly according to Munich 95. In the printed edition, Rabbi Abbahu is cited here, but all manuscripts cite Rabbi Ami.

³¹ Rashi explained this text according to *b. Pes. 111b*: according to that text, the demon of poverty is attracted to dirt or as Rashi calls it "a repulsive place" (מיאוס מקום).

Babylonian tradition focuses on poverty in general, rather than on the fall from wealth to poverty that is often emphasized in the texts from the land of Israel.

Bavli *Nedarim* provides two other reasons for poverty. Again, poverty is discussed generically here, without attention to prior status:

אמר רב חנין אמר רב: השומע הזכרת השם מפי חברו - צריך לנדוהו, ואם לא נידהו - הוא עצמו יהא בנדוי, שכל מקום שהזכרת השם מצויה - שם עניות מצויה, ועניות כמיתה . . . ותניא: כל מקום שנתנו חכמים עיניהם - או מיתה או עוני.³²

Said Rav Hanin said Rav: "The one who hears the utterance of God's name from the mouth of his fellow [in vain] should excommunicate him; and if he did not excommunicate him, [then] he himself [the one who heard] should be excommunicated. For wherever the utterance of God's name [in vain] is common, poverty is common. [...] and it is taught in a Tannaitic tradition: "Wherever sages set their eyes [with condemnation, there is] either death or poverty. (*b. Ned. 7b*)

According to this text, saying God's name when it is not required causes poverty,³³ as does the act of rabbis looking upon others with condemnation. Moreover, poverty is compared to death. This section from Bavli *Nedarim* closes with an element that appears several times in the Babylonian Talmud:

דתניא, רבן שמעון בן גמליאל אומר: "כל מקום שנתנו חכמים עיניהם - או מיתה או עוני."
It is taught in a Tannaitic tradition: Rabban Shimon Ben Gamliel says: "Any place in which the sages set their eyes on [with condemnation there is] either death or poverty."
(*b. Hag. 5b*)³⁴

This statement is presented as a *baraita* and in this version from Bavli *Hagigah* it is even attributed to Rabban Shimon Ben Gamliel. However, it has no parallel in texts from the land of Israel.

³² The text is according to the printed edition.

³³ It is forbidden to say God's name aloud when it is not required (i.e. outside the recitation of prayers or benedictions).

³⁴ See, also, *b. Mo'ed Qat. 17b*; *b. Sotah 46b*.

In addition to discussing various reasons for ordinary poverty, several traditions in the Babylonian Talmud also focus on the wealthy who fall into poverty, enumerating causes for their economic demise. For example, Bavli *Gittin* states:

אמר רבה, בהני תלת מיילי נחתי בעלי בתים מנכסיהון : דמפקי עבדיהו לחירותא, ודסיירי נכסייהו בשבתא, ודקבעי סעודתייהו בשבתא בעידן בי מדרשא³⁵

Rabbah said: [Due to] these three matters householders lose their property: Because they manumit their slaves, because they inspect their property on the Shabbat, and because they set their meal on the Sabbath at the time [of the sermon] in the study hall. (*b. Git.* 38b)

This text lists three actions that, according to Rabbah, may lead a householder into poverty. Two are related to Shabbat observance: 1) inspection of one's property on Sabbath is not permitted, although there is no actual prohibition against it, and 2) it is forbidden to schedule a Sabbath meal whose timing coincides with the rabbi's homily in the house of study. The third matter that may lead a householder into poverty is the manumission of his slaves.

The factors above only begin to describe the reasons for impoverishment described in the Babylonian Talmud. Bavli *Sukkah* also raises the topic of householders who lost their property:

(A) ובשביל³⁶ ארבעה דברים נכסי³⁷ בעלי בתים מוסרין למלכות על משהי שטרות פרועין ועל מלוי בריבית ועל שהיה בידם למחות ולא מיחו ועל פוסקי צדקה ברבית ואינן נותנין.
(B) ובשביל ארבעה דברים נכסי בעלי בתים יורדין לטמיון על כובשי שכר שכיר (ועל עושקי שכר שכיר)³⁸ ועל אותן שפורקין עול³⁹ מעל צואריהן ונותניי על חביריהם ועל גסות הרוח וגסות הרוח כנגד כלם⁴⁰

³⁵ The version here is according to the printed edition, since there are no significant variations.

³⁶ In this section and in the following (A+B): ועל occurs in Munich 95 however in almost all other manuscripts, appears ובשביל.

³⁷ In some manuscripts, such as: London - BL Harl. 5508 (400), Oxford - Bodl. heb. e. 51 (2677), New York - JTS Rab. 1608 (ENA 850), and New York - JTS Rab. 218 (EMC 270), the word here is ממונן.

- (A) Because of four matters the property of householders is handed over to the authorities: those who hold [already] paid writs of indebtedness; those who lend on interest; those who had the ability to protest but did not do so; and, those who pledged to give charity in public, but did not give.
- (B) And because of four matters the property of householders is given to the treasury [the Roman *aurarium*]: those who delay the payment of a laborer's wage; those who withhold the laborer's wage; those who throw the yoke from their [own] neck[s] and put it on their fellows; and due to arrogance. And arrogance is equal to them all [together]. (b. *Sukkah* 29a-b)

Part (A) of this text deals with four reasons why a householders' property would be given to governmental authorities, resulting in impoverishment. This text originally appears in the Tosefta (*Sukkah* 2:4) with a slight difference: the householders themselves are submitted to the authorities and not their property. Perhaps the outcome is the same. However, in the Babylonian version, it is clear that the focus is on the wealthy who become poor, and the sins that are catalysts for their downfall. The discussion of householders, who have lost their property (B), does not appear in the Tosefta. Here, the first two reasons for this loss of property are types of unjust behavior toward employees. The third, throwing "the yoke from their neck and put it on their fellows," probably refers to avoiding communal responsibility. The fourth reason is גסות הרוח which has been translated as "presumptuousness" by Jastrow, but in this particular context may convey "arrogance," since it is presented in contrast to humility. Arrogance is presented here as

³⁸ This part is missing from Munich 95, but occurs in several of the other manuscripts and in the printed edition.

³⁹ The word עול does not occur in Munich 95, but it is found in most manuscripts.

⁴⁰ The version is mostly according to Munich 95.

the most serious factor leading to impoverishment. In this case, arrogance may stem from the wealth of these householders, which then triggers the loss of the property that was the very source of their exaggerated pride.

Arrogance is associated with poverty in other places in the Babylonian Talmud,⁴¹ such as *Shabbat* 33a:

תנו רבנן, ארבעה סימנין הן: סימן לעבירה - הדרוקן, סימן לשנאת חנם - ירקון, סימן לגסות הרוח - עניות, סימן ללשון הרע - אסכרה.⁴²

The rabbis have taught [in a Tannaitic tradition], "There are four signs: The sign of a transgression is dropsy [*hydrokan*]. The sign of gratuitous hatred is jaundice. The sign of arrogance is poverty. The sign of evil talk is *askarah* [croup or diphtheria]." (*b. Shabb. 33a*)

According to this *baraita*, poverty appears together with three illnesses as indicators of specific transgressions. For example, *askarah* (אסכרה) - a condition that commentators interpret as croup or diphtheria - is described as a result of speaking evil speech. Poverty is rooted in arrogance.⁴³ Therefore, economic downfall is not a random event, but the outcome of a specific behavior. This concept resembles one of the depictions of poverty in Proverbs, as Crenshaw put it:

. . . People who found themselves in a miserable situation must surely have possessed some character flaw, sometimes visible but often concealed from public scrutiny.⁴⁴

Here too, it is noteworthy that even though this passage (*b. Shabb. 33a*) is introduced as a *baraita*, it has no parallel in Tannaitic or Amoraic literature from the land of Israel. In

⁴¹ See also *b. Sanh. 24a*.

⁴² The version is according to the printed edition, since there are no significant variants.

⁴³ The *stam* stratum in *b. Qidd. 49b* explains that the word עניות, which appears as part of the phrase "סימן לגסות - עניות," does not refer to literal poverty, but rather poverty of Torah. Rashi explains the *baraita* in *b. Shabb. 33a* according to *b. Qidd. 49b*, as "poverty of Torah knowledge."

⁴⁴ Crenshaw, "Poverty and Punishment," 396.

contrast to the Babylonian sources, in Palestinian texts such as *t. Neg.* 6:7, plagues (נגעים) are typically mentioned as the punishment for arrogance (גסות הרוח).⁴⁵ Thus, rabbinic texts from the land of Israel show no link between arrogance and poverty.

So far, we have seen that the Babylonian Talmud attributes poverty to various sins and inappropriate behaviors, and furthermore, it associates poverty with death and arrogance. Despite the Bavli's presentation of these teachings via sources from the land of Israel, in most cases there are no extant Palestinian parallels. On the few occasions when similar traditions are known, the Babylonian version is not identical to its parallel from the land of Israel. In addition, while most Palestinian texts offer explanations for the drop in economic status from wealth to poverty, Babylonian traditions are as likely to engage the reasons for poverty in general. By way of contrast, the breadth of material in Babylonian texts reveals the limited explanations range of texts from the land of Israel, where poverty is predominantly understood as punishment for insufficient almsgiving.

Beyond exploring its causes, Babylonian Talmud also includes practical advice for avoiding poverty. This guidance is related to the pursuits of certain demons that influence material welfare. For example, Bavli *Pesahim* states:

תלאיי בביתא - קשי לעניותא, כדאמרי אינשי : תלא סילתא - תלא מזוניה. ולא אמרן אלא ריפתא,⁴⁶
אבל בישרא וכוורי - לית לן בה, אורחיה היא. פארי בביתא - קשי לעניותא. נשוורא⁴⁷ בביתא - קשי

⁴⁵ See also *Sifra, Metzora, Parashah 5*, Chapter 155.

⁴⁶ There are variations among the different manuscripts, for example: ריפתא occurs in Munich 95, New York - JTS Rab. 1623/2 (EMC 271), and Oxford Opp. Add. fol. 23; בנהמא occurs in Munich 6 and New York - JTS Rab. 1608 (ENA 850) and בלהמא occurs in Cambridge - T-S F2 (2) 16.

⁴⁷ See these manuscripts for variations.

לעניותא. בלילי שבתות ובלילי רביעיות⁴⁸ - שרו מזיקין עילויה. איסרא דמווני נקיד שמיא, איסרא דעניותא נביל⁴⁹ שמיא. צעא אפומא דחצבא - קשי לעניותא.⁵⁰

Suspended objects in a house lead to poverty. As people say: [If] he hung up his basket he has suspended his livelihood. And we have said all this only about bread, but [about suspending] meat and fish we do not [worry, since] this is their way. Bran in a house leads to poverty. Crumbs in a house leads to poverty. On the eve of the Shabbat and on the eve of Wednesdays demons reside on them. The name of the angel of sustenance is *Nakid* (נקיד = clean, clear); the name of the angel of poverty is *Navil* (נביל = dirt, filth?). A plate on the mouth of the pitcher leads to poverty. (*b. Pes.* 111b)

This paragraph appears in a section (*sugya*) which discusses demons and how to deal with them (*b. Pes.* 109b-112 b). This *sugya* reflects the cultural environment of Zoroastrianism, the ruling religion under the Sassanid regime in Babylonia. According to Zoroastrian belief, good and bad demons are constantly roaming the earth. However, humans can limit the potency of evil demons through careful behavior and correct practices.⁵¹ The causal relationship between dirt and poverty in this *sugya* is harmonious with the local belief that the demons are attracted to the leftover food that has not been

⁴⁸ See these manuscripts for variations

⁴⁹ נביל appears in most manuscripts.

⁵⁰ The version is mostly according to the printed edition, with corrections as noted.

⁵¹ Mary Boyce, *A History of Zoroastrianism: Volume One: The Early Period* (Second Impression with Corrections; Leiden: E. J. Brill: 1989), 85. Even though demons appears in texts from the land of Israel, scholars have shown that a particular set of demons is included in the Babylonian Talmud which originated in Iranian mythology, and see Isaiah M. Gafni, *The Jews of Babylonia in the Talmudic Era: A Social and Cultural History* (Jerusalem: The Zalman Shazar for Jewish History, 1990), 167-172; Isaiah Gafni, "Babylonian Rabbinic Culture," in *Cultures of the Jews: A New History* (ed. David Biale; New York, Schocken Books, 2002), 244: "One seemingly obvious example of contact between popular Iranian culture and statements recorded in the Babylonian Talmud relates to the realm of demons and demonology. To be sure, a belief in the existence of vast armies of demons and spirits existing alongside human beings and constantly interacting with them was shared with all the people of the Ancient Near East. . . . The universality of belief in demons and spirits notwithstanding, it is nevertheless in the Babylonian rabbinic corpus that we sense a true affinity to specific demonological images prominent in Iranian religious thought." And see the entire discussion there.

cleaned up.⁵² Moreover, according to this text, the name of the angel or demon of subsistence is Nakid, which is also the Aramaic adjective for “clean” and “clear”.⁵³ Thus, subsistence is directly related to the ability to maintain a clean house.

The relationship between crumbs and poverty also appears in Bavli *Hullin*:⁵⁴

א' אביי מריש הוה אמיני האי דכנשי נשווארא משוי' מנקדותא א' לי מר משום דקשי לעניותא
ההוא דהוה קא מהדר אבתריה שרא דעניותא ולא הוה קא יכיל ליה משום דהוה קא זהיר בנשווארא
טובא יומא חד {נ} אכיל נהמא אייבילי א' השתא וודאי נפיל בידאי בתר דאכיל אייתו מרא עקרינהו
ליבלא שמעיה דקא' ווי אפקיה ההוא גברא מביתיה⁵⁵

Said Abaye: I previously thought that the reason for sweeping (lit. this that they sweep) crumbs was because of cleanliness [but then] the master said to me [that they sweep] because they lead to poverty.

[There was] a certain [man] whom the angel of poverty was pursuing but could not prevail over him because he was very careful with crumbs. One day he [the man] was eating bread over cynodons [grass]. Said [the angel]: "Now certainly he will fall into my hands!" After he ate, he brought a spade [and] uprooted the cynodons.⁵⁶ He heard [the angel] say: "Woe! He has expelled that man (me) from his home!"⁵⁷ (*b. Hullin* 105b)

In this text, the demon can only attack one who did not meticulously clean crumbs after eating. The importance of cleanliness in the Zoroastrian belief system has been described by Mary Boyce:

Cleanliness extends also to places of abode; Zoroastrian houses are always well swept and dusted, and before a high festival or family holy day everything is brushed, washed or scoured with especial zeal.⁵⁸

⁵² The arrival of demons at night is described by Boyce, *A History of Zoroastrianism: Volume One*, 86: "These wicked beings could work evil at any time of day or night; but their powers were naturally thought to be greatest during the hours of darkness, and it was then that they did most harm . . ."

⁵³ Sokoloff, *A Dictionary of Jewish Babylonian Aramaic*, 775.

⁵⁴ About this *sugya*, see Yaakov Elman, "The World of the 'Sabboraim': Cultural Aspects of Post-Redactional Additions to the Bavli," in *Creation and Composition: The Contribution of the Bavli Redactors (Stammim) to the Aggadah* (ed. Jeffery L. Rubenstein; Tübingen: Mohr Siebeck, 2005), 409-411.

⁵⁵ The version is mostly according to Vatican 122.

⁵⁶ According to some manuscripts, the version is "he cast what he had uprooted to the river."

⁵⁷ However, Rashi explains: "the man heard the angel said: "This one forced me out of my resting place."

⁵⁸ Mary Boyce, *A History of Zoroastrianism: Volume One*, 310.

In rabbinic texts from the land of Israel, there is no such link between poverty and dirt. Neither is any connection drawn between demons and poverty. If such views circulated in the land of Israel, rabbinic texts show no evidence of them.⁵⁹ This cultural comparison further underscores the circumscribed reasons for poverty presented by Palestinian rabbinic texts in comparison to the range described in the Babylonian Talmud.

Prenatal and Astrological Determination of Socio-Economic Status in the Babylonian Talmud

While most Babylonian traditions indicate that poverty is a consequence of misconduct and sin, there is also an opinion that a person's socio-economic status is determined before birth or according to astrological lot upon birth, meaning that the poor cannot be held responsible for their economic situation. Bavli *Niddah* conveys the idea that poverty and wealth are prenatally determined by God:

דדריש ר' חניני בר פפי אותו מלאך הממוני על ההריון לילה שמו ונוטל טיפי ומעמיד' לפני הק"ב ואוי
לפניו רבו' ש"ע טיפי זו מה תהי עליה גבור או חלש טפש או חכי עני או עשיר אבל רשע וצדי לא כדרי
חניני דא"ר חניני הכל בידי שמי חוץ מיראי שמים שני ועתה ישרי מה יי אלהיך שואל מעמד כי אם
ליראי וגוי

Rabbi Haninnah bar Papa expounds: This angel who governs over conception his name is *Laylah* (night). He takes a drop and places it before the Holy One, blessed be He, and says before Him: Master of the Universe, this drop what would be with it? [Would the future person be] strong or weak? Stupid or wise? Poor or rich? But [the angel does not ask whether it would be] wicked or righteous, and it is in accordance with] Rabbi Haninnah[s view]. For Rabbi Haninnah said: "Everything is in the hands of Heaven,

⁵⁹ The closest textual comparison that I found is: *t. Shabb.* 6:16 (Lieberman 25):

נפל נחש על גבי מטה ואמ' עני הוא וסופו להעשיר . . . הרי זה מדרכי האמורי

If [when] a snake fell upon a bed, one said: "He is poor, but he will become wealthy . . ." this [saying] is [considered an imitation] of the Amorite ways.

However, there is no mention of demons here, but rather an explanation that seems related a superstitious practice involving a falling snake.

except for the fear of Heaven; for it was stated in Scripture: "And now, O Israel, what does the Lord your God demand of you? Only this: to revere the [Lord your God, to walk only in His paths, to love Him, and to serve the Lord your God with all your heart and soul]" (Deut 10:12, JPS). (*b. Nid.* 16b)

According to this text, people can only control their own morality, whether to be evil or righteous. Everything else, including poverty and wealth, is beyond human control. From this perspective, the poor cannot be held responsible for their poverty. Rabbi Haninnah bar Papa lived in the land of Israel during the third- to early-fourth centuries. However, no parallel to this selection is found in Palestinian texts.

In another tradition (*b. Shabb.* 156a), socio-economic status is determined by the day of the week when the birth occurs, or according to an astrological sign. Not all rabbis accepted celestial influence as a determining factor of one's lot. This doubt regarding astrological influences can be seen later in the *sugya*, where stories tell how a Jew can escape his astrological fate by giving alms. These texts further illustrate the range of concepts regarding the causes of individual poverty (and wealth) in the Babylonian Talmud. Nevertheless, it must be acknowledged that most texts in the Bavli support the position that human responsibility has a role in one's socio-economic status.

Conceptualizing Poverty: Comparing the Two Centers

Exploring concepts of poverty in rabbinic texts reveals consistent differences between Babylonia and the land of Israel. In several texts from the Babylonian Talmud, poverty is presented as one of the harshest forms of hardship that a person could endure:

דרש ר' פנחס בר חמא קשה עניות בתוך ביתו של אדם יותר מחמשים מכות שני חנוני חנוני אתם ריעי כי יד יי נגעה בי מה אהדרוה ליה חבריה השמר אל תפן אל און כי על זה בחרת מעוני.⁶⁰
 Rabbi Pinhas bar Hama expounded: Poverty in a man's house is more difficult than fifty plagues, as stated [by Job]: "Have pity on me, have pity on me, O you my friends, for the hand of God has touched me!" (Job 19:21, NRSV). And how did his friends reply? "Beware! Do not turn to iniquity; because you would choose [this lot over] poverty" (Job 36:21). (*b. B. Bat.* 116a)

Here poverty is harder than the fifty plagues suffered by Job. Rashi, in his commentary on this *sugya*, explains the words of Job's friends as: "It is better for you to suffer these fifty plagues than to experience poverty; and you have gold, silver and lands, and, therefore, God shows you greater mercy than He grants to many others who are poor." The Babylonian Talmud attributes this midrash to Rabbi Pinhas bar Hama, a fourth-century Palestinian Amora. However, this is yet another example of a cited tradition that does not exist in any known Palestinian text.

As I have mentioned, in several places in the Babylonian Talmud, poverty is considered similar to death, and they are both described as punishments that were inflicted by the rabbis. For example, let us look again at *b. Ned.* 7b:

ועניות כמיתה, שנאמר: (שמות ד) כי מתו כל האנשים,⁶¹ ותניא: כל מקום שנתנו חכמים עיניהם - או מיתה או עוני.⁶²

[A]nd poverty is like death, as stated [in Scripture]: "For all the people [who were seeking your life] are dead," (Exod 4:19);⁶³ and it was taught in a Tannaitic tradition: "Any place in which the sages set their eyes on [with condemnation there is] either death or poverty." (*b. Ned.* 7b)

⁶⁰ The version is according to Munich 95 and Vatican 115.

⁶¹ In Munich 95 and Vatican 487.1, a different verse is cited here: Num 16:29, which refers to the story about Dotan and Aviram. However, in Vatican 110, the printed editions, and the manuscripts that several of the Rishonim (such as Rashi and Ran) worked from, the verse cited is Exod 4:19.

⁶² The text is according to the printed edition.

⁶³ Adapted from NRSV.

The idea that the verse “for all the people [who were seeking your life] are dead” (Exod 4:19) refers to Dotan and Aviram, who rebelled against Moses’ leadership, occurs in several midrashim. In its original usage, this verse does not signal the tale of Dotan and Aviram in Numbers 16, but probably referred to those who forced Moses to flee from Egypt (Exod 2:14-15). Midrashim from both centers, however, read this verse, which does not mention the names of Dotan and Aviram, as referring to them. According to this reading, the midrashim assume that since this verse relates the death of Dotan and Aviram, although they are also active later in the narrative, the mention of their death in this verse indicates their loss of property. Thus, this drastic change in their economic status is compared to death. Yet, there is a difference between the midrashim from the land of Israel and their Babylonian parallels. In the Palestinian versions, lifelong poverty is not compared to death; this analogy is only applied to the decline from wealth to poverty, as in losing one’s property. However, in the Babylonian texts, poverty under any circumstance is compared to death.⁶⁴ Moreover in the Babylonian Talmud, the association between poverty and death is developed in greater detail and appears more often than in the Palestinian texts.

Let us now compare two versions of another midrash, one that appears twice in the Babylonian Talmud and another found in *Genesis Rabbah*—an Amoraic midrashic

⁶⁴ Gray, “The Formerly Wealthy Poor,” 105, notes the fact that, in contrast to Palestinian texts, the Babylonian Talmud shows no interest in those who lost their wealth.

collection from the land of Israel. In a *baraita* that appears in the Babylonian Talmud, poverty is presented as a hardship akin to death:

ותני' ארבע' חשובים כמת ואלו הן עני ומצורע וסומ' ומי שאין לו בני עני דכי' כי מתו כל האנשי'
And it has been taught in a Tannaitic tradition: "Four are considered as [if they were] dead. They are: a poor man, a *metzora*,⁶⁵ a blind man, and one without children. "A poor man," for it is written [in Scripture]: "For all the people [who were seeking your life] are dead," (Exod 4:19) . . . (*b. Ned.* 64b)

A similar tradition appears also in Bavli *Avodah Zarah*:

הכתי' אכן כאד' תמותון. מאי מיתה? עניות, דאמי' מר ארבעה חשובין כמתים: עני ומצורע וסומא ומי שאין לו בנים. עני דכתיב "כי מתו כל האנשים המבקשים את נפשך" ומאי נינהו? דתן ואבירם מהוה הו' אלא שירדו מנכסיהם

It is written in Scripture "But you shall die as men do," (Ps 82:7, JPS). What is [the meaning of] death [in this verse]? Poverty, for a master said: "Four are considered as dead: a poor man, a *metzora*, a blind man, and the one who has no children." "A poor man" for it is written [in Scripture]: "for all the people [who were seeking your life] are dead," (Exod 4:19).⁶⁶ And who are they? Dotan and Aviram. [But] they were [still] alive! Rather [in this verse, death means that] they had lost their property. (*b. Avod. Zar.*5a)

In both Babylonian texts the story about Dotan and Aviram is cited to assert that poverty is equal to death. A parallel version to these Babylonian texts appears in *Genesis Rabbah*. Here, however, the teaching is not presented as a Tannaitic text, but as a quotation from the Amora Shmuel:

אמר שמואל ארבעה חשובין כמת, סומא ומצורע ומי שאין לו בנים ומי שירד מנכסיו . . . מי שירד מנכסיו "כי מתו כל האנשים" וגו' (שמות ד יט) [וכי מתים היו] והלא דתן ואבירם היו, אלא שירדו מנכסיהם.

Shmuel said: Four are considered as dead: a blind man, a *metzora*, the one who has no children, and the one who has lost his property (ירד מנכסיו). The one who has lost his property [for it is written in Scripture]: "For all the people [who were seeking your life] are dead," (Exod 4:19). Were [these people in fact] dead? Rather they were Dotan and Aviram, who had lost their property. (*Gen. Rab.* 71; Theodor-Albeck 829-830)

⁶⁵ A *metzora* is a person who suffers from the skin disease discussed in Leviticus 13.
⁶⁶ Adapted from NRSV.

While in *Genesis Rabbah* the fall from the wealth is the main concern, and this is exactly what happened to Dotan and Aviram, in the Babylonian Talmud, poverty itself is a type of death.

This concept may fit the Babylonian tradition that links wealth, the Divine Presence and prophecy:

- (A) אמר רבי חמא בר' חנינא : לא העשיר משה אלא מפסולתן של לוחות, שנאמר : (שמות לד, א) פסל לך שני לוחות אבנים כראשונים, פסולתן שלך יהא
(B) . . . אמר ר' יוחנן : אין הקדוש ברוך הוא משרה שכינתו אלא על גבור ועשיר וחכם ועניו . . .
(C) . . . אמר ר' יוחנן : כל הנביאים עשירים היו . . .⁶⁷

- (A) Said Rabbi Hamma the son of Rabbi Hanina: Moses became rich only from the [discarded] chips⁶⁸ from the tablets, for it was stated [in Scripture]: "Carve for yourself (לך) two tablets of stone like the first," (Exod 34:1). Their chips will be yours (שלך).
(B) Said Rabbi Yohanan: "The Holy One, blessed be He, lets his Presence rest only upon [one who is] mighty and wealthy and wise and humble . . ."⁶⁹
(C) Said Rabbi Yohanan: "All of the prophets were wealthy . . ." (*b. Ned.* 38a)

Although the idea that Moses became wealthy from the chips of the tablets appears in texts from the land of Israel,⁷⁰ the Babylonian Talmud goes further. According to *b. Ned.* 38a, Rabbi Yohanan, a famous third-century Palestinian Amora, claimed that wealth is one of the requirements for prophecy and that without it, the *Shekhina*—the Divine Presence—cannot arrive. Not only does no such notion appear in texts from the land of Israel, but according to the Yerushalmi, there is no wealth before God. A

⁶⁷ This version follows the printed edition since there are no significance variations.

⁶⁸ According to Artscroll's translation, "the chips" refers to: "the [fragments] hewn away [in carving]."

⁶⁹ This saying from Rabbi Yohanan also appears in *b. Shabb.* 92a, but there the citation is introduced by the phrase, "that master said" (דאמר מר).

⁷⁰ See, for example, *Sifre Numbers* 101; *y. Sheqal.* 5:2, 49a; *Lev. Rab.* 32:2.

paragraph in the Yerushalmi explains the verse in 1 Chronicles, where King David speaks to his son, Solomon:

וְהִנֵּה בְּעֲנִי הַכִּינּוּתִי לְבֵית־יְהוָה זָהָב כַּכָּרִים מֵאֵה־אֶלֶף וְכֶסֶף אֶלֶף אֲלָפִים כַּכָּרִים וְלִנְחָשֶׁת וְלִבְרֹזֶל אֵין מִשְׁקָל כִּי לְרֹב הָיָה וְעַצִּים וְאַבְנִים הַכִּינּוּתִי וְעַלֵּהֶם תּוֹסִיף:

In my poverty, I have provided for the house of the Lord one hundred thousand talents of gold, one million talents of silver, and bronze and iron beyond weighting, for there is so much of it, timber and stone too I have provided. To these you must add more (1 Chr 22:14 based on NRSV).

The Yerushalmi explains David's description of himself, "in my poverty (בעניי)," while making ready the vast wealth and materials that were required to build the Temple:

אמ' ר' אבין. מהו "בעניי". שאין עשירות לפני מי שאמר והיה העולם.
Said Rabbi Avin: What is [the meaning of] "in my poverty" (1 Chr 22:14)? [It comes to teach] that there is no wealth before the [One] who spoke and the world came into existence. (y. *Peah* 4:3, 18b; *B. Metz.* 14, 7d; *Git.* 8:3, 49c)

According to Rabbi Avin, in contrast to human norms, wealth and poverty have no importance before God.⁷¹ Therefore, despite the riches that King David assembled for the Temple, before God he presented himself as poor.

We see then that poverty was understood differently in rabbinic texts from the two rabbinic centers. Unlike the Babylonian Talmud, texts from the land of Israel lack any analogy between ordinary poverty and death, nor do they consider wealth a

⁷¹ The contrast between humans and God in their attitude to wealth and poverty also appears in another section of the Yerushalmi:

רבי שמעון בן לקיש אמר בשר ודם יש לו קרוב אם היה עשיר הוא מודה בו ואם היה עני כופר בו אבל הקדוש ברוך הוא אינו כן אלא אפילו ישראל נתונין בירידה התחננה הוא קורא אותם אחי וריעי ומה טעם למען אחי וריעי
Rabbi Shimon ben Laqish said: "[When] flesh and blood (a human being) has a relative: if he [the relative] is rich, he acknowledges him; and if he [the relative] is poor, he ignores him. But the Holy One, blessed be He, is not like that, even if Israel is on the low [stage of a] decline, He calls them: "My brothers and My friends." On what [biblical] grounds? "For the sake of my relatives and friends," (Ps 122:8, NRSV). (y. *Ber.* 9:1, 13b)

requirement for receiving the presence of *Shekhina*. Moreover, according to the Yerushalmi, wealth and poverty are human categories which have no meaning for God.

These differences complement the contrasting understandings of the causes of poverty in the two cultural centers. We have seen that in the Babylonian Talmud poverty was linked to specific transgressions and forms of misconduct, with the assumption that the poor are responsible for their situation because of their actions. It is possible, however, that the Babylonian rabbis describe poverty as a punishment in order to deter their audience from particular behavior. In any case, the two rabbinic centers consistently present their different concepts of poverty. While in the land of Israel poverty as a punishment is often linked to inappropriate actions in the sphere of almsgiving, in Babylonia, poverty was linked to a long list of deeds that even include maintaining cleanliness in one's house. In the final part of this chapter, as well as in the next chapter, I will attempt to provide explanations for these differences.

Sources of Difference

In recent decades, scholars have devoted considerable effort to explaining the differences between rabbinic traditions in the Babylonian Talmud and the Talmud of the land of Israel. Several factors have been raised that affected the differences between the two rabbinic centers. Among them, three elements are especially relevant when considering their treatment of poverty: 1) different methods of exegesis that developed in the two centers; 2) the particularities of their cultural and political environments – the

land of Israel was part of the Roman world, whereas Babylonia, under the Sassanid Empire, was heavily influenced by Zoroastrianism; and, 3) the role and socio-economic standing of rabbis within their respective Jewish communities. Indeed, it is very difficult to examine any one of these factors in isolation and there is no doubt that such narrow attention may oversimplify a complicated picture, obscuring the path to an accurate and complex explanation. Nevertheless, let us look at some of the differences between rabbis in these two centers that pertain to our discussion.

Methods of Textual Interpretation

The limited scope for explaining the causes of poverty in texts from the land of Israel compared to texts from Babylonia may be stem from differing approaches to textual interpretation. In the land of Israel, the principle of "measure for measure," which emphasizes the close relationship between behavior and consequence, first appeared in Tannaitic traditions and continued to be influential in Amoraic ones as well. According to this reasoning, falling from wealth into poverty was mainly linked to misconduct in almsgiving. In Babylonia, on the other hand, since this principle did not hold the same central role in rabbinic thought, the intellectual environment allowed for more varied interpretations and attributed causes for poverty.⁷²

⁷² Yaakov Elman, "Righteousness as Its Own Reward: An Inquiry into the Theologies of the Stam," *Proceedings of the American Academy for Jewish Research* 57 (1991): 45, shows that a number of Babylonian *sugyot* do not accept the Palestinian notion of "measure for measure."

Distinct Cultural and Political Environments

The Babylonian and Palestinian rabbinic centers flourished under two different regimes, the Sassanid Empire and the Roman Empire (which later becomes Christian). In the Babylonian context, we already mentioned its Zoroastrian religious milieu. The most discernable evidence of this influence is the demonology that was linked to poverty and subsistence, found in the Bavli but not in Palestinian texts. In the Greco-Roman context, which I will deal with extensively later in this study, rabbinic attention to the wealthy who became impoverished, neglecting the reasons for ordinary poverty, is especially noteworthy. This sensitivity is stronger in Palestinian texts, relative to the Babylonian Talmud. As noted, the decline from wealth to poverty was an important theme in Greco-Roman culture,⁷³ and in practical terms, it was a widespread phenomenon in Palestine, especially during periods of political crisis or drought years. It is also feasible that individual ordinary poverty was so common in the land of Israel that it did not merit extensive explanations, was not perceived as a severe punishment, and therefore was not compared to death.⁷⁴

⁷³ Brown, *Poverty and Leadership*, 59; Parkin, "You Do Him No Service," 65.

⁷⁴ However, this explanation ignores the fact that in the Greco-Roman world poverty was considered a curse, as Edward Moore, "Wealth, Poverty, and the Value of the Person: Some Notes on the Hymn of the Pearl and its Early Christian Context" in *Wealth and Poverty in Early Church and Society* (ed. Susan R. Holman; Grand Rapids, MI.: Baker Academic, 2008), 57, writes: "The belief that poverty is a result of a curse from the gods, or the activity of a malevolent demon, went back to archaic Greece, as did the consequent idea that the poor are unworthy of any attention, solace, or compassion." John A. McGuckin, *The Westminster Handbook to Patristic Theology* (Louisville: Westminster John Knox Press, 2004), 359.

The Socio-Economic and Political Standing of the Rabbis

Scholars have argued that the majority of Babylonian Amoraim were well-to-do and held a high standing in the Jewish community. This assertion may be supported by Rav Yosef's comment, as discussed above: "We hold [a tradition] that a Torah student (צורבא מרבנן) will not become poor," (*b. Shabb. 151b*). The notion that a young Torah scholar would be shielded from poverty may stem from the Babylonian reality in Rav Yosef's time, when most rabbis were wealthy. Even though, according to the Babylonian Talmud, some Torah scholars were poor early in their careers, many of these sages became wealthy upon being appointed as rabbis.⁷⁵

Moshe Beer has argued that in Persia, prior to and then during Sassanid rule, society was strictly divided by class.⁷⁶ In contrast to this rigid hierarchy, Beer describes several Babylonian stories about rabbis who become wealthy as their stature increased.⁷⁷ In Babylonia, according to Beer, wealth was important to the public standing of a rabbi and was therefore considered vital.⁷⁸ Beer also notes that the fear of poverty that existed among Babylonian rabbis was based on the fact that in Persia, leadership required wealth.⁷⁹

Richard Kalmin describes distinctions between the rabbis in Babylonia and their peers in the land of Israel:

⁷⁵ See descriptions in the next chapter.
⁷⁶ Beer, *The Babylonian Amoraim*, 258.
⁷⁷ *Ibid.*, 258-271.
⁷⁸ *Ibid.*, 342-343.
⁷⁹ *Ibid.*, 343-346.

Babylonian sources . . . depict a rabbinic movement more secure in its social position, less economically dependent on outsiders, and more powerful than its Palestinian counterpart.⁸⁰

Kalmin also notes the differences concerning their association with outsiders:

Babylonian Rabbis tended to avoid contact with other Jews, particularly those they perceived as their inferiors, and therefore as unable to benefit them socially or economically. . . . In this respect, Jewish society in Babylonia had more in common with Persian than with Roman models, since Persian society discouraged movement and interaction between classes, in contrast to Rome, where upward (and downward) movement from one class to another was a relatively common phenomenon.⁸¹

If these descriptions are accurate, they may explain some of the differences noted here between the Bavli and texts from the land of Israel regarding attitudes towards poverty, such as the Babylonian comparison of poverty to death, linking poverty to a list of sins and misconducts, as well as to filth and arrogance.⁸² This contextualization of the rabbis and their geographic, political and economic contexts may help us to better understand the different views of poverty recorded in the two centers.

⁸⁰ Richard Kalmin, *The Sage in Jewish Society of Late Antiquity* (London and New York: Routledge, 1999), 7; see also page 43 regarding the contacts of rabbis with poor people.

⁸¹ Richard Kalmin, *Jewish Babylonia between Persia and Roman Palestine* (Oxford: Oxford University Press, 2006), 3; see also pages 179-181, in regard to Babylonian rabbis' contact with the poor in compared to Palestinian rabbis' encounter with poor people.

⁸² As has already been stated, in Palestinian texts, poverty was not typically compared to death, and particular attention was placed on those who had fallen from wealth to poverty. Gray, "Redemptive Almsgivings," 170-174, mentions several Babylonian stories in which contact with poor people posed danger. I offer that the overall pattern of explanations for poverty in the Bavli should be considered when analyzing these stories.

Conclusion

Palestinian rabbinic explanations of poverty and attitudes towards the poor seem to convey significant differences from those found in the Babylonian Talmud. While Babylonian texts mainly describe ordinary poverty and understand it as a consequence of an array of improper behavior and sins, in rabbinic literature from the land of Israel the focus was not on ordinary poverty, but rather on the wealthy whose economic status deteriorated to the extent that they became poor. On the occasions when misconduct is mentioned as a cause of this transition, it was usually in the realm of almsgiving in accordance with the rule of "measure for measure." Comparing Palestinian rabbinic texts with the Babylonian Talmud highlights the comparatively narrow scope of Palestinian explanations for individual poverty.

An examination of Babylonian teachings about poverty indicates that in that milieu poverty was linked to arrogance and a literal neglect of cleanliness, the experience of being impoverished was compared to death, and becoming indigent was described (together with death) as a punishment inflicted by rabbis. Furthermore, certain Babylonian traditions present wealth as a necessary factor for encountering the divine presence and receiving prophecy. In the Palestinian Talmud, however, wealth was considered a human category that held little or no importance before God. We can conclude, therefore, that Palestinian rabbinic texts generally follow the main stream of biblical teaching, which does not hold the ordinary poor responsible for their abject status.

The last section of this chapter provides several explanations for the differences between the teachings from these two rabbinic centers. The suggested factors that influenced rabbinic attitudes towards poverty include: Palestinian adherence to "measure for measure" as a prevailing value, in comparison to the Babylonian Talmud's more heterogeneous view in this regard; the particular cultural and political environments in which these two rabbinic centers operated; and the contrasting socio-economic and political status held by these two rabbinic communities. In the next chapter, I continue to explore the socio-economic situation of the rabbis in the land of Israel, suggesting that there was significant diversity among them. If it was indeed possible to know (or to be) a poor rabbi or student of Torah, this reality might have affected the sages' depictions of poverty and charity in that environment.

Chapter Four: "Our Weekday Garments Are Also Our Shabbat Garments"¹: Poverty in the Rabbinic Community of the Land of Israel

In the previous chapter, we saw that in rabbinic texts from the land of Israel ordinary poverty was not usually considered a punishment for misconduct or sins. Furthermore, at least according to one opinion in the Yerushalmi, it was impossible to prevent poverty. Therefore, a poor person could not be held responsible for his/her situation. In contrast to the Babylonian Talmud, in the land of Israel, poverty is neither compared to death, nor is it described as a punishment inflicted by the rabbis. We have seen that several factors influenced rabbinic conceptualizations of poverty. In addition to the biblical legacy and Greco-Roman (and later, Christian) culture, socio-economic status and class orientation should be taken into consideration when explaining rabbinic attitudes toward the poor.

In this chapter, therefore, I explore the socio-economic background and the social milieu of the rabbis. I will demonstrate that Tannaitic and Amoraic Palestinian rabbinic texts indicate the presence of poor rabbis and students in the land of Israel. In contrast to certain Christian communities, these rabbis did not

¹ y. *Peah* 8:8, 21a-b.

choose to live in poverty.² Rabbinic texts do not present poverty as an ideal or as a preferred status. Rather, living in poverty was a situational reality for some rabbis.

In this chapter, I am less interested in the historical factors that underlie the socio-economic status of specific rabbis per se than in the existence of stories about poor or working rabbis and their potential implications for rabbinic notions of poverty. Namely, socio-economic diversity among rabbis may be a contributing factor in Palestinian rabbinic discourse about poverty and charity. I do not assume that empathy toward the poor and care for them necessarily originated among the poor themselves, rather that rabbinic familiarity with impoverished peers and students should be taken into account when explaining rabbinic concepts of poverty and charity.

² Regarding voluntary poverty in select Christian communities, see, Finn, *Almsgiving in the Later Roman Empire*, 114. See also Hamel, *Poverty and Charity*, 42-43. In rabbinic texts, references to voluntary poverty are rare. In *y. Peah* 1:1, 15b, two stories about distribution of one's entire property to the poor appear. The first tells of the distribution by Rabbi Yeshebab, that is followed with a rejection from Rabban Gamliel. The second story is about King Monbaz, as discussed in Chapter Two. Even though the ruling in the Talmud rejects the act of distributing one's entire property, Monbaz is described as an exemplar. For a discussion of general rabbinic attitudes towards such distribution, including these two stories, see, Urbach, "Political and Social Tendencies," 15; Anderson, "You Will Have Treasure in Heaven," forthcoming.

Amoraic midrashim contain two stories about rabbis who sold or disclaimed property for study Torah. In *Gen. Rab.* 42 (Theodor- Albeck, 398), Rabbi Eliezer leaves his family and lives in poverty in order to study Torah. In *Lev. Rab.* 30:1, Rabbi Yohanan sells his fields to make it possible for him to study. However, in these traditions, poverty is not presented as an idealistic state, but rather as a "by product." But compare Gray, "The Formerly Wealthy Poor," 122-123, who claims that this story about Rabbi Yoahnan indicates the Amoraic attitude to "[n]ot hiding poverty, and even willing to valorize a fall from wealth into poverty."

This chapter is comprised of five sections: In the first two, I present evidence that supports the existence of socio-economic diversity among the Tannaim and the Amoraim respectively. I then offer an overview of rabbinic attitudes toward rabbis who engage in physical labor. In the fourth section, I cite several legal traditions that include the perspectives of the poor, or at least offer textual evidence that a poor person might practice tithing and recite benedictions. In closing, I link these findings to the conceptualization of poverty conveyed in rabbinic texts from the land of Israel.

Tannaim

Historians of rabbinic literature have debated the socio-economic status of the Tannaim—the rabbis who were active up to the beginning of the third century in the land of Israel. While Adolf Büchler and Martin Goodman argue that the majority of the Tannaim were poor,³ Gedaliah Alon,⁴ Ephraim E. Urbach,⁵ Moshe Beer,⁶ Israel Ben-Shalom⁷ and Catherine Hezser maintain the

³ Adolf Büchler, *The Political and the Social Leaders of the Jewish Community of Sepphoris in the Second and Third Centuries* (Oxford: Printed by H. Hart at the University press, 1909), 66-78; Martin Goodman, *State and Society in Roman Galilee, A.D. 132-212* (Totowa, NJ : Rowman & Allanheld, 1983), 93, 109, 111.

⁴ Gedalia Alon, *The History of the Jews in the Land of Israel in the Age of the Mishnah and the Talmud* (vol. 1; Tel-Aviv: Hakibutz Hameuchad, 1967), 298, 312-313; and, in English, Gedalia Alon, *The Jews in Their Land in the Talmudic Age* (ed. and trans. Gershon Levi; vol. 2; Jerusalem: Magnes, 1984), 497.

⁵ Ephraim E. Urbach, “Class-Status and Leadership in the World of the Palestinian Sages,” in *The World of the Sages: Collected Studies* (Jerusalem: Magnes, 1988), 306-329.

“diverse socio-economic status of the rabbis.”⁸ By contrast, Shaye J.D. Cohen claims that: “In the period before Judah the Patriarch the rabbis were well-to-do, associated with the well-to-do, and interested themselves in questions which were important to the landed classes.”⁹ Since there is almost no external evidence concerning the socio-economic status of the rabbis, scholarly discourse largely relies on rabbinic texts themselves. However, there is no agreement among scholars regarding which rabbinic texts should be used as historical evidence.

⁶ Moshe Beer, “Torah and Derekh Eretz,” *Bar-Ilan: Annual of Bar-Ilan University Studies in Judaica and the Humanities* 2 (1964): 134-162.

⁷ Israel Ben-Shalom, “A Familiar Saying of the Rabbis in Jabneh,” *Milet* 2 (1984), 151-171.

⁸ Hezser, *The Social Structure*, 36, 266. See also Joshua J. Schwartz, *Lod (Lydda), Israel: From its Origin through the Byzantine Period: 5600 B.C.E – 640 C.E.* (BAR International Series 571; Oxford: BAR, 1991), 84-85; Joshua J. Schwartz “On Zonen and His Son Beytus,” *Sinai* 103 (1989), 119, note 78.

⁹ Cohen, “The Rabbi in Second-Century Jewish Society,” 936. See also Shaye J.D. Cohen’s description in *From the Maccabees to the Mishnah* (revised edition; Philadelphia, PA: Westminster Press, 2006), 117: “Jesus’ followers consisted mostly of the poor, while the rabbinic following in the second century seems to have come mostly from higher classes (this changed in the third century). . .;” and, also page 214: “Most of the rabbis of the second century, if we may trust the evidence of the Mishnah and related corpora, were well-to-do landowners who lived in villages and small towns. The civil legislation of the Mishnah (and some of its religious legislation as well) treats questions that interested this economic class. In the third century, however, the rabbinic estate came to include the poor, who depended on charity or public employment for their survival, and became increasingly urban with centers in Caesarea, Tiberias, and Sepphoris.”

This opinion has been accepted by Hayim Lapin, *Early Rabbinic Civil Law and the Social History of Roman Galilee: A Study of Mishnah Tractate Baba' Mezi 'a'* (Brown Judaic Studies 307; Atlanta, Ga.: Scholars Press, 1996), 18, 233; and also, recently, by Gray, “The Formerly Wealthy Poor,” 120-121; and, Rachel A. Anisfeld, *Sustain Me With Raisin-Cakes: Pesikta deRav Kahana and the Popularization of Rabbinic Judaism* (Leiden and Boston: Brill: 2009), 151.

The Influence of Textual Selection from Rabbinic Sources in Analyzing the Tannaim

Narratives that depict Tannaim and traditions that are cited in their names appear not only in Tannaitic texts, but also in later rabbinic texts up to the medieval period. A close reading of studies of the socio-economic status of the Tannaim reveals a relationship between descriptions of the Tannaim and the corpus selected in each scholar's investigation. In other words, the variance among descriptions of the socio-economic status of the Tannaim often stems from different texts, not from contrasting interpretations of the same sources. For example, while Alon, Beer, Urbach, and Büchler examine the entire corpus of rabbinic literature, Cohen bases his study on Tannaitic texts and *Avot of Rabbi Nathan* (hereafter ARN).¹⁰ Hezser, for her part, distinguishes between Tannaitic and Amoraic material, defining ARN as Amoraic. While she carefully avoids using the Babylonian Talmud as evidence for the land of Israel, she considers ARN a reliable Amoraic source.¹¹

How can scholars determine which texts provide relevant evidence? Rabbinic literature was composed over a long period in two centers. As has already been stated, the late Amoraic and post-Amoraic texts often incorporate Tannaitic writings, as well as later material (Amoraic and onward). Scholars

¹⁰ Cohen, "The Rabbi in Second-Century Jewish Society," 925, note 11: "I occasionally cite the *Fathers according to Rabbi Nathan* although its Tannaitic origins are debatable."

¹¹ Hezser, *The Social Structure*, 45-46.

have shown that in some cases, Tannaitic portions of later texts were adapted according to the needs of the more recent text. This phenomenon is especially discernable in the Babylonian Talmud, the editing process of which continued until at least the late sixth century CE.¹² Indeed, teachings about the poverty and wealth of specific Tannaim evolved considerably over time. The Babylonian Talmud, for example, contains several *baraitot* that portray certain Tannaim as poor, but not all of them are depicted as such in Palestinian Amoraic texts.¹³ Other *baraitot* in the Babylonian Talmud exaggerate the affluence of specific Tannaim, in comparison to their wealth as described in Palestinian texts.¹⁴ Another motif that is developed further in the Babylonian Talmud is that of the

¹² For a summary of scholars' opinions, see Richard Kalmin, "The Formation and Character of the Babylonian Talmud," in *The Cambridge History of Judaism: Volume Four: The Late Roman Period* (ed. Stevan T. Katz; Cambridge: Cambridge University Press, 2006), 840-843.

¹³ For example, Hillel, who was active before the Destruction of the Temple, is portrayed in *b. Yoma* 35b as extremely poor. There is no parallel in Palestinian texts to this story. Rabbi Yehoshuah is described as poor in *y. Ber.* 4:1, 7d and in *b. Ber.* 28a. See also the story about the poverty of Rabbi Yehuda Bar Ilai in *b. Ned.* 49b. However, this story does not appear as a *baraita*.

¹⁴ For example, the Babylonian Talmud provides a much more extravagant description of the wealth of Rabbi Tarfon, who is also portrayed as wealthy in Amoraic texts from the land of Israel. While in *y. Shevi.* 4:2, 35b and *Lev. Rab.* 34:16, Rabbi Tarfon is presented as an owner of a field (or fields), in *b. Shabbat* 25b, he is quoted as saying that a wealthy man is the one who owns one hundred vineyards and one hundred fields, plus one hundred slaves who work in those fields and vineyards. In *b. Ned.* 49b, he is mentioned as an owner of slaves. See also the later texts, *Kallah* 1:21; *Kallah Rabbati Kallah* 2:13. And compare, Safrai, *The Economy of Roman Palestine*, 93, who accepts the description of the Babylonian Talmud.

Ofra Meir, *Rabbi Judah the Patriarch: Palestinian and Babylonian Portrait of a Leader* (Tel-Aviv: Hakibbutz Hameuchad, 1999), 244-245, shows that even though Rabbi Yehuda the Patriarch was considered wealthy in Babylonia and in Palestine, the Babylonian traditions exaggerate his wealth scale in comparison to the Palestinian parallels. For other examples, see Ben Shalom, "A Familiar Saying of the Rabbis in Jabneh," 158-159.

poor rabbi who becomes wealthy.¹⁵ These motifs were also developed in ARN, a text that was edited as late as the seventh or eighth century.¹⁶ I will not use ARN in this examination of the socio-economic standing of Tannaim; and similarly, I will not use the Babylonian Talmud and the later texts that are influenced by it as sources for understanding the Tannaim, because those sources often reflect the circumstances of later generations in Babylonia or the hermeneutics of the Babylonian Talmud.¹⁷

In contrast, in the Yerushalmi, the Talmud of the land of Israel, which was edited much earlier (circa 360-370 CE) in Palestine,¹⁸ the textual layers are more readily discernable, due to “general absence of aggressive editorial intervention” and can therefore be deemed more trustworthy.¹⁹ Thus, this study includes evidence from the Yerushalmi regarding the socio-economic status of

¹⁵ For example, according to a tradition in *y. Sotah* 9:14, 24c and *y. Shabb.* 6:1, 7d, Rabbi Akiba purchased a special jewelery, the “City of Gold,” for his wife. Rabban Gammiel’s wife was jealous and her husband told her: “Rabbi Akiba’s wife sold her hair, which enabled her husband to study Torah; you did not.” From this story, it can be inferred that Rabbi Akiba was poor when he studied Torah, but later could afford to buy a “City of Gold” for his wife. This narrative was developed in much greater detail in the Babylonian Talmud (*b. Ned.* 50a and *b. Ketub.* 62b). About these *sugyot*, see Shamma Friedman, “A good Story Deserved Retelling: The Unfolding of the Akiva Legend,” in *Creation and Composition: The Contribution of the Bavli Redactors (Stammim) to the Aggadah* (ed. Jeffery L. Rubenstein; Tübingen: Mohr Siebeck, 2005), 71-100.

¹⁶ See for example, the poverty of Rabbi Akiba ARNA 6; ARNB 12. About the relevance of ARN for this study, see the discussion in the Introduction.

¹⁷ On this methodological approach, see, Shamma Friedman, “Historical Aggadah,” 1-46; Friedman, “Uncovering Literary Dependencies in the Talmudic Corpus,” 35-57. The importance of separating Palestinian texts from the Babylonian Talmud and later texts that are influenced by it appears in Efron, *Studies on the Hasmonean Period*, 143-147. See also Moscovitz “The Formation and Characters of the Jerusalem Talmud,” 669.

¹⁸ Moscovitz, “The Formation and Characters of the Jerusalem Talmud,” 665-666.

¹⁹ *Ibid.*, 671-672.

the Tannaim, though most of the discussion here is based on Tannaitic texts—the Mishnah, the Tosefta and the Tannaitic midrashim.

The Professional and Socio-Economic Status of the Tannaim: Lessons Derived from Silence

Even though evidence about the professions of the Tannaim and their socio-economic status appears in both Tannaitic and Amoraic texts, scholars have noted that the Tannaitic texts offer little explicit information of this nature with regard to specific rabbis. Cohen uses this absence to build his argument that the Tannaim were mostly well-to-do:

It is unlikely that all the tannaim were prosperous landowners but no tannaitic document except one ascribes poverty to any of the second-century rabbis.²⁰

The tannaim were familiar with dozens of crafts but how many of the tannaim were themselves craftsmen and labourers? Some of the Jews buried at Joppa were remembered as X the Baker, Y the Peddler, Z the Flax Seller, but rabbinic literature, both tannaic and amoraic, rarely bestows such cognomens upon the tannaim.²¹

Hezser, who argues that the economic status of the rabbis was diverse, attributes the silence of most Tannaitic texts regarding rabbis' occupations to the editors of these texts and their literary style.²² According to this explanation, the fact that

²⁰ Cohen, "The Rabbi in Second-Century Jewish Society," 931. The exception that Cohen refers to is ARN; however, I do not define it as a Tannaitic text, therefore I will not discuss it here.

²¹ Cohen, "The Rabbi in Second-Century Jewish Society," 932-933.

²² Hezser, *The Social Structure*, 258: "Unlike the Tosefta, the Yerushalmi, and amoraic Midrashim, the Mishnah and tannaitic Midrashim rarely mention professions of rabbis. This phenomenon does not necessarily imply that in tannaitic times all rabbis were wealthy enough to support themselves without

Amoraic texts include far more descriptions of the work of rabbis and their students, replete with their diverse economic situations, relative to Tannaitic sources, does not reflect a shift in the socio-economic status of the Amoraim, but rather the literary norms of these two types of rabbinic literature.

Evidence from Tannaitic Texts

Indeed, very few rabbis mentioned in Tannaitic texts were bestowed with cognomens that relate to their trades. Those described as such include: “Rabbi Yochanan the Sandal-Maker” (*m. Yebam.* 12; *t. Shabbat* 2:15),²³ and “Rabbi Yehudah the Baker” (*t. Ohalot* 18:3; *t. Menah.* 1:15).²⁴ Regarding one rabbi, the Tosefta mentions his father’s name in addition to his profession: “Rabbi Yehudah bar Isaiah the Perfumer” (*t. Shev.* 5:12; *t. Hul.* 3:7). Perhaps his profession is supplied because he provided insight regarding the sabbatical year

worldly occupations. The lack of references to occupations may rather be due to the literary nature of the respective documents. The Mishnah and tannaitic Midrashim are formalized to such a degree that specific details tend to be left out. The Tosefta and, to a much larger degree, the Yerushalmi and amoraic Midrashim contain more narrative traditions and are more discursive.” Hezser argues that “no professions or trade are associated with rabbis in the Mishnah and in tannaitic midrashim.” However, the Mishnah does mention rabbis who work, and see for example *m. Betzah* 3:8.

²³ See also: *m. Ketub.* 5:4; *m. Avot* 4:11; *m. Kelim* 5:5.

²⁴ For more examples of rabbis who work or whose cognomens mentioned a vocation, see Ayali, *Laborers and Craftsmen*, 143-151; See, Bergman, *The Charity in Israel*, 19, for a list of Tannaim who worked.

rule for a specific plant used in making perfume.²⁵ Unfortunately, such designations tell little about the economic status of their holders, since in the Greco-Roman world there was a significant socio-economic range among bearers of the same professional title. Thus, a “sandal-maker” could be the craftsman who makes sandals or the owner of a “sandal factory” run with slave labor.²⁶ Tannaitic texts provide little detail about the economic activity of the rabbis mentioned therein. However, we cannot simply infer that the majority of Tannaim, whose names are not linked to professions, but rather their father’s names or their place of origin (often small towns) were wealthy enough that they did not need to work. There are at least two examples of a tradition that describes rabbis who owned stores, but their profession was not affixed to their names. For example, the Tosefta relates:

. . . אמרו עליו על ר' לעזר בר' צדוק ועל אבא שאול בן בטנית שהיו חנונין בירושלם כל ימי חייהן והיו ממלין מדותיהן מערב יום טוב ונותנין ללקוחות ביום טוב. . .
They said about him,²⁷ about Rabbi Elazar the son of Rabbi Zadok, and about Shaul ben Batnit that they were shop-keepers in Jerusalem all their lives and

²⁵ See Saul Lieberman, *Tosefta Ki-Fshutah: A Comprehensive Commentary on the Tosefta* (New York: Jewish Theological Seminary of America, 1955), 2: 557.

²⁶ Paul Veyne, in *A History of Private Life I: From Pagan Rome to Byzantium* (Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1987), 133-134. distinguishes “between three levels of economic status”:

(1) A plebeian owned nothing, simply earning his daily bread day after day. . . (2) A poor shopkeeper (a cobbler, say, or tavernkeeper) disposed of so little ready cash that every morning he had to buy the merchandise he would sell during the day. . . (3) A wealthy merchant was one who could afford to keep on hand several barrels of wine or sacks of flour or sides of beef. He was not a wholesaler but a merchant who sold to private individuals as well as lesser merchants. . . . Wealthy butchers, bakers, and closing merchants lived in houses with patios, just like notables.

²⁷ “They said about him about . . .” (אמרו עליו על) is a phrase that is used in rabbinic texts to begin a story about sages or other people. Here there is a problem since the phrase is in the singular form despite the

they [used to] fill their measures before the holiday and give [them] to the customers on the holiday. (*t. Betzah/Yom Tov* 3:8; Lieberman 295).

A similar tradition appears in the Mishnah:

אומר אדם לחבירו מלא לי כלי זה אבל לא במדה רבי יהודה אומר אם היה כלי של מדה לא ימלאנו מעשה באבא שאול בן בטנית שהיה ממלא מדותיו מערב יום טוב ונותן ללקוחות ביום טוב

A person may say to his friend: "Fill this container for me" but without a measure. Rabbi Yehudah says: "If it was a measuring container—he may not fill it." It occurred with Abba Shaul ben Batnit, who used to fill his measures before the holiday and give them to his customers on the holiday. (*m. Betzah* 3:8).

In these texts, the fact that certain rabbis worked in a shop is mentioned because their professional conduct demonstrates the halakhic practice being taught.

Rabbi Eleazar ben Azariah, whose wealth is noted in several texts, is also mentioned in relation to his work:

... אמרו עליו על ר' אלעזר בן עזריה שהיה משתכר ביין ושמן כל ימיו.
They said about him, about Rabbi Elazar ben Azariah, that he made a living from wine and oil all his life. (*t. Avod. Zar.* 4:1).

If this is so, then Rabbi Elazar ben Azariah, who was considered wealthy among the sages, might actually have belonged to a semi-elite class by Roman standards.²⁸ However, we do not have enough information to be sure. Consistent

fact that this story is about two rabbis. In the Mishnaic version of this story, which does not use this phrase, only one rabbi is mentioned.

²⁸ Traditions about the wealth of Rabbi Elazar b. Azariah appear in *t. Sotah* 15:3; *m. Sotah* 9:15. Lieberman, *Tosefta Ki-Fshutah* 8:762, noted that traditions about the large-scale wealth of Rabbi Elazar b. Azariah for the most part appear in the Babylonian Talmud, and not in early Palestinian literature. For the wealth scale of Rabbi Elazar b. Azariah in the Babylonian Talmud, see, *Shabb.* 54b. In contrast, Safrai, *The Economy of Roman Palestine*, 93, who does not distinguish early and late texts, and the Babylonian Talmud vis-à-vis the Yerushalmi, describes Rabbi Elazar b. Azariah as follows: "Another rich sage descending

with their indifference concerning socio-economic and biographical facts, Tannaitic texts present sparse details about Tannaim who are described as wealthy in Amoraic literature.²⁹

What about poor Tannaim? Here too, the texts offer minimal information. Yet we find a story about the poverty of a Tanna in Tosefta

Eduyyot:³⁰

אמ' ר' אלעז' ברי' צדוק כשהייתי למד תורה אצל ר' יוחנן בן החורנית ראיתיו שאכל פיתו חריבה שהיו שני בצרות באתי ואמרתי לאבא אמ' לי הולך לו זיתים הולכתי לו זיתים נטלן והסתכל בהן וראן שהן לחין ואמ' לי איני אוכל זיתים באתי ואמרתי לו לאבא ואמ' לי לך ואמור לו חבית מנוקבת היתה כדברי בית הלל אלא שסתמוה שמרים להודיעך שהוא אוכל חוליו בטרה שאף על פי שהוא מתלמידי בית שמאי לא היה נוהג אלא כדברי בית הלל

Rabbi Elazar the son of Rabbi Tzadoq said: "When I was studying Torah before Rabbi Yohanan ben Hahoranit, I saw him eating his bread dry³² since those were drought years. I came and told [it] to my father. He said to me: 'Carry olives to him!' I carried olives to him. He took them, looked at them and saw that they were moist. So he told me: 'I do not eat olives.' I came and told [it] to my father. He said to me: 'Go and tell him [that] it was a jar that had been pierced [from which these olives were taken] but the lees closed it [the hole, and thus it is permitted] according to the teaching of the School of Hillel.'" [This story] informs you that he ate his ordinary meals in [a state] of cleanness [that was required for the sacred]. For even though he was from the students of the School of Shammai, he conducted himself according to the teaching of the School of Hillel. (*t. Eduyyot* 2:2 and *t. Sukkah* 2:3).

from an important family and living in Lod was R. Eleazar b. Azariah. R. Eleazar is basically associated with the Javneh period and, apparently, also with Lod. Talmudic traditions do not mention his lands, but he must have had such possessions, since that is what would have made him and his family wealthy. He did have flocks of sheep, however (BT Shabbat 54b; PT Shabbat V, 7c and parallels)."

²⁹ See the example of Rabbi Tarfon later in this chapter. The rabbis that are clearly considered wealthy in Tannaitic texts are members of the patriarchal family and Rabbi Elazar ben Azariah.

³⁰ See also *b. Yebam.* 15b.

³¹ In the Vienna manuscript, the word Rabbi [ר'] does not appear.

³² See Lieberman, *Tosefta Ki-Fsutah*, 4: 854.

According to this story Rabbi Yohanan, who subsisted on dry bread alone, refused to accept olives based on his concern about their ritual purity. This tradition aims to show that even though Yohanan was a student of the School of Shammai, he conducted himself according to the rulings of the School of Hillel.³³ In this tosefta, poverty serves only to establish the context for the discussion. Although this tradition is set in the Second Temple period,³⁴ it is noteworthy that for those who transmitted it, a teacher of Torah could obviously be in a position of having nothing but dry bread to eat, especially during an extended drought.³⁵ Here, as in other Tannaitic texts, the socio-economic status of Yohanan is mentioned as a plain matter of fact. The poverty of this rabbi was not an outstanding feature; it was included because of its relevance to the halakhic discussion at hand.

Taken as a representative collection, these examples demonstrate that rabbis' occupations and their socio-economic status are mentioned in Tannaitic texts when that data is related to the topic under discussion. In my opinion, this trend offers only limited evidence evidence to generalize about the economic

³³ See, Israel Ben Shalom, *The School of Shammai and the Zealots' Struggle against Rome* (Jerusalem: Yad Izhak Ben-Zvi, 1993), 237-238.

³⁴ At least two Tannaim with the name Rabbi Elazar, the son of Rabbi Tzadoq appear in Tannitic texts. One of them is dated to the second-third generations of Tannaim, and the other is a fifth generation Tanna. Rabbi Yohanan ben Hahoranit is dated to the first or second generation of Tannaim.

³⁵ About droughts in Roman-Palestine, see: Hamel, *Poverty and Charity*, 44-52.

status of Tannaim, but rather that such information was not prioritized in this literature.

Amoraic Textual Evidence about Tannaim

Amoraic texts feature more detailed descriptions overall. In the Yerushalmi traditions about several Tannaim appear with information about their socio-economic status. These stories illustrate various conditions: wealth and poverty, earning a livelihood from the profits of one's fields, manual work, or the combining of labor with Torah study.³⁶ For example, in the famous story in *y. Ber.* 4:1, 7d about the dismissal of Rabban Gamliel from the patriarchate, Rabbi Yehoshua is described as a needle-maker. We are uncertain whether this was actually Rabbi Yehoshua's profession,³⁷ however, this story indicates that for the Yerushalmi, it was possible to imagine a prominent rabbi like Rabbi

³⁶ The evidence was collected by Ben Shalom, "A Familiar Saying of the Rabbis in Jabneh." For example, a tradition that may indicate the poverty of a Tanna appears in *y. Peah* 8:1, 20d. This text presents Rabbi Yohanan ben Nuri, who was active around the beginning of the second century CE, as going annually to collect produce gifts for the poor from the fields together with the נמושות (*namoshot*; the older poor who walk slowly), the last to collect from the field. The Yerushalmi states that by collecting these produce gifts, Rabbi Yohanan was maintained for the entire year. This tradition shows that in the Yerushalmi it was conceivable to describe a rabbi in extreme financial need. According to a correction in a version of this text that appears in one manuscript, Rabbi Yohanan went to the field after the *namoshot*, thus, he was not one of them but rather he took from the produce when it was available for all. However, in *Ms. Or. 4720 (Scal. 3) of the Leiden University Library* which is the most authoritative manuscript of the Yerushalmi, Rabbi Yohanan ben Nuri is placed among the *namoshot*. See, also, Ben Shalom, "A Familiar Saying of the Rabbis in Jabneh," 165, note 95.

³⁷ Abundant scholarship has been devoted to this story and its version in the Babylonian Talmud; see, for example, Haim Shapira, "The Deposition of Rabban Gamaliel – Between History and Legend," *Zion* 64 (1999): 5-38; Menachem Ben Shalom, "The Story of the Deposition of Raban Gamliel and the Historical Reality," *Zion* 66 (2001): 345-370.

Yehoshua as a manual laborer. This story is representative of how Amoraic texts provide richer descriptive information about the livelihood and socio-economic status of both Tannaim and Amoraim than Tannaitic texts.

Property and Possessions: Rabbis, Land and Slaves

Tannaim are seldom mentioned as landowners in Tannaitic literature.³⁸ When they are, the size of their land holding is typically left unspecified.³⁹ For instance, according to the Tosefta,⁴⁰ Rabbi Eliezer ben Hyrcanus was the owner of a vineyard (כרם/*kerem*) not far from Lod.⁴¹ In the Mishnah,⁴² Rabbi Yohanan ben Matya asks his son to go out to hire daily laborers.⁴³ In Amoraic texts, one

³⁸ Hezser, *The Social Structure*, 259.

³⁹ See, Safrai, *The Economy of Roman Palestine*, 32: "It is even more difficult to determine how much land was in the possession of rich landowners. Most Tannaitic sources, and for fairly clear reasons, deal with Jewish owners of small farmsteads. Some sources, however, do deal with the cultivation of crops in fields owned by rich landowners. . . There are, of course, no statistic on the matter, but it would seem that during the Amoraic period the number of estates increased, although there are still a goodly number of traditions which mention the small farmer."

⁴⁰ *T. Ma'aser Sh.* 5:16.

⁴¹ In the later Amoraic text, *Gen. Rab.* 41:14, the family of Rabbi Eliezer is depicted as owners of fields.

⁴² *m. B. Metz.* 7:1.

⁴³ Another rabbi who tells that his family owned lands and subsequently lost them is Rabbi Shimon Shazuri, in *t. B. Qam.* 8:14, Lieberman 40:

Rabbi Shimon Shazuri said: "[My] father's house (family) belonged to the householders (בעלי בתים) that were in the Galilee. And for what reason was it (the family) destroyed? Because they conducted civil court cases with a single [judge] and [because] they raised small livestock (such as sheep and goats); even though we had thicket next to the town and a field separated it (the thicket) from the town, and the cattle went in and out through it (the field).

Cohen, "The Rabbi in Second-Century Jewish Society," 930-931, links the rabbinic ban on raising small livestock in the land of Israel, which is articulated in this text, to the viewpoint of a landowner class. According to this theory, the rabbis' ban implies that they represented the interests and viewpoints of well-to-do householders (בעלי בתים). According to Cohen, "[t]he family of R. Simeon of Shezur violated the

can consistently find more information about the Tannaim. According to a story in the Yerushalmi, Rabbi Tarfon is portrayed as the owner of fields;⁴⁴ however, in contrast to the Babylonian Talmud's description of his wealth, neither the Yerushalmi nor Tannaitic sources give any indication of the scale of Rabbi Tarfon's holdings.⁴⁵

Another sign of affluence in the Greco-Roman world was the possession of slaves. One would expect that members of the wealthy elite would possess slaves. To what extent did the rabbis have slaves? Although Tannaitic texts are full of discussions about slaves and slavery, hardly any mention is made of rabbis possessing of slaves, with the patriarchal family as the primary exception.⁴⁶ To be more precise, most of these stories and examples discuss

interests of its class and was punished as a result." I would not discuss here the entire issue of the rabbinic rejection of raising small cattle in the land of Israel. However, in my opinion the existence of such a "prejudice against goatherd and shepherds" (according to Cohen) does not contribute to our knowledge of the level of wealth scale of those who held such a position, since even peasants could be affected by these flocks. Thus, a rejection of raising small livestock may have come from small farmers as well as from owners of large estates. In fact, holders of large estates would likely have had the assets to protect their property from the damage caused by small cattle, whereas small farmers probably had fewer means for safeguarding their land. Thus, the ban of small cattle does not automatically indicate the scale of the rabbis' wealth, nor does it show them to be advocates of well-to-do landlords.

⁴⁴ y. *Shevi.* 4:2, 35b.

⁴⁵ About Rabbi Tarfon, see also *Lev. Rab.* 34:16. Schwartz, *Lod*, 84-85, accepts the later Babylonian descriptions of Rabbi Tarfon's wealth. And see the discussion of Menachem Ben-Shalom, "Hasids and Hasidism in the Periods of the Second Temple and Mishna" (PhD diss., Tel-Aviv University, 1998), 270-272 and notes 146 and 150 (pp. 310-312), where Ben Shalom refutes Schwartz's theory about the scale of Rabbi Tarfon's wealth. Thus, Rabbi Tarfon was wealthy, but there is no Palestinian evidence for the wealth attributed to him in the Babylonian Talmud.

⁴⁶ Hezser, *The Social Structure*, 260.

Rabban Gamliel's slave, Tabi.⁴⁷ No descriptions of slaves are found in texts about agriculture or large estates. Laborers and tenants are mentioned in relation to a small number of Tannaim, but descriptions of rabbis owning slaves are a rarity.⁴⁸

On the whole, the evidence from Tannaitic literature does not support the claim that most Tannaim were well-to-do landlords who studied Torah while supporting themselves from the profits of their land. Neither does it affirm the assertion that most of them were poor. It is therefore more likely that the socio-economic background of the Tannaim was diverse. The possibility that a member of the rabbinic circle lived in poverty is supported by at least one Tannaitic text that explicitly informs us about it as a matter of fact. On the basis of Tannaitic texts alone, the historian cannot form any conclusive portrait of the socio-economic status of Tannaim. Amoraic texts from the land of Israel, on the other hand, present in greater detail the socio-economic diversity of the Tannaim that can only be inferred from Tannaitic literature.

⁴⁷ For example, *m. Ber.* 2:7; *m. Pes.* 7:2; *m. Sukkah* 2:1. In addition, slaves are mentioned in regard to the sons of Rabban Gamliel in *t. Mo'ed* 2:16 (Lieberman 372). See also Cohen, "The Rabbi in Second-Century Jewish Society," 945-946. Regarding the slaves of Rabbi Yehuda the Patriarch, see, Meir, *Rabbi Judah the Patriarch*, 245-246.

⁴⁸ In general, slave estates were not common in the land of Israel. See, Schwartz, "Political, Social, and Economic Life," 43.

Amoraim

As in the case of the Tannaim, there is no consensus among scholars regarding the socio-economic status of the Palestinian Amoraim. Some scholars do not differentiate between the socio-economic status of the Tannaim and the Amoraim. According to this view, no dramatic changes in the rabbis' status took place between the Tannaitic and the Amoraic periods. For example, Büchler argues that the rabbis in the second and third centuries in the land of Israel were poor.⁴⁹ Gildas Hammel claims that most of the rabbis of the first three centuries CE were wealthy.⁵⁰ Urbach and Hezser maintain their views of the "diverse socio-economic status of rabbis" without distinguishing between Tannaim and Amoraim.⁵¹ Lee I. Levine suggests that a small minority of the rabbis were very rich or very poor. Most of the rabbis, he argues, were in the middle:

Some sages were wealthy owing to business or agricultural endeavors. The Patriarchal family belonged to this category, as did R. Abbahu. At the other end

⁴⁹ Büchler, *The Political and the Social Leaders*, 66-78: "The great poverty of the teachers in Galilee in the second and third centuries has often been described." Visotzky, *Golden Bells and Pomegranates*, 134, who discusses only *Leviticus Rabbah*, and therefore, does not mention the Tannaim, claims that "The rabbis poor, themselves, some financially, some politically. . .".

⁵⁰ Hamel, *Poverty and Charity*, 197, writes that the rabbis were "not poor, at least in many instances. They appear to have been well provided, on the whole, with food, clothes, family, extensive social relationship (including disciples), possessions, knowledge, honors, and security in their position." He, therefore, describes the sages as "mostly rich rabbis." In addition, he claims that stories about the poverty of Hillel and Akiba enabled the rabbis to collect tithes for themselves (p. 198), and to avoid the problems posed by the wealth of certain rabbis: "The wealth of some rabbinic families, and of the Patriarchate in particular, presented problems not discussed in the open but in various oblique ways. One answer to this problem must have been the circulation of stories describing the poverty of ancestral authorities," (p. 201). Hamel mainly relies on traditions from the Babylonian Talmud to support this view, however.

⁵¹ Urbach, "Class-Status and Leadership," 306-329; Hezser, *The Social Structure*, 36, 266. See also Schwartz, *Lod*, 84-85; Schwartz "On Zonen and His Son Beytus," 119, note 78.

of the spectrum were sages with severely limited means. It is reported that R. Simeon b. Abba often had little to eat. (y. *Bikkurim* 3:3, 65d). Most, however, seem to have lived in circumstances which were neither as luxurious as the former nor as abject as the latter.⁵²

While these scholars maintain that the Tannim and the Amoraim had a similar socio-economic standing, Cohen claims that while the Tannaim were wealthy and associated with the economic elite, the socio-economic status of Palestinian Amoraim was diverse. Goodman also reports a shift, though in the opposite direction, claiming that while the Tannaim were poor, rabbis become wealthier during the Amoraic period.⁵³

I have already argued that the socio-economic status of the Tannaim was most likely diverse. In my view, the same picture seems to continue in Amoraic times. Hezser shows that very few rabbis in Amoraic texts are described as landowners.⁵⁴ Moreover, she adds that “[t]he texts do not specify how large these rabbis’ fields or vineyards were.”⁵⁵ Hezser also highlights a few traditions in Amoraic texts which describe rabbis as owning slaves, and other sources, especially in the Yerushalmi, that depict rabbis who work to ensure their basic needs.⁵⁶ The texts, therefore, indicate socio-economic diversity among the

⁵² Lee I. Levine, *The Rabbinic Class of Roman Palestine in Late Antiquity* (Jerusalem and New York: Yad Izhak Ben-Zvi Press and the Jewish Theological Seminary of America, 1989), 69.

⁵³ Goodman, *State and Society*, 93.

⁵⁴ For her evidence, see Hezser, *The Social Structure*, 259.

⁵⁵ *Ibid.*, 259.

⁵⁶ *Ibid.*, 261-262; on Amoraim who worked, see also Bergman, *The Charity in Israel*, 19.

Amoraim. This range should be considered when exploring the rabbinic conceptualization of poverty.

Amoraic sources demonstrate that rabbis were familiar not only with wealthy rabbis, but also with poor rabbis and students. Evidence for the poverty of students and rabbis can be found in Amoraic texts from the land of Israel.⁵⁷ A story in Yerushalmi *Peah* has been discussed by contemporary scholars in this regard:⁵⁸

אמ' ר' חנינא. צריך אדם שיהו לו שני עטיפין. אחד לחול ואחד לשבת. מה טעמ'. "ורחצת וסכת ושמת שמלותיך". וכי ערומה היתה. אלא אילו בגדי שבתה. כד דרשה ר' שמלאי בציבורא בכון חברייה לקובליה. אמרו ליה. ר'. כעטיפתינו בחול כן עטיפתינו בשבת. אמ' לון. אעפ"כ צריכין אתם לשנות. . .

Rabbi Hanina said: "A person needs two outer garments. One for weekdays and one for Shabbat. What is the reason [for this instruction]? [For Naomi said to Ruth]: 'So bathe, anoint yourself, dress up [and go down to the threshing floor]' (Ruth 3:3, JPS). Was she naked? But rather that [saying refers to] her Shabbat clothing."⁵⁹ When Rabbi Simlai lectured [Rabbi Hannina's teaching] in public the *haveria* [scholars and students] cried before him. They told him: "Rabbi! Our garment on a weekday is [the same] as our garment on Shabbat." He said to them: "Even though [you have one garment], you have to change [something]." (y. *Peah* 8:8, 21a-b).⁶⁰

According to this story, rabbis and students who only owned one garment comprised the audience for this sermon, and, therefore, they could not wear

⁵⁷ See also y. *B. Metz.* 2:2, 8c.

⁵⁸ This text has been quoted by several scholars, for example: Büchler, *The Political and the Social Leaders*, 66-67; Hezser, *The Social Structure*, 262; Daniel Sperber, *Roman Palestine 200-400: The Land: Crisis and Change in Agrarian Society as Reflected in Rabbinic Sources* (Ramat-Gan: Bar-Ilan University, 1978), 102. Sperber cites this text as an indication of the crisis in the third century; however, poverty among rabbis and students may also have existed in times of general prosperity.

⁵⁹ According to *Pnei Moshe* since it is obvious that Ruth would not go naked, Naomi's advice must be explained in reference to Ruth's Shabbat clothing.

⁶⁰ The context of this story in the Yerushalmi is a teaching by Rabbi Haninah, that one who falls into poverty and applies to receive alms is not required to sell his Shabbat and festive clothing in order to become eligible for support.

another one on Shabbat. When Rabbi Simlai preaches that a different garment is required on Shabbat, his listeners cry because of their inability to practice this *mitzvah*. Having only one garment was not by choice, but rather an unpleasant reality.

Poverty among rabbis was not limited to periods of crisis. According to Rabbi Hannanya in the Yerushalmi (*Pes.* 7:1, 34a; *Betzah* 2:7, 61c; *Mo'ed Qat.* 3:1, 81d) the rabbis refrained from excommunicating Theudas of Rome only because he would send funds to maintain poor rabbis. (דהוה משלח פרנסתהון)
 Collecting donations for the rabbis is mentioned in several Amoraic teachings from the land of Israel,⁶² such as this story in Yerushalmi *Pesaḥim*:

(A) חד זמן צרכון רבנן נידבא. שלחון לר' עקיבה ולחד מן רבנן עמיה. אתון בעיי מיעול לגביה ושמעון קליה דטלייא. אמ' ליה. מה ניזבון לך יומא דין. אמר ליה טרוכסימון. לא מן יומא דין אלא מן דאתמול. דהוא כמיש וזליל. שבקון ליה ואזלון לון.

(B) מן דזכון כל עמא אתון לגביה. אמ' לון. למה לא אתיתון גביי קדמיי כמה דהויתון נהיגין. אמר כבר אתינן ושמעין קליה דטלייא. אמ' לך. מה ניזבון לך יומא דין. ואמרת ליה. טרוכסימון. לא מן דיומא דין אלא מן דאיתמול. דהוא כמיש וזליל. אמ'. [מה ד] בני לבין טלייא ידעתון. ידעתון מה בני לבין בריי. אף על פי כן אזלון ואמרון לה והיא יהבה לכון חד מודיי דדינרין.

(C) אזלון ואמרון לה. אמרה לון. מה אמר לכון. גדיל או מחוק אמרו לה. סתם אמ' לן. אמרה לון. אנא יהבה לכון גדיל. ואין אמ' גדיל. הא כמילוי. ואין לא. אנא מחשבנא גודלנה מן פרני. כיון ששמע בעלה כך. כפל לה את כתובתה.

(A) Once the rabbis needed a donation. They sent Rabbi Akiba and another rabbi with him. They came [a residence], wishing to enter before [the One

⁶¹ See also *b. Pes.* 53b and Lieberman, *Tosefta Ki-Fsutah*, 5: 959-960. See the article by Moshe Beer, "Theudas of Rome and Emperor Worship in the Reign of Domitian," in Moshe Beer, *The Sages of the Mishnah and the Talmud: Teaching, Activities and Leadership* (Ramat-Gan: Bar-Ilan University Press, 2011), 326-328. Even though it was not stated explicitly that this provision was for poor rabbis, the Yerushalmi clearly presents the rabbis as dependent on Theudas' gifts for their livelihood. It is hard to imagine a wealthy group of rabbis depending on such gifts.

⁶² Scholars have already discussed the evidence for money collections to benefit students and rabbis, for example, Büchler, *The Political and the Social Leaders*, 71; Ben Shalom, "A Familiar Saying of the Rabbis in Jabneh," 161-163.

Who Has a Big Thumb⁶³ to ask for a donation] and they heard a voice of a servant. He asked: "What shall I buy for you today?" He [the master] said: "Endive, not from today but from yesterday, since it is withered and cheap." They left him and went away.

- (B) After the entire people donated (זכון), they came to him. He asked them: "Why didn't you come to me first as is your regular practice?" He [the Rabbi] said: "We already came and we heard the voice of the servant. He told you: 'What shall I buy for you today?' And you said to him: 'Endive, not from today but from yesterday, since it is withered and cheap.'" He said: "[Matters] between me and the servant you know. Do you know what is between me and my creator? Even so, go and tell [my wife], and she will give you a *modius* of dinars."
- (C) They went and told her. She said to them: "What did he say to you? Piled up or level [*modius*]?" They said to her: "He said [it] to us in an undefined manner." She told them: "I will give it to you piled up. If he said piled up, it would be according to his words; and if not, I will calculate the [extra measure in the] heap from my *ketubba* (marriage contract) sum." When her husband heard it, he doubled her *ketubba*. (y. Pes. 4: 8, 31b-c).

This story portrays Rabbi Akiba and another rabbi going to members of the community to collect donations for rabbis. In addition to the explicit mention that these efforts are for rabbis in financial need, the goal of this fundraising can be inferred from the language and construction of this passage. The poverty of the rabbis who would be helped via these contributions is implied by the term זכון, which means "gaining merit thorough giving alms"⁶⁴ in the context of supporting the poor. Moreover, the story appears beside another tale about "Big Thumb," who gave produce from his garden to the poor.⁶⁵ The adjacency of these two traditions implies that some rabbis were included among the needy.

⁶³ The translation of this nickname is according to Lieberman, *Tosefta Ki-Fsutah*, 4: 543. The name is corrupted in the manuscripts in the Yerushalmi, appearing as בן מביא יין or ; בן מביא יין in the Tosefta it is בוהיין or בן נבו היין.

⁶⁴ See the discussion of Aramaic vocabulary in Chapter Two.

⁶⁵ This story (which I did not cite here) also occurs in *t. Pes.* 3:20 (Lieberman 157), and *b. Pes.* 57a.

Raising funds to support rabbis and students is also mentioned in

Yerushalmi *Horayot* and *Leviticus Rabbah*.⁶⁶ As in the previous example, Rabbi

Akiba appears among the rabbis who collect for the sages and here too, a wife

takes an active role in her husband's contribution:

מעשה בי ר' אליעזר ור' יהושע ור' עקיבה שעלו לחולת אנטוכיא על עסק מגבת חכמים וזהו תמן חד אבא יהודה עביד מצוה בעין טובה. פעם אחת ירד מנכסיו וראה רבותינו ונתייאש מהן. עלה לו לביתו ופניו חולניות. אמרה לו אשתו. מפני מה פניך חולניות. אמ' לה. רבותינו כאן ואיני יודע מה אעשה. אשתו שהיתה צדקת ממנו אמרה לו. נשתיירה לך שדה אחת. לך ומכור חצייה ותן להן. הלך ועשה כן. ובא אצל רבותינו ונתן להן. ונתפללו עליו רבותינו. אמרו לו. אבא יהודה. הקדוש ברוך הוא ימלא חסרונותיך. עם כשהלכו להם ירד לחרוש בתוך חצי שדהו. עם כשהוא חורש בתוך חצי שדהו שקעה פרתו ונשברה. ירד להעלותה והאיר הקדוש ברוך הוא עיניו ומצא סימא. אמ'. לטובתי נשברה רגל פרתי. ובהדורת רבותינו שאלון עלוי. אמרין. מה אבא יהודה עביד. אמרין. מאן יכיל חמי אפוי דאבא יהודה. אבא יהודה דתורוי אבא יהודה דגמלוי אבא יהודה דחמרוי. חזר אבא יהודה לכמות שהיה ובא אצל רבותינו ושאל בשלומן. אמרין ליה. מה אבא יהודה עביד. אמר להן עשתה תפילתכם פירות ופירי פירות. אמרו לו. אף על פי שנתנו אחרים יותר ממך בראשונה אותך כתבנו ראש טימוס. נטלוהו והושיבוהו אצלם וקראו עליו הפסוק הזה "מתן אדם ירחיב לו ולפני גדולים ינחינו".

It happened that Rabbi Eliezer and Rabbi Yehoshua and Rabbi Akiba arrived in *Holat* of Antiochia⁶⁷ for business of fundraising for the sages. And there was one [person] there, Abba Yehuda, who gave alms (עביד מצוה) liberally (בעין טובה). Once he descended from his wealth (ירד מנכסיו) and [when] he saw our rabbis, he despaired because of them. He arrived at home and his face [looked] sick. His wife told him: "Why does your face [look] sick?" He told her: "Our rabbis are here, and I do not know what I shall do." His wife who was more righteous than he was told him: "You still own one field. Go, sell half of it and give [the proceeds] to them." He went and did so. And he came before our rabbis and gave them [the donation]. And our rabbis prayed for him. They told him: "Abba Yehuda, may the Holy One, blessed be He, will fill your wants." When [the rabbis] went, he went down to plow his half field. While he was plowing, his cow sank down and broke [a leg]. He went down to raise it [up] and the Holy One, blessed be He, enlightened his eyes and he found a treasure. He said: "For my benefit my cow broke its leg!"⁶⁸ And when our rabbis

⁶⁶ The version here is according to the Yerushalmi.

⁶⁷ According to Margulies, *Midrash Wayyikra Rabbah*, 111, *Holat* Antiochia is a valley adjacent to Antiochia in north-west Syria. Visotzky, *Golden Bells and Pomegranates*, 124, translates the name of the place as "Antioch on the Orontes" suggesting that this is "a reference to the hot springs at Daphne, just outside the city of Antioch proper."

⁶⁸ This phrase also occurs in *Sifre to Numbers* 119 (Horovitz, 143); *Gen. Rab.* 41 (Theodor-Albeck 398).

returned, they inquired about him. They said: "How is Abba Yehuda doing?" They told [them]: "Who can see Abba Yehuda? Abba Yehuda of his cattle, Abba Yehuda of his camels, Abba Yehuda of his donkeys." Abba Yehuda was restored to how he used to be.⁶⁹ He came before our rabbis and inquired about their well being. [The rabbis] said to him: "How is Abba Yehuda doing?" [Abba Yehuda] told them: "Your prayer produced fruits and fruits of fruits" (profit and profit of the profits). They told him: "Although originally others gave more than you, we wrote you at the head of the *timos* [honor list]."⁷⁰ They took him and seated him with them and recited this verse upon him: "A man's gift eases his way and gives him access to the great" (Prov 18: 16, JPS). (y. *Hor.* 3:4, 48a, and *Lev. Rab.* 5:4).

This story encourages community members to provide donations for the welfare of rabbis,⁷¹ as Burton L. Visotzky, who discusses the version of *Leviticus*

Rabbah, notes:

Here the narrative is clear that the solicitation is for the sages, and not for the general poor. Further, the narrative of LR [Leviticus Rabbah] shows major, famous rabbis engaged in the fund-raising effort, outside the narrow borders of Palestine and in the Jewish community of Antioch's suburb. Last, there is a nod to what must have been the known methods of fund-raising: publishing the name of the major donors in a book or honor roll.⁷²

The rabbis who are involved in the collection are Tannaim (near the beginning of the second century CE), yet the story appears in Amoraic texts, the Yerushalmi and *Leviticus Rabbah*. Without examining its historical authenticity, the Amoraic description cited here indicates an economic reality that included

⁶⁹ This sentence is not included in the version of this story in *Leviticus Rabbah*. Its meaning is not completely clear, but it probably means that Abba Yehuda returned to his former conduct and went to meet the rabbis.

⁷⁰ Margulies, *Midrash Wayyikra Rabbah*, 113, explains that the Rabbis listed Abba Yehuda first in the record of donors. See also, Visotzky, *Golden Bells and Pomegranates*, 125, note 22.

⁷¹ This is the first in a chain of three stories. The next two stories are discussed later in Chapter Nine. Those two stories, however, describe collections that occurred during the third century and the fundraising goal is not explicitly stated. Yet, the context suggests that they are also for the benefit of rabbinic institutions.

⁷² Visotzky, *Golden Bells and Pomegranates*, 125. About this story, see also Gray, "The Formerly Wealthy Poor," 111-112; See Satlow, "Fruits and Fruits of Fruits," 246-248.

rabbis and students who were in financial need, since such fundraising provided an acceptable setting for this story, and an ideology that favored supporting the rabbis had by now developed.⁷³

Could poverty among rabbis and students be linked to particular periods of crisis? Let us look at two examples: The middle of the third century (235-284 CE) is known as a time of political and economic crisis in the Roman Empire. Traditionally, scholars claimed that although its effects did not reach all regions of the Empire uniformly, Palestine likely felt its impact;⁷⁴ however, archaeological research from recent decades is challenging those earlier views of the extent to which Palestine was actually affected.⁷⁵ According to these findings, the economy in Palestine flourished during the second and third centuries - in both urban and rural areas, as Doron Bar concludes:

This review has suggested that in many parts of Palestine towns actually expanded during the 3rd c. and their outward appearance was improved. Similar evidence emerges from the villages. The number of settlements and the overall population increased, and both arable land and the volume of food produced expanded. The towns of Palestine were the consumers of the agricultural produce produced from the hinterland, and both sectors enjoyed a steady growth in demand for manufactured and processed food during this period.

⁷³ Regarding this ideology, see also the article by Moshe Beer, "Issaschar and Zebulun," in Moshe Beer, *The Sages of the Mishnah and the Talmud*, 422-435.

⁷⁴ Gedalia Alon, *The History of the Jews*, 182-193; Sperber, *Roman Palestine 200-400: The Land*, 102; Günter Stemberger, *Jews and Christians in the Holy Land: Palestine in the Fourth Century* (trans. Ruth Tuschling; Edinburgh: T&T Clark, 2000), 12: "The serious economic crisis that had hit the Roman Empire during the military anarchy of the third century naturally also made itself felt in Palestine, to its full extent."

⁷⁵ See especially, Bar, "The 3rd Century Crisis," 143-170; Bar, "Was There a 3rd-c. Economic Crisis in Palestine?" 43-54.

There is no sign of massive migration from villages to towns and the two sectors show parallel signs of prosperity.⁷⁶

Zeev Safrai and Uzi Leibner have argued that there was an economic crisis in the Galilee from the middle of the fourth century onward.⁷⁷ According to Safrai, "a process of decline and regression began in the mid-fourth century, and characterized almost all the settlements of western Galilee." At that same time, other areas such as "the Golan, eastern Upper Galilee, the Sea of Galilee valley, the Beth Shean Valley . . . continued to flourish."⁷⁸ Safrai also argues that "the fifth century was generally marked by decline" and that the "Galilee reveals the most severe damage."⁷⁹ Leibner has written on "the second half of the fourth century as the climax of a severe settlement crisis, during which many settlements were deserted and the population dwindled considerably."⁸⁰ He adds that:

This documentation of a severe crisis that took place mainly in the fourth century, together with the scanty number of settlements remaining in the fifth through seventh centuries, contradicts the prevailing view according to which

⁷⁶ Bar, "Was There a 3rd-c. Economic Crisis in Palestine?" 53; Doron Bar, "Settlement and Economy in Eretz-Israel during the Late Roman and the Byzantine Periods (70-641 CE)," *Cathedra* 107 (2003): 31-35. See, Meyers, Eric M., James F. Strange, and Carol L. Meyers. 1981. *Excavations at Ancient Meiron, Upper Galilee, Israel, 1971-72, 1974-75, 1977* (Cambridge, Mass: American Schools of Oriental Research, 2010), 157-161, for a discussion about the village of Meiron, that reflects a settlement that flourished from the third century onward, until "the so-called abandonment of the site between 360-365."

⁷⁷ Zeev Safrai, *The Missing Century, Palestine in the Fifth Century: Growth and Decline* (Palestine Antiqua 9; Leuven: Peeters, 1998), 34-35; Uzi Leibner, "Settlement Patterns in the Eastern Galilee: Implications Regarding the Transformation of Rabbinic Culture in Late Antiquity," in *Jewish Identities in Antiquity: Studies in Memory of Menahem Stern* (eds. Lee I. Levine and Daniel R. Schwartz; Tübingen: Mohr Siebeck, 2009), 269-295.

⁷⁸ Safrai, *The Missing Century*, 34.

⁷⁹ Ibid. 35.

⁸⁰ Leibner, "Settlement Patterns in the Eastern Galilee," 280.

Palestine enjoyed a period of unprecedented flourishing of settlements in the Byzantine period.⁸¹

In contrast, several other scholars reject claims of decline in this period, dating many Galilean synagogues to the second half of the fourth century and to the fifth century.⁸²

Irrespective of the existence of conclusive evidence of the third-century crisis and the mid-fourth century or fifth-century decline in the Galilee and other parts of Palestine, it is reasonable to question the association of stories that depict poverty among rabbis and students to times of crisis. When considering this issue, broader economic realities in the Roman Empire should be acknowledged: although levels of poverty certainly rose during periods of crisis, indigence was commonplace in the Roman Empire even during periods of prosperity. Moreover, it is very difficult to link teachings that mention poverty in rabbinic circles to a particular date. Thus, in my opinion, writings that depict poor rabbis and students do not relate only to times of crisis or decline. Moreover, caution should be exercised when associating the development of a

⁸¹ Ibid, 279.

⁸² For example, Jodi Magness, "Did Galilee Experience a Settlement Crisis in the Mid-Fourth Century?" in *Jewish Identities in Antiquity: Studies in Memory of Menahem Stern* (eds. Lee I. Levine and Daniel R. Schwartz; Tübingen: Mohr Siebeck, 2009), 269-295. Jodi Magness, "Did Galilee Decline in the Fifth Century? The Synagogue at Chorazin Reconsidered," in *Religion, Ethnicity, and Identity in Ancient Galilee: A Region in Transition* (eds. Jürgen Zangenberg, Harold W. Attridge, and Dale B. Martin; Tübingen: Mohr Siebeck, 2007), 259-274.

particular view, teaching or story about poverty or charity to a specific historical crisis or trend.⁸³

By and large, Amoraic texts indicate that the socio-economic status of rabbis and students was diverse. Even though we lack the data that would make it possible to map out the exact socio-economic circumstances of the rabbis, we have textual examples of wealthy and poor rabbis. Poverty among rabbis was not usually volitional, nor was it valued as an ideal. Rather, poverty led to fundraising on behalf of rabbis in need, and also to rabbis engaging in work in order to support themselves. In the next section, I provide a brief overview of rabbis and manual labor.

Rabbis and Manual Work

Rabbinic texts present particular rabbis, Tannaim and Amoraim, who support themselves through manual labor,⁸⁴ including some of the examples of the socio-economic activity of rabbis detailed earlier in this chapter. These

⁸³ For example, Rosenfeld and Perlmutter, "The Poor as a Stratum of Jewish Society," 293, write that "Tannaitic sources devote much attention to the poor and to the problem of poverty. This seems to indicate it was prevalent at that time." They continue this statement with a description of Jewish revolts and their consequences. Without underestimating these events, I claim that poverty is a permanent phenomenon that accompanies human existence, and certainly in the Roman Empire, even at times of prosperity. The choice of whether to acknowledge poverty is not only a question of reality, but it also relates to values and ethos.

⁸⁴ Rabbinic attitudes towards manual work have been extensively discussed by scholars, who compared them to the attitudes that were in circulation in the Greco-Roman world. See for example, Bergman, *The Charity in Israel*, 21, who discusses rabbinic views about manual work; Ayali, *Labourers and Craftsmen*, 79-101, claimed that modern values and politics have been integrated into this current scholarly discourse about diverse rabbinic attitudes towards work, and especially towards manual work.

passages demonstrate familiarity with a number of rabbis who work for their subsistence. Often the fact that a specific rabbi works for his livelihood is presented only when this fact adds necessary background for a story or halakhic discussion. The following are a few examples.

In Yerushalmi *Shevi'it*, a rabbi's work as a tailor is mentioned in a story about his potential martyrdom:

ר' אבא בר זמינא הוה מחייט גבי חד ארמאי ברומי. אייתי ליה בשר דנבלה. אמ' ליה. אכול. אמ' ליה. לינא אכיל. אמ' ליה. אכול. דלכן אנא קטילנא לך. אמ' ליה אין בעית מיקטל קטול. דאנא לינא מיכל בשר דנבילה. אמ' ליה. מאן מודע לך דאילו אכלת הוינא קטיל לך. או יהודיי יהודיי או ארמאי ארמאי.

Rabbi Abba Bar Zemina was working as a tailor for a gentile⁸⁵ in Rome. [The gentile] brought him carrion meat. He told him: "Eat!" [Rabbi Abba] said to him: "I will not eat!" [The gentile] told him: "Eat! For if [you will] not [eat], I will kill you!" [Rabbi Abba] said to him: "If you want to kill [me], kill [me, but] I cannot eat carrion meat." [The gentile] said to him: "Who informed you that if you had eaten, I would have killed you, for either [be] a proper Jew or a proper gentile!" (y.*Shevi.* 4:2, 35a-b)

In this story, the fact that a rabbi is a tailor provides the setting for the narrative.

In another case in the Yerushalmi, rabbis' business dealings with textile and other products are mentioned when providing details for specific legal discussions. The Yerushalmi discusses a mishnah (*m. B. Metz.* 4:12) which prohibits vendors from enhancing the appearance of slaves, beasts or vessels as a means for securing higher sale prices - by inquiring about goods that the

Mishnah does not mention:

(A) ר' אבדומא מלחא הוה מפתר סרדוותיה. אמ' ליה יעקב בר אחא. והתנינן. "אין מפרקסין". מילתיה אמרה שיש פירקוס באוכלין.

⁸⁵ Literally, one Aramean.

(B) ר' זירא הוה עסק בהדא כיתנא. אתא גבי ר' אבהו. אמ' ליה. מה אנא משפרה עיבידיתה. אמ' ליה. איזיל עביד מה דאת ידע.

(C) ר' אבהו הוה עסיק באילין לסוטיא. אתא שאל לר' יוסי בן חנינה. אמ' ליה. מן באילין לסוטיא. אמ' ליה. איזיל עביד מה דאת ידע. . .

(A) Rabbi Abedima, the sailor (or the salt merchant), used to soak his net.⁸⁶ Rabbi Yaakov bar Aha said to him: "Did we not learn [in the Mishnah] that 'it is prohibited to beautify [giving a fraudulent appearance]'" From [this saying of Rabbi Yaakov we learn that he claimed that] there is a [prohibition against] "beautifying" food.

(B) Rabbi Zira was working with flax (or was in the flax business). He came before Rabbi Abbahu, asking him: "Is it permissible for me to beautify my merchandise?" [Rabbi Abbahu] told him: "Go and do what you know [to beautify it]."

(C) Rabbi Abbahu was working in [weaving] veils [or traded veils]. He came, asking Rabbi Yose ben Haninah: "What are we [saying] regarding [beautifying] these veils?" He told him: "Go and do what you know [to beautify it]." (y. *B. Metz* 4:12, 9d)

The livelihoods of these particular rabbis are mentioned here only as a means for opening legal discussions. However, it is not clear whether these rabbis worked directly in these trades or whether they employed laborers in businesses that they managed.

In another tradition from the Yerushalmi, a Tanna mentions that his father, who was also a rabbi, worked as a tanner or a dealer in hides. In this instance as well, the father's occupation serves no purpose beyond providing background for a specific halakha:

⁸⁶ This reading is according to Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 456. However, he writes there that "This reading is confirmed by Ms. E [Ms. Escorial GI-3 to Tractate *Neziqin*], but the translation offered is deduced from context only." The *Pnei Moshe* commentator in the Yerushalmi explains that מלחא is the place from which this sage came, where he used to soak lean meat in water in order to make it look like fat meat. And compare to the translation in Henrich W. Guggenheimer, *The Jerusalem Talmud Fourth Order: Neziqin Tractate Bava Qamma, Bava Mesi'a, and Bava Batra* (Berlin and New York: Walter De Gruyter, 2008), 377-378. In y. *Sukkah* 2:4, 53a we learn that this rabbi worked in a shop or a tavern.

... ר' חנינה בשם ר' ישמעאל ביר' יוסי. אבא שלחא הוה והוה אמי לנו. קשרו
לכם [ראשי] גזיות ואתם מותרין לטלטלן למחר.

Rabbi Haninah in the name of Rabbi Ishmael the son of Rabbi Yose [said]: My father was a tanner⁸⁷ and he would tell us: "Tie for yourself [heads] of shearing and you are permitted to move them from place to place tomorrow [on Shabbat]." (y. *Shabb.* 4:2, 7a)

In another section of the Yerushalmi, Rabbi Hoshaya describes the occasion when Rabbi Hiyya the Great taught him a law regarding the *shikheḥah* (שכחה) as applied to harvesting olives:⁸⁸

... ר' הושעיה אמי. רומס הייתי זיתים עם ר' חיייה הגדול. ואמי לי. כל זית שאת
יכול לפשוט ידך וליטלו אינו שכחה.

Rabbi Hoshaya said: "I was pressing olives with Rabbi Hiyya the Great, and he told me: 'Any olive which you can stretch out your hand to take is not considered *shikheḥah*.'" (y. *Peah* 5:2, 18d; 6:5, 19c; 7:8, 20c; y. *Pes.* 4:8, 31b)

According to this tradition, these two rabbis were involved in olive oil production, and they discussed this law during their work.

Considering these passages as a group, we see that work carried out by rabbis (or their family members) is neither considered as inappropriate or damaging to the dignity of their position, nor contradictory to their status as rabbis. The texts do not report any embarrassment associated with these occupations.

The common perspective of the above texts does not preclude the expression of alternative opinions among the rabbis. Reuven Kimmelman argues

⁸⁷ Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 551, renders "stripper or dealer of hides;" Jastrow, *A Dictionary*, 1581, renders "worker in hides, tanner or saddler."

⁸⁸ The word *shikheḥah* (שכחה) refers to produce that was forgotten in the field during the harvest and therefore belongs to the poor, as per Deut 24:19. The English translation for *shikheḥah* – "The Forgotten Sheaf" – preserves an association to a bundle of harvested grain stock; however, here olives are the crop being harvested and at times forgotten.

that in the third century CE, Rabbi Yohanan tried to improve the societal standing of rabbis within Jewish society by encouraging that rabbis be appointed to public positions.⁸⁹ According to Kimmelman, Rabbi Yohanan disapproved of sages engaging in manual labor, especially in menial roles.⁹⁰ Kimmelman quotes a passage from the Yerushalmi to support this claim:

... מי נפק חמא ר' חנינה בר סיסי מפצע קיסין. אמ' ליה. ר'. לית הוא כבודך. אמ' ליה. ומה ניעביד ולית לי מאן דמשמשיני. אמ' ליה. אין לא הוה לך מאן דמשמשך לא מקבלה עלך מתמנייא.
... When [Rabbi Yohanan] was leaving [the Patriarch's house] he saw Rabbi Haninah bar Sisi splitting wood. [Rabbi Yohanan] told him: "Rabbi, it does not [fit] your honor (or, your status)" He answered him: "What can I do? I have no one to serve me." [Rabbi Yohanan] told him: "If you did not have someone to serve you, you should not have accepted the appointment." (y. *Sanh.* 2:5, 20c)

It is not clear whether Rabbi Hanina Bar Sisi was chopping wood for a living or for personal use. In the latter case, one may ask why he did not have someone to do this task for him. According to one response, since Rabbi Hanina was not wealthy, he could not afford to hire a servant. In this case, Rabbi Yohanan claims that poverty contradicts the status of his position. Another explanation may be that Rabbi Hanina lacked students to serve him. Several Tannaitic and Amoraic texts describe students serving their masters as a fundamental

⁸⁹ Most of Rabbi Yohanan's measures, which have been mentioned by Kimmelman, in regard to improving the status of the sages appear in the Babylonian Talmud, but have no parallel in Palestinian texts. See, Reuven Kimmelman, "Rabbi Yohanan and the Professionalization of the Rabbinate," *Shenaton Ha-Mishpat Ha-Ivri: Annual of the Institute for Research in Jewish Law: The Hebrew University of Jerusalem* 9-10 (1982-1983): 332.

⁹⁰ Kimmelman, "Rabbi Yohanan and the Professionalization of the Rabbinate," 335, note 25.

component of their training as rabbis.⁹¹ According to this reading, a sage carrying out such physical tasks indicates a lack of students. In this case, Rabbi Yohanan may be arguing that a rabbi without students to serve him lacks prestige, and therefore should not have been selected for his post. In any case, Rabbi Yohanan assumes that such a position would exclude him from manual labor or menial tasks, since it compromises the dignity of being appointed as a rabbi.

The view presented by Rabbi Yohanan fits the norms of Greco-Roman elite culture in which, as Veyne states, “[t]he only person who was fully a man and a citizen was the one whose essence was leisure.”⁹² Such a person usually belonged to the class of notables who, according to Veyne:

[D]id not work, for ‘work’ meant working with one’s hands like a serf, or working for others, like a steward.⁹³

Only common folk worked for a living. People of quality managed, that is, they engaged in the activity referred to as *cura* or *epimeleia*, which one might translate as “government,” in the sense in which Oliver de Serres spoke of the “domestic government” of an estate.⁹⁴

We see then that in his conversation with Rabbi Haninah bar Sisi, Rabbi

Yohanan’s perspective that holding public office is at odds with performing

⁹¹ Alon, *The History of the Jews in the Land of Israel*, 1:300-302; Hezser, *The Social Structure*, 332-334. For service as an important part of a student’s learning and training, see for example, *Mekilta de-Rabbi Ishmael, Tractate Amaleq* 4 (Horovitz-Rabin 201; Lauterbach 288); Kahana, *The Genizah Fragments of the Halakhic Midrashim: Part I*, 94; *m. B. Bat.* 10:8; *t. Hag.* 2:9 (Lieberman 384); *t. Sotah* 14:9; *t. Neg.* 8:2; *y. Shabb.* 6:2; *y. Pes.* 6:1, 33a; *y. Sotah* 5:5, 20c; *y. Naz.* 7:1, 56a-b.

⁹² Paul Veyne, *Bread and Circuses: Historical Sociology and Political Pluralism* (London: Penguin, 1990), 47.

⁹³ Ibid, 47-48.

⁹⁴ Veyne, *A History of Private Life*, 141.

menial and manual work matches Roman ideas about work, public office and dignity.

In an earlier text, *Mekilta de-Rabbi Ishmael*, Rabbi Yehoshua asserts that judges should be wealthy.⁹⁵ Rabbi Yehoshua does not explain his reasoning, yet in the next section of the *Mekilta*, his rationale may be implied in a teaching that is attributed to him:

”ושפטו את העם בכל עת.” ר' יהושע אומר. בני אדם בטילין ממלאכתן יהיו דנין את העם בכל עת.⁹⁶

"Let them judge the people at all times," (Exod 18: 22, JPS). Rabbi Yehoshua says: People who are idle from their work shall judge the people at all times. (*Mek. de-Rabbi Ishmael* tractate Amalek 4; Horvitz-Rabin 199; Lauterbach 2:284)

Reading these two statements of Rabbi Yehoshua together suggests that a judge should be free of other professional obligations, since he should be ready to accept litigants at all times. Only the wealthy have such leisure. Indeed, in the Greco-Roman world judges were usually wealthy.⁹⁷ Rabbi Yehoshua's opinion is congruent with Greco-Roman views of the lifestyles and responsibilities of the elite.

⁹⁵ *Amaleq* 4; Horovitz-Rabin 198, Lauterbach 283. This opinion appears in relation to Jethro's advice to Moses regarding the appointment of judges (Exod 18:21). Rabbi Yehoshua reads the phrase אנשי חיל as "wealthy." However, the midrash contrasts Rabbi Yehoshua's opinion with that of Rabbi Elazar Hammoda'i, who does not consider wealth as a requirement. Many scholars have written about this midrash, see for example, Ben Shalom, *Hassidut and Hassidim*, 286-288.

⁹⁶ The version is mostly according to the Oxford manuscript (Bodl. 150 Uri 119).

⁹⁷ Veyne, *Bread and Circuses*, 46-49. See, Ben-Shalom, "A Familiar Saying of the Rabbis in Jabneh," 165-166, who suggests that Rabbi Yehoshua's saying reflects the reality of his time, when judges were wealthy.

In these teachings from Rabbi Yohanan and Rabbi Yehoshua, outlining behavior that is inappropriate for the holder of a public position is the main concern. According to Rabbi Yohanan, manual and menial labor undermines the dignity of a public office.⁹⁸ Rabbi Yehoshua's view is not spelled out explicitly, but the topic of the availability of the judge is raised. Only the wealthy could offer the level of accessibility that he advocates. These rabbinic views about the status of judges and other public officials mirror the concepts of the elite in the Greco-Roman world. Yet when compared with the full body of rabbinic texts from the land of Israel, these opinions of Rabbi Yohanan and Rabbi Yehoshua seem marginal. Despite Rabbi Yohanan's rebuke, the text in *Yerushalmi Sanhedrin* does not record any expression of shame or apology from Rabbi Hanina Bar Sisi for his work, which was performed in the public domain, not in the privacy of his home. Moreover, the language of in the *Yerushalmi* shows neither hesitation nor reservation when mentioning the work of particular sages, be they Tannaim or Amoraim; their work is not presented as an activity that conflicted with requirements of rabbinic or public positions, but rather as a matter of fact.

Let us look at another example from the *Yerushalmi*, where the work of a prominent sage is described without apology:

⁹⁸ For a similar view, see *b. Qidd.70a*.

שמעון בן שטח הוה עסיק בהדא כיתנא. אמרין ליה תלמידוי. ר'. ארפי מינדך ואנן זבנין לך
חדא חמר ולית את לעי סוגין. אזלון זבנון ליה חדא חמר מחד סירקאי ותלי ביה חדא
מרגלי. אתון לגביה אמרין ליה. מן כדון לית את צריך לעי תובן. אמ' לון. למה. אמרין ליה.
זבנין לך חד חמר מחד סירקאי ותלי ביה חדא מרגלי. אמ' לון. וידע בה מרה. אמרין ליה.
לא. אמ' לון. איזל חזר. . . .

Shimon ben Shetah was working with flax. His students told him: "Rabbi, don't
bother with it."⁹⁹ We will buy you a donkey and you will not have to work so
much." They went and bought him a donkey from an Arab and a pearl was
hung on it. They came before him, saying: "From now on you won't have to
work." He said to them: "Why?" They told him: "We bought you a donkey from
an Arab and a pearl was hung on it." He said to them: "Did its owner know
about it?" They told him: "No." He said to them: "Go and return [the pearl]." (y.
B. Metz. 2:4, 8c)

Shimon ben Shetah was a Tanna who lived during the Second Temple Period
and who, according to the Yerushalmi, was active during the reign of the
Hasmonean King Alexander Jannaeus (Yannai).¹⁰⁰ In this section, the students
of Shimon ben Shetah (who is depicted dining at the king's table in other
passages from the Yerushalmi) buy him a donkey to ease his manual work. This
narrative gives no indication that physical labor affects the sage's dignity, or
diminishes his position as a teacher. For the purposes of our discussion, it is not
important whether the historical Shimon ben Shetah worked with flax or not, but
rather the existence of this story in the Yerushalmi is the focus here. The
appearance of this incident in Amoraic rabbinic texts from the land of Israel
shows that a prominent sage could be portrayed doing manual working to earn
his living. This selection provides further evidence that for those who

⁹⁹ Literally, "leave yourself alone."

¹⁰⁰ See, Efron, *Studies on the Hasmonean Period*, 147-153.

transmitted traditions about sages working for their livelihoods, manual work was not a cause of shame.

The vignette about Shimon ben Shetach appears in a *sugya* in the Yerushalmi whose central theme is the restoration of lost property. Specifically it discusses cases where those who find lost property can retain the item that they found. According to this placement, the story in which Shimon ben Shetah instructed his students to restore the pearl to its owner, even though he was not halakhically required to do so, takes on an added dimension since halakha permits the retention of a gentile's lost property.¹⁰¹ In this context, the manual work of Shimon ben Shetah is not only the catalyst that leads his students to find the pearl, but also his dependence on physical work highlights his decision to return the pearl to its owner, which was not a legal imperative. Therefore, the arduous labor that was a normal part of Shimon ben Shetah's life emphasizes the significance of his decision to return the lost pearl. Such a treasure would have relieved him from daily toil. Especially given these circumstances, why did Shimon ben Shetah return the pearl? According to the Yerushalmi, his motivation was to lead the gentile to praise God:

בעי הוה שמעון בן שטח משמע בריך אלההון דיהודאי מאגר כל הדין עלמא.
Shimon ben Shetah wished to hear [the gentile say]: "Blessed be the God of the Jews" over all the profit of this world. (y. *B.Metz.* 2:4, 8c)

¹⁰¹ According to y. *B. Metz.* 2:4, 8c.

Therefore, in his order of priorities, Shimon ben Shetah valued giving a gentile reason to praise God over his own (legal) opportunity for significant material gain.¹⁰² Moreover, Menachem Ben-Shalom has shown that this story is positioned within a *sugya* that articulates a critique of the Greco-Roman legal system and its attitude toward wealth.

All in all, these examples indicate that in the land of Israel, a known list of rabbis worked for their livelihood. The evidence shows that in both Tannaitic and Amoraic literature, in the instances where rabbis' work is mentioned, it is as a matter of fact and without reservation. However, we have also examined opinions of two prominent rabbis that view work and public office as mutually exclusive from one another. According to Rabbi Yoahanan, manual work by a rabbi tarnishes the dignity of his public office. According to Rabbi Yehoshua, to fulfill his duty, a judge should be wealthy. This pair of opinions fit Greco-Roman elite thinking and its cultural reality. However, within the rabbinic texts from the land of Israel, these views represent a minority opinion.

The large majority of the passages that mention the work of rabbis do so without any hint that labor would harm their dignity or prestige. The historical accuracy of these texts is less pertinent than the values that they convey. As we have observed in the case of poverty, according to the dominant ethos, manual

¹⁰² See the echo to Dan 3:28.

labor does not raise a barrier to entering the circle of Torah students and teachers. This perspective fits well with explanations of individual poverty in the land of Israel that make little or no connection between ordinary poverty and personal misconduct.

Perspectives of the Poor in Rabbinic Legal Discourse

I have already argued that texts from the land of Israel indicate socio-economic diversity among sages and students. This diversity is not only inferred from stories about rabbis, but also in several legal sections that bring a diversity of perspectives -- of a laborer, a beggar, an owner of a small portion of land or a tenant -- to the fore. As in the depictions of rabbis, these texts imply that poverty and manual work did not form barriers from rabbinic circles. I will present three examples here.¹⁰³

A Laborer Who Does Not Trust His Employer

There are Tannaitic traditions which take for granted that the poor may observe laws of ritual purity and tithing. One of these texts presents a situation

¹⁰³ Compare to Gray, "Redemptive Almsgivings," 154-155, who writes that, in Tannaitic texts there is a "tendency to 'disappear' the poor" and that "no Tanna is portrayed as interacting with a chronically poor person."

where a manual laborer suspects that his employer is not designating tithes from the food being provided for him (the laborer):

פועל שאינו מאמין לבעל הבית נוטל גרוגרת אחת ואומ' זו ותשע הבאות אחריה עשויות מעשר על תשעים שאני אוכל וזו עשוייה תרומת מעשר עליהם ומעשר שיני באחרונות ומחולל על המעות. . . .

A laborer, who does not trust the householder, takes one dried fig and says: "This [one] and the nine that come after it are rendered as [the first] tithe (מעשר) for the ninety that I am eating; and this [one] is rendered as [the] heave-offering (תרומת מעשר) for them; and the second tithe (מעשר שיני) is the last, and is redeemed with money. (*m. Demai* 7: 3)

This mishnah indicates that it was not beyond the imaginings of the rabbis that a laborer would tithe while his employer might not. Although some scholars argue that rabbinic texts, and especially Tannaitic texts, present the viewpoints and interests of the affluent,¹⁰⁴ this selection indicates that the rabbis also engaged halakhic issues that were relevant to laborers.¹⁰⁵

A Beggar Who Tithes His Gifts

The Tosefta presents another pertinent example of a situation regarding a poor person who observes the laws of tithing:

עני שנתנו לו פרוסות פת וגרוגרות מעשר מכל אחד ואחד שחק את הפת ועשאה פירורין או גרוגרות ועשאן דבילה מעשר מאחד על הכל . . .

A poor person who was given slices of bread and dried figs [as alms] tithes each and every gift [for itself, but if he] ground the bread and made it into crumbs or [ground the] dried figs and made them into a cake, he may tithe from one for all [together]. (*t. Demai* 5:8; Lieberman 88)

¹⁰⁴ For example, Cohen, "The Rabbi in Second-Century Jewish Society," 931.

¹⁰⁵ But see the end of this mishnah, which reflects the householder's point of view, thus caring for his interest.

This tosefta assumes that a poor person may tithe the modest food gifts that he received as alms.¹⁰⁶ This text does not suggest that tithing was universally practiced among the poor (or the wealthy), but it clearly understands that a poor person could be counted among those who observed these laws.¹⁰⁷

Blessing for a Worn Garment

The next example shows that certain Amoraim in the Yerushalmi consider the poor while interpreting a mishnah in *Berakhot* that deals with the blessing for a new house and new garments [or utensils]:

בנה בית חדש וקנה כלים חדשים אומי ברוך שהגיענו לזמן הזה.
The one who has built a new house or bought new garments (or utensils) recites
"Blessed is He who has brought us to this time (occasion)." (*m. Ber.* 9:3)

Even though this mishnah seems to be discussing the purchase of new items, the Yerushalmi's interpretation includes other possibilities:

אמי ר' חייא בר בא. לא סוף דבר חדשים אלא אפי' שחקים כאילו הם חדשים לו. ר' יעקב
בר זבדי בשם ר' חייא בר אבא אמי. קנה אוי. ברוך שהחיינו וקיימנו והגיענו לזמן הזה. ניתן
לו אוי. ברוך הטוב והמטיב. . . .

¹⁰⁶ See also *m. Demai* 5:5.

¹⁰⁷ See also, *m. Peah* 5:5. Hamel, *Poverty and Charity*, 55-65, follows a Christian assumption that Jewish Law (and especially ritual purity and tithing laws) was a burden, particularly to the poor: Food was used to advertise and reinforce the social hierarchy . . . This social code was clothed in religious terms. Jewish purity rules, even though variously interpreted, had the result of clearly marking out certain kinds of food as especially desirable: the meat of some animals, cereals that could raise or give a flour abundant and white like manna, wine. It was therefore more difficult for poor people to fulfill purity rules. They had to use certain kinds of food whose status was not quite as "clear": for example, a flour that was less pure or white and came from grains or legumes also used by animals; meat from less noble origin (locusts; fish brine; meat from older domesticated animals that had perhaps been improperly prepared.) Poor, in that sense, meant having enough to eat, but little dignity and security. Among these poor, there were the, needy who, for one reason or another, lost the little security they had and were reduced to beggary.

However, the traditions above demonstrate that, at least according to these texts, the rabbis did not exclude the poor from tithing.

Said Rabbi Hiyya bar Abba: "After all [this mishnah refers not only to] new [garments] but also to worn-out (or frayed) garments [since] they are like new for him." Rabbi Yaakov bar Zavdi in the name of Rabbi Hiyya bar Abba said: "[If he] purchased [the garment], he recites: 'Blessed [is the One] Who has made us live, sustained us, brought us to this time (occasion).' If [the garment] was given to him, he recites: "Blessed . . . who is good and does good." (*y. Ber.* 9:3, 14a)

Regarding new clothing, the Yerushalmi considers two additional possibilities:

- 1) that even a tattered garment may be considered new for certain people; and
- that 2) some people do not buy their clothing, but receive garments from others.

These two considerations include the poor among those who can recite this blessing, despite the fact that it was probably not the original meaning of the mishnah being discussed. Such considerations would not appear if the authors' interests did not extend beyond the socio-economic elite. It is interesting to note that even when a garment was received from another person, the beneficiary addresses gratitude to God rather than to the human donor. As we shall see in the following chapters, this is a pattern in the rabbinic understanding of receiving and giving alms.

Conclusion

In this chapter, I have presented several texts that offer evidence of poor rabbis and students among the Tannaim and the Amoraim. I do not claim that most rabbis were poor, but rather I accept the view that the socio-economic status of the rabbis was probably diverse. We have also seen that in most of the

teachings, rabbis' labor is mentioned as a matter of fact, without any implication that their dignity was being compromised as a result. This ethos stands in contrast to the prevailing attitude toward physical work within the Roman elite. Furthermore, several rabbinic traditions consider a scenario where a laborer would tithe although his employer does not, thus refraining from correlations between economic standing and religious practice.

The textual evidence affirms that the sages were familiar with the existence of impoverished rabbis and students. How did such awareness influence rabbinic attitudes towards poverty and the poor? In the previous chapter, we already saw that in rabbinic texts from the land of Israel, and especially in the Amoraic texts, ordinary poverty was not considered a punishment that was inflicted by the rabbis nor was it associated with dirt or arrogance. This position stands in contrast to the Babylonian texts that view poverty as an indication of prior sin or misconduct, and even as comparable with death. In the land of Israel, I suggest that the very fact that involuntary poverty existed alongside affluence within a group of Torah scholars, may have influenced rabbinic attitude towards this phenomenon and its explanations. Thus, it is not surprising to find rabbinic traditions that communicate empathy toward the poor, and even articulate viewpoints of the economically vulnerable. In his reading of *Leviticus Rabbah*, Visotzky writes: ". . . the rabbis are certainly also able to see from the perspective of the poor," adding that *Leviticus Rabbah* "shows sympathy for the plight of the

poor."¹⁰⁸ In my opinion, this statement is true not only for *Leviticus Rabbah*, but it also applies to other rabbinic texts from the land of Israel. This corpus of literature is certainly not univocal on this point, but its sensitivity toward the poor and its validation of their realities are motifs that appear frequently.

Additional elements may have contributed to the rabbis' treatment of the poor in texts from the land of Israel: The overarching messages of the biblical legacy emphasize the responsibility to care for the poor, mainly without an indication of poverty as a consequence of the poor's misconduct. With the rise of Christianity, this heritage was extended throughout the Greco-Roman world. Nonetheless, I would argue that this socio-economic diversity within the rabbinic community was one of the factors that shaped rabbinic explanations of involuntary poverty for individuals, as well as the rabbinic understanding of almsgiving that will be discussed in the next chapters.

¹⁰⁸ Visotzky, *Golden Bells and Pomegranates*, 131.

Chapter Five: Absolute and Relative Poverty in Rabbinic Discourse on Almsgiving, Dignity and Shame

No scholarly consensus exists for the definition of poverty, as Neville Morley has noted:

There is no agreement on how ‘the poor’ as a social group should be identified; the choice of a particular set of criteria can always be criticised for its ideological assumptions and implications. Commentators differ as to whether poverty should be defined in absolute or relative terms, and whether it is primarily an objective or a subjective state.¹

While poverty in absolute terms is usually measured by the absence of specific necessities such as food, shelter and clothing, poverty in relative terms is determined in the context of a particular society and what its members view as essential. Moreover, as Morley notes, poverty can be understood quite subjectively. Thus, a person might feel poor in comparison to his peers in the elite, even though most people in his society would perceive him to be wealthy. Paul Veyne describes the relative character of terminology employed for describing poverty in Roman writings:

The trouble is that the word “poor” does not mean the same thing in Latin and English. For us “poor” establishes an implicit comparison between the majority who are poor and the handful who are rich; the whole of society is included in this comparison. For the Romans, however, the majority did not count, and the word “poor” took its meaning as a relative term within the minority that we would consider rich. The poor were the rich who were not very rich. Horace, who made a virtue of poverty, said he was prepared to see his ambitions come to nought, for his poverty would serve as his life raft. This “life raft”

¹ Neville Morley, “The poor in the City of Rome,” in *Poverty in the Roman World* (eds. Margaret Atkins and Robin Osborne; Cambridge: Cambridge University Press, 2006), 27-28.

consisted of two estates, one at Tivoli and the other in Sabine, where the master's house covered some 6,000 square feet. Poverty in the Christian and modern sense was inconceivable.²

It is important to consider this relative language of poverty when examining rabbinic texts from the land of Israel. In this study, I use the terms "absolute poor" and "ordinary poor" in reference to the poor who are in need of basic necessities, such as food and clothing. "Relative poor" indicates those who are poor only in comparison to their prior status, especially members of noble families whose economic situation changed for the worse.³ These terms will be used to categorize the poor who are discussed in rabbinic texts.

In this chapter, I pay close attention to the use of relative and absolute terms for poverty as they relate to two particular factors: eligibility for charity and shame. Thus, the first part of this chapter seeks to identify those who are defined as 'poor' when the texts discuss whether and to what degree certain people are qualified to receive charity. I examine various rabbinic sources from the land of Israel, exploring how different voices discuss poverty, especially regarding special considerations for the relative poor. In the second part, I will discuss embarrassment as linked to poverty, focusing on the extent to

² Veyne, *A History of Private Life*, 141. However, despite Veyne's statement, Roman texts also discuss the ordinary poor. And see Richard Saller, "Poverty, Honor and Obligation in Imperial Rome," *Criterion* 37 (1998): 12-20; Susan R. Holman, *The Hungry Are Dying: Beggars and Bishops in Roman Cappadocia* (Oxford; New York: Oxford University Press, 2001), 34; Rosenfeld and Perlmutter, "The Poor as a Stratum of Jewish Society," 295-298, who summarize research on ordinary poverty in the Roman world.

³ It is often difficult to decide whether the poor who are described as members of noble families are in fact destitute or whether they are only less wealthy than they were before. Yet, these terms are useful when defining the poor mentioned in rabbinic texts.

which rabbinic sensitivity towards the shame of the poor mainly addressed the relative poor, and whether the feelings of the ordinary poor were also considered.

The Absolute Poor and the Relative Poor in Rabbinic Discourse on Almsgiving

Absolute Poverty as Defined in Mishnah Peah

In contrast to the relative nature of the Roman designation of poverty described by Veyne, in Mishnah *Peah*, as in the Hebrew Bible, the poor who are eligible for support are discussed in absolute terms and they are usually the ordinary poor. Among them are those who do not have enough to eat or do not have shelter. Thus, this text designates economic inferiority as the determining criterion for eligibility to receive alms. Moreover, Mishnah *Peah* provides a quantitative definition of eligibility. In this text, the level of the support corresponds to the level of the need:⁴

- (A) אין פוחתין לעני העובר ממקום למקום מככר בפונדיון מארבע סאין בסלע לן נותנין לו פרנסת לינה שבת נותנין לו מזון שלש סעודות
(B) מי שיש לו מזון שתי סעודות לא יטול מן התמחויי מזון ארבע עשרה [סעודות] לא יטול מן הקופה . . .
(C) מי שיש לו מאתים זוז לא יטול לקט שכחה ופיאה ומעשר עני
(D) היו לו מאתים חסר דינר אפילו אלף נותנין לו כאחת הרי זה יטול.

⁴ A similar midrash, albeit with different details and ordering, appears in *Sifre Zuta on Deuteronomy*, and see Menahem I. Kahana, *Sifre Zuta on Deuteronomy: Citations from a New Tannaitic Midrash* (The Hebrew University Magnes Press, 2002), 208:

. . . מכן אמרו מי שיש לו מנה לא יטול מעשר עני, מאתים לא יטול לא פרט ולא שכחה ולא עוללות כדברי בית שמי בית הלל אומ' הכל מאתים. מי שיש לו חמישים זוז והוא נושא ונותן בהן הרי זה לא יטול.

On this basis they said: "Whoever has one hundred [*zuzim* in liquid assets] may not collect the poor man's tithe. [Whoever has] two hundred [*zuzim* in liquid assets] may not collect *peret* (individual grapes), *shikheḥah* (forgotten grapes, sheaves or fruit) or *olelot* (defective clusters). This is the teaching of the School of Shammai, but the School of Hillel says: All [apply when one lacks] two hundred [*zuzim*]. Whoever has [only] fifty *zuz*, yet conducts business with them, this man may not collect [produce designated for the poor].

- (E) היו ממושכנים בכתובת אשתו או לבעל חובו הרי זה יטול.
- (F) אין מחייבין אותו למכור את ביתו ואת כלי תשמישו.
- (G) מי שיש לו חמשים זוז הוא נושא ונותן בהן הרי זה לא יטול
- (A) They give to a poor man traveling from place to place no less than a loaf [of bread] worth a *dupondion*, [made from wheat which cost at least] one *sela* for four *seahs*. [If such a poor person] stayed overnight, they give him the necessary arrangement for night's lodging. [If such a poor person] spent the Sabbath, they give him food for three meals.
- (B) Whoever has sufficient food for two meals may not take [food] from the soup kitchen [*tamḥuy*]. [Whoever has sufficient] food for fourteen meals may not take [money] from the [communal] fund [*qupah*]. . .
- (C) Whoever has two hundred *zuz* [in liquid assets] may not collect gleanings, forgotten sheaves, *peah* [produce from the corner of a field], or the poor man's tithe.
- (D) If he had two hundred [*zuz*] minus one *dinar*,⁵ even if one thousand [householders are each about to] give him [one *dinar*] all at once, this man may collect [produce designated for the poor].
- (E) [If he had two hundred *zuz* which served as] collateral for his wife's *ketubah* (marriage contract) or for a creditor,⁶ this man may collect [produce designated for the poor].
- (F) They may not compel him to sell his house nor his utensils.
- (G) Whoever has [only] fifty *zuz*, yet conducts business with them, this man may not collect [produce designated for the poor].⁷ (*m. Peah* 8:7-9)

The Mishnah defines levels of need and prescribes the type of support that should be provided in response to each of them. Section A discusses aid for poor travelers, distinguishing between what is given on Shabbat and the provision for other days of the week. Section B teaches that those who lack food for the day are eligible for provisions from the *tamḥuy* (the communal soup kitchen), while those who will be without food for the entire week are eligible for support from the *qupah* (the communal fund). Thus, the

⁵ “He had one hundred and ninety-nine *zuzim*.”

⁶ This is the order in the Kaufmann manuscript.

⁷ This English translation was adapted from the translation of Roger Brooks in: Jacob Neusner, *The Mishnah: A New Translation*, 35.

first two sections (A+B) provide immediate relief for those who have neither food nor shelter ("arrangement for a night's lodging").⁸

Section C discusses produce gifts,⁹ which include gleanings, forgotten sheaves that were left behind during the harvest, *peah* [produce from the edges of a field], and the poor man's tithe. The Mishnah orders that only those who have less than two hundred *zuz* (which, according to commentators, could purchase one year's supply of food) are eligible for produce gifts.¹⁰ At that point, (D) the Mishnah decrees that the one who has 199 *zuz* can also receive produce gifts, even though he might receive a gift that is worth more than one *zuz*. The Mishnah stipulates (E) that a person is also eligible if he possesses more than two hundred *zuz*, but this money has been mortgaged to a creditor, or even bound to his wife's marriage contract (*ketubah*). Moreover, the Mishnah does not require (F) a person to sell his house and his utensils (כלי תשמישו), even if their value is higher than two hundred *zuz*. Thus, even if someone owned a very expensive house, he would not be required to sell it to offset his need for support. Section G instructs that if a person has only fifty *zuz*, but he succeeds in making a living on the basis of that sum, he

⁸ I discuss the actual practice of this instruction and its setting in both Chapter Six and Appendix A. For a description of these institutions in the context of towns, see, Safrai, *The Economy of Roman Palestine*, 50.

⁹ In this study, I use the phrase "produce gifts" when referring to the yearly gifts for the poor from the yield, such as gleanings, forgotten sheaves, *peah* [produce from the edge of the field], and also to the poor man's tithe. I will further discuss this phrase in Chapter Six.

¹⁰ Medieval and modern scholars have discussed the meaning of two hundred *zuzim* (= *denarii*). According to traditional scholars, this sum was equal to the cost of basic provisions for one year. According to Daniel Sperber, *Roman Palestine: 200-400: Money and Prices* (second edition with supplement; Ramat-Gan: Bar-Ilan University Press, 1991), 31-34, claims that "In Tannaitic times (i.e. up to about 220) the *dinar* when unqualified almost always refers to the *silver denarius*." However, "some time during the third century, and probably in the second half of it, the term '*dinar*' came to refer to a gold coin, the *aureus*, and later in the fourth century it was also applied to the *solidus*, the heir of the *aureus*." See also Rosenfeld and Perlmutter, "The Poor as a Stratum of Jewish Society," 287-288, concerning the economic significance of 200 *zuzim* and of other Tannaitic and Roman sources that use this number.

should not collect produce gifts. Although we do not know the exact value of two hundred *zuz* at the time of the Mishnah, it seems that sections C through G address cases of poor people who might own some modest property (perhaps a house), but are living on the brink of poverty and thus qualify for assistance.¹¹

The Mishnah presents a model that expands and elaborates on the biblical laws of produce gifts and support for the poor. In this framework, methods of support correspond to the different levels of need. The eligible poor are not only the completely destitute who are unsure if or how they will eat tomorrow, but also the working poor who live on the margins of poverty. In this text, therefore, the category of absolute poverty apparently includes a range of socio-economic conditions.

Susan R. Holman suggests that Greco-Roman food distributions provided the model for subsequent Jewish and Christian endeavors:

Although the Roman grain allotment was not in itself a poverty-relief program, later Jewish and Christian assistance to the poor usually used a similar form of doling out food and sometimes clothing. When the poor *qua* poor enter the civic *leitourgia* in the fourth century C. E., as beneficiaries eligible because of their poverty, this assistance to a newly particularized population was practiced in the forms familiar to the patronage system: handouts of food and other beneficences, often regulated by administrative paperwork. Patronage as a concept implied feeding; the patron was sometimes referred to as the *tropheus*, one who nurtured with food. Understanding the Roman system, therefore, helps us to see how the administration of later religious charity did not create itself *de novo* but built on ancient traditions of civic practice.¹²

Here Holman draws attention to the Greco-Roman context of Jewish and Christian institutions of charity. In the following chapters, and especially in Chapter Nine, I will

¹¹ In a case of a wealthy person who becomes poor, there can be a scenario in which such a person has an expensive house and items therein. Yet, the person described in this text does not even have 200 *zuzim* and thus, is not counted among the relative poor.

¹² Holman, *The Hungry Are Dying*, 38.

discuss rabbinic almsgiving in the context of Greco-Roman frameworks of food distributions and patronage in greater detail. At this point, it is important to note that the Mishnah, which was edited well before the fourth century, provides an almsgiving model that differs in several aspects from the “Roman system.” First, in Mishnah *Peah*, the descriptions of almsgiving are not articulated with the language of patronage. Rather, produce gifts are presented as the poor’s share of the harvest, as instructed in the Torah. According to this view, God is the real owner of the land of Israel who allocates portions of its yield to the poor. Therefore the farmers, who should allow the poor to collect their share, are not presented as patrons, but as God’s tenants. Second, with the exception of produce gifts, the remaining distributions of food and money outlined in the Mishnah are linked to communal institutions, to which individual donations are described as obligatory rather than dependent on good will. Finally, in this text, the rabbis are not singled out as patrons of the poor, but instead the entire community is described as being responsible for their sustenance. Overall, the Mishnah’s model seems to be a mirror image of food and grain distributions in the Greco-Roman world, as described by Arthur R. Hands:

The distribution was thus confined to those held ‘worthy of honour’ or, if spread over the whole population, was received in larger proportions by the former. This tendency has been noted both in Greek Asia Minor and in the Roman west; and most recently in Italy itself—Duncan Jones has collected the evidence. Here in fifty–eight inscriptions relating to multiple distributions (distributions in which different sections of the populace receive different amounts) the town-councilors never fail to appear as recipients and usually appear as the most privileged class . . . in extreme cases the discrimination against the

common people is in the ratio of fifty to one, and discrimination by factors of three or five is quite normal.¹³

In contrast to Greco-Roman distributions, where people with high status often received more than those with low status, in the Mishnah gifts are given according to economic need: the less one had, the more one should receive. Mishnah *Peah*, therefore, emphasizes support for the ordinary poor, measured in absolute terms, and eligibility for the relative poor goes unmentioned.

Relative Poverty as Defined in Tosefta Peah 4:10

In contrast to the Mishnah's emphasis on supporting the ordinary poor in absolute terms, the Tosefta presents a model that also takes the recipient's former status into account, rather than recommending provisions according to absolute categories alone. In the Tosefta, not only are the absolute poor eligible for support, but the relative poor—particularly those from noble families—also receive consideration. The model for giving alms detailed in the Tosefta is more closely aligned with the Greco-Roman system of distributions mentioned above. However, it is significant that while the Greco-Roman world usually overlooked the ordinary poor as eligible for special support, in the Tosefta, their qualification is a basic assumption. Providing for the relative poor represents an additional category that extends beyond the norm.

¹³ Arthur R. Hands, *Charities and Social Aid in Greece and Rome* (Ithaca, N. Y.: Cornell University Press, 1968), 91.

Specific consideration for the relative poor is linked in *t. Peah* 4:10 to Deut 15:7-8, which requires Israelites to lend to the poor according to their need:

כִּי־יְהִיֶּה בְךָ אֶבְיוֹן מֵאֶחָיִךְ בְּאַחַד שְׁעָרֶיךָ בְּאַרְצֶיךָ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נָתַן לְךָ לֹא תִאֲמַץ אֶת־לִבְּךָ וְלֹא תִקְפֹּץ אֶת־יָדְךָ מֵאֶחָיִךְ הָאֶבְיוֹן: כִּי־פָתַח תִּפְתָּח אֶת־יָדְךָ לּוֹ וְהֶעֱבַט תַּעֲבִיטֵנוּ דֵּי מַחְסָרוֹ אֲשֶׁר יִחְסַר לוֹ

If, however, there is a needy person among you, one of your kinsmen in any of your settlements in the land that the Lord your God is giving you, do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever he needs (Deut 15:7-8, JPS).

Even though these verses demand lending to the poor, the Tosefta and other rabbinic texts interpret this as a requirement for giving, not lending. This pair of verses, therefore, is used to demonstrate the obligation to give alms.¹⁴ *T. Peah* 4:10 suggests that Deut 15:8 indicates that the absolute poor and the relative poor are both eligible for support, each according to his earlier status:

... היה משתמש בכלי מילת נותנין לו כלי מילת מעה נותנין לו (מאה) מעה עיסה נותנין לו עיסה פת נותנין לו פת להאכילו בתוך פיו מאכילין אותו בתוך פיו שני "די מחסורו אשר יחסר לו" אפי' עבד אפי' סוס "לו" זו אשה שני "אעשה לו עזר כנגדו" מעשה בהלל הזקן שלקח לעני אחד בן טובים סוס שהיה מתעמל בו ועבד שהיה משמשו שוב מעשה באנשי הגליל שהיו מעלין לזקן אחד ליטרא בשר בצפורי בכל יום

... The one who used to wear garments of fine wool [and fell into poverty]—they [should] give him garments of fine wool; [the one who used to have] a coin—they [should] give him a coin; [the one who used to have] dough—they [should] give him dough; [the one who used to have] a piece of bread—they [should] give him a piece of bread; [the one who used] to be spoon fed—they [should] spoon feed him.¹⁵ Since it is written [in Scripture]: “Sufficient for his need, whatever may be needed for him (*lo*),”¹⁶ (Deut 15:8) [you should provide] even a slave, even a horse. “For him (*lo*)” (Deut 15:8)

¹⁴ *Sifre Deuteronomy* 116 (Finkelstein 175) that explains the specific words for lending in this verse (והעבט תעביטנו) suggests that the vocabulary of lending offers a tactic to convince one to receive alms. Thus, for whoever is reluctant to accept alms, the giver should suggest alms as a loan even though it is ultimately being given as a gift.

¹⁵ Literally, ‘to feed him directly to his mouth.’

¹⁶ The NRSV translates this verse: “to meet his need, whatever it may be.” My translation attempts to reflect the content of the midrashic explanation rather than to provide the best literal translation for this verse in its biblical context.

this is a woman (wife) since it is written [in Scripture]: “I will make a fitting helper for him (*lo*)” (Gen 2:18, JPS). It happened that Hillel the elder brought to a poor person from a good family a horse for his exercises and [also] a slave for his service. Again, it happened that the people of the Galilee sent to one elder a pound of meat, [according to the weights used in] Sepphoris, every day. (*t. Peah* 4:10)

The Tosefta explains the words "Sufficient for his need, whatever may be needed for him" (די מחסרו אשר יחסר לו) in Deut 15:8, as the source of this relative approach to compensation. According to this view, while one person may need expensive garments, another may simply need a loaf of bread. Moreover, the need and corollary entitlement are determined on the basis of the poor individual's prior status. Thus, a poor person who used to have high socio-economic standing may need a horse, a slave and fine wool garments. These items were obviously required among the elite, not for the ordinary poor. According to the Tosefta's reading of the biblical instruction, provision of such items is required. Peter Brown describes a similar practice among Christians:

At the end of our period, the correspondence of Gregory the Great illustrates the latitude with which the bishop of a wealthy see could interpret his duty to take “care of the poor.” At the bottom of the scale, a blind man, Filimud, received an annual food allowance that amounted to half a *solidus* a year. But Gregory's maternal aunt and the widows of two eminent persons received, respectively, 40 and 20 *solidi* a year, and grain allowances of 400 and 300 *modii*. This would have enabled them to maintain a large household. Three thousand refugee nuns settled in Rome received each a pension of 2 *solidi*. This was as much as a member of the classical *plebs* of Rome had received in foodstuffs each year from the *annona*.¹⁷

Such special considerations toward the relative poor, as described by Brown, resonate with the practices described in the Tosefta and with Greco-Roman sensitivity and care

¹⁷ Brown, *Poverty and Leadership*, 60.

towards the poor who had previously held a high status.¹⁸ Moreover, the model in *t. Peah* 4:10, which calculates the level of support on the basis of prior status, resembles the Greco-Roman food distribution system, in which people of high status received more than those of low status. In sum, the Tosefta is significant for its inclusion of the relative poor among the poor who are eligible for support. As the next section indicates, this support could be very generous.

The Beit Nebtalah¹⁹ Family

The story about the family of *Beit Nebtalah*, which immediately follows the Tosefta quoted above, as well as appearing in other rabbinic texts, provides an example of highly generous giving:

אמרו משפחת בית נבטלה היתה בירושלם והיתה מתיחסת עם בני ארנון היבוסי העלו להם חכמים
שלוש מאות שקלי זהב ולא רצו להוציאן חוץ מירושלם
They said: “There was the *Beit Nebtalah* family in Jerusalem. And [this family] traced its lineage to the family of Arnon, the Jebusite.²⁰ The sages sent them three hundred gold *shekalim* [since] they did not want them to immigrate from (lit: to let them go out) Jerusalem.” (*t. Peah* 4:11)

This story provides an example of extremely generous support for one family. The cost of enabling the family of *Beit Nebtalah* to continue living in Jerusalem was very high

¹⁸ Ibid., 59, mentions the “ancient anxiety about the dangers of impoverishments among the relatively well-to-do” that did not disappear, despite newer types of sensitivity towards poverty and the impoverished.

¹⁹ There are several versions of this family name. Here I use the Tosefta’s version without determining which is the original version. See Lieberman, *Tosefta Ki-Fshutah*, 1:186-187. However, since we have no vocalizations, my transliteration of this name is an educated guess.

²⁰ About Arnon the Jebusite, see, 2 Sam 24:20-24; 1 Chr 21:15.

indeed. The Tosefta emphasizes the particular lineage of this family and the sages' active role in determining the level of support that they would receive. This narrative appears, albeit without mentioning of the *Beit Nebtalah* family's lineage, in *Sifre Deuteronomy* 303:

"בשעריך", מל[מד] שאין מוציאין אותו מן הארץ לחוצה לארץ. אמ[רו] משפחת בית נבלטא היתה בירושלם ונתנו להן חכמ[ים] שש מאות ככרי זהב ולא רצו להוציאן חוץ לירושלם].
 "In your settlements" (Deut 26:12): [This verse] teaches that they may not remove him (or it or them)²¹ (אותו) from the land [of Israel] to another country. They said: "There was a family, *Beit Neblata*, in Jerusalem, and the sages gave them 600 talents (*kikarim*) of gold since they did not want to remove them out of Jerusalem. (*Sifre Deuteronomy* 303; Finkelstein 321)²²

Another version of this story appears also in *Sifre Deuteronomy* 110. These two appearances of this story in the *Sifre* are explicitly linked to one of the descriptions of the poor man's tithe in Deuteronomy:

מקצה | שלש שנים תוציא את כל מעשר תבואתך בשנה ההוא והנחת בשעריך: ²⁹ ובא הלוי כי אין לו חלק ונחלה עמך והגר והיתום והאלמנה אשר בשעריך ואכלו ושבעו למען יברכה יהוה אלהיך בכל מעשה ידך אשר תעשה:

Every third year you shall bring out the full tithe of your yield of that year, but leave it within your settlements. Then the Levite, who has no hereditary portion as you have, and the stranger, the fatherless, and the widow in your settlements, shall come and eat their fill, so that the Lord your God may bless you in all the enterprises you undertake (Deut 14:28-29 JPS).

כי תכלה לעשר את כל מעשר תבואתך בשנה השלישית שנת המעשר ונתתה ללוי לגר ליתום ולאלמנה ואכלו בשעריך ושבעו

²¹ The word אותו may refer to the poor person or to the second tithe of produce. However, in a *Geniza* fragment in Kahana, *The Genizah Fragments of the Halakhic Midrashim: Part I*, 270, the word אותן occurs, and from this version, this term clearly refers to the poor rather than to the tithe.

²² This story appears twice in the *Sifre* compilations. There are some variations in the other version of this story, in *Sifre Deuteronomy* 110 (Finkelstein 171), where the word "sages" (חכמים) is missing, and the talents are of silver.

When you have set aside in full the tenth part of your yield—in the third year, the year of the tithe—give it to the Levite, the stranger, the fatherless, and the widow, that they may eat their fill in your settlements (Deut 26:12).

According to these two sections of Deuteronomy, the poor man's tithe should be given to the poor in the third year (of the Sabbatical cycle). It is important to note that according to a number of rabbinic texts the poor man's tithe was the only produce gift for which the owner of a field could [at least partially] designate the recipients of his offering.²³ In *Sifre*, on the basis of its placement, the story about the family from *Beit Nebtalah* is associated with this tithe and with the obligation to support the poor in order to prevent them from leaving the land of Israel.²⁴ This requirement to provide for people living in the land of Israel who are unable to support themselves in their native city or town stems from the biblical phrase “in your settlements,” or literally “in your [town] gates.”

A third version of this tale about the family of *Beit Nebtalah* appears in the *Yerushalmi*. Here, the same connection between the poor man's tithe and the tale of this particular family can be inferred from its context in the *sugya*, since it is quoted after a story about the poor man's tithe given by Rabbi Yehuda, the Patriarch to one of his

²³ Other texts, however, reject this idea and assuming that a landowner cannot exercise control over who will receive this tithe, but rather all poor persons have an equal claim. See the discussion in Chapter Six.

²⁴ Attaching the story of the family of *Beit Nebtalah* and the obligation to prevent the poor from going abroad seems artificial, since this account is about continuing to reside in Jerusalem, while the more general instruction in *Sifre* concerns remaining in the land of Israel. Some commentators even suggest that while the first part of this passage explains that the poor person's tithe that should not be eaten outside of the land of Israel, the story itself discusses the family of *Beit Nebtalah*. According to this view, the requirement not to let “it” out (שאינן מוציאים אותה) of Jerusalem in the beginning of the *Sifre* refers to the poor man's tithe itself (that should not be eaten outside the land of Israel) and not to its impoverished residents. According to other commentators, the requirement is to provide for the poor so they should not have to leave the land of Israel for economic reasons. This explanation fits the version found in a *Geniza* fragment of this text in Kahana, *The Geniza Fragments of the Halakhic Midrashim*, 270; See also, Finkelstein, *Sifre on Deuteronomy*, 171, note 8; Lieberman, *Tosefta Ki-Fshutah*, 1: 187.

students. In the Yerushalmi's version, the *Beit Nebtalah* tale includes the lineage of the family and the involvement of the sages in keeping them in Jerusalem:

משפחת אנטבילא היתה בירושלם והיתה מתייחסת שלארגן היבוסי. פעם אחת פסקו להן חכמי שש מאות כיכרי זהב שלא להוציאן חוץ לירוש'.

There was the Antabila family in Jerusalem that could trace its lineage to those of Arnon, the Jebusite. Once, the sages ordered that they be provided with 600 talents [*kikarim*] of gold in order that they will not immigrate out of Jerusalem. (y. *Peah* 8:8, 21a)

In the Yerushalmi, however, after the quotation of this story, appears an Amoraic explanation for this instruction:

דהוון דרשין "בשעריך" "בשעריך". לרבות ירושלם
Since they interpreted [the double occurrence of the expression] "in your settlements," "in your settlements" to include Jerusalem. (y. *Peah* 8:8, 21a)

This comment contributes to our understanding of how the Amoraim, who later transmitted this story, explained its meaning. According to this explanation, the sages (who directed that this sum be distributed) interpreted the second occurrence of the expression "in your gates" (the two occurrences may be those of Deut 14:28-29 or the two sections in which the poor man's tithe is mentioned) as references to Jerusalem.²⁵ Thus, the rabbis justify the high level of compensation that the sages provided for this family -- which, according to the context in the Yerushalmi, seems to have been drawn from the poor man's tithe - by the necessity of fulfilling the religious duty to maintain the family in the expensive city of Jerusalem. In the Yerushalmi, therefore, providing such a

²⁵ Another option is that the first occurrence of "in your gates" occurs in Deut 14:29 and the second is in Deut 26:12; however, Gray, "The Formerly Wealthy Poor," 113, suggests that the Yerushalmi is referring to Deut 15:7.

high sum to one family is not described as an obvious requirement, but rather as an act that requires explanation.

It is noteworthy that the Tosefta, *Sifre* and the Yerushalmi all include a text that describes a decision by sages to provide the extraordinary resources needed to ensure one specific family's ability to continue living in Jerusalem. While the Tosefta and *Sifre* show no reservations regarding this decision, which is perceived as a rabbinic obligation towards the relative poor, in the *stam* stratum of the Yerushalmi this support is described as a response to a specific situation which needed justification. As we shall soon see, this set of responses to one particular example is representative of a larger pattern: while supporting the absolute poor seems to be the prevailing interpretation of the Torah's instruction, the obligation to generously support the relative poor is not treated as an obvious value throughout our sources.

Reservations regarding Giving Generously to the Relative Poor

Reservations with regard to the view that there is an obligation to generously support the relative poor can already be found in Tannaitic texts.²⁶ For instance, *Sifre Deuteronomy* 116, which contains a pair of stories - about Hillel who gave a horse and a slave to a poor man from a good family and about the people of the Galilee who provided one guest with meat on a daily basis - also places limits on generous giving:

²⁶ Compare, Gray, "The Formerly Wealthy Poor."

”די מחסורו”. אין אתה מצוה לעשרו. ”אשר יחסר לו”. אפילו סוס ואפילו עבד. מעשה בהלל הזקן שנתן לעני בן טובים אחד סוס שהיה מתעמל בו ועבד שיהא משמשו. שוב מעשה בגליל העליון שהיו מעלים לאורח ליטרא בשר שלציפרי בכל יום. ”לו”, זו אשה כענין שנאמר (בראשית ב יח) ”אעשה לו עזר”.

“Sufficient for his need” (Deut 15:8): You are not commanded to make him rich.
“Whatever may be need for him” (Deut 15:8): Even a horse, even a slave. It happened with Hillel the elder that he gave to one poor person, a member of a good family, a horse for his exercises and a slave that would serve him. Again, it happened in the upper Galilee that they sent one pound of meat, [according to the weights used in] Sepphoris, to a [certain] guest every day. “For him” (Deut 15:8) this is a woman (wife) as it was written [in Scripture]: “I will make a fitting helper for him” (Gen 2:18, JPS). (*Sifre Deuteronomy* 116; Finkelstein 175)

According to this text, there is an obligation to provide sustenance for the person being considered, but not to make him wealthy.²⁷ Thus, while this text presents a midrash on Deut 15:8 which is similar to the one found in the Tosefta, it also raises some reservations concerning the obligation to generously support the relative poor.

Specific guidelines are articulated in *Sifre Deuteronomy* 118, which interprets

Deut 15:11:

”פתוח תפתח את ירך לאחיך לעניך לאביונך”, למה נאמרו כולם הראוי ליתן לו פת נותנים לו פת עיסה נותנים לו עיסה מעה נותנים לו מעה להאכילו בתוך פיו מאכילים אותו בתוך פיו.
“Open your hand to your brother, to your poor and to your needy” [Deut 15:11]. Why were all [of these words referring to the destitute] mentioned [in Scripture]? [This repetition teaches that] the one who deserves a piece of bread—they [should] give him a piece of bread. [The one who deserves] dough—they [should] give him dough. [The one who deserves] a coin—they [should] give him a coin. [The one who deserves] to be spoon fed—they [should] spoon feed him. (*Sifre Deuteronomy* 118; Finkelstein 177)

This midrash is very similar to a portion of Tosefta *Peah*, discussed above:

. . . היה משתמש בכלי מילת נותנין לו כלי מילת מעה נותנין לו (מאה) מעה עיסה נותנין לו עיסה פת נותנין לו פת להאכילו בתוך פיו מאכילין אותו בתוך פיו
. . . The one who used to wear garments of fine wool [and fell into poverty]— they [should] give him garments of fine wool; [the one who used to have] a coin—they

²⁷ A similar addition appears in a parallel version in *b.Ketub.* 67b.

[should] give him a coin; [the one who used to have] dough—they [should] give him dough; [the one who used to have] a piece of bread—they [should] give him a piece of bread; [the one who used] to be spoon fed—they [should] spoon feed him. (*t. Peah* 4:10)

However, while both texts mention apportioning support relative to the poor person's prior status, in *Sifre*, garments of fine wool are not mentioned. Therefore, according to this text, extremely generous giving is not required. Furthermore, in *Sifre* all of the examples that specify how alms should be given refer to the absolute poor.

Even in the Tosefta itself, the requirement to support the poor according to their previous status - as far as providing a horse, a slave and a large portion of meat - is followed by a decree that the recently impoverished person is required to sell his utensils, and replace them with others of a lower and cheaper quality:

היה משתמש בכלי זהב מוכרן ומשתמש בכלי כסף בכלי כסף מוכרן ומשתמש בכלי נחשת בכלי נחשת
מוכרן ומשתמש בכלי זכוכית
The one who used gold utensils [and fell into poverty] —should sell them and use silver utensils. [The one who used] silver utensils — should sell them and use copper utensils. [The one who used] copper utensils — should sell them and use glass utensils. (*t. Peah* 4:11)

According to this text, the poor, and especially the former wealthy, should moderately decrease their standard of living. The proximity of these two laws (*t. Peah* 4:10 and 4:11) is puzzling, as Alyssa M. Gray put it:

T. *Peah* 4:10 and 4:11 sit uneasily together. If, as 4:10, we are to “give” the poor person exactly what he lacks, why, then, does 4:11 require him to sell off more expensive personal items and make use of ones of lesser value? If both 4:10 and 4:11 apply to the formerly wealthy poor, it is difficult to understand why they are to be provided with their

accustomed luxuries, only to have to trade their own expensive personal items down (or vice versa).²⁸

Some attempts have been made to resolve the tension between these two successive rulings in the Tosefta. The Yerushalmi, for example, differentiates between items which touch the body and those that do not (as I will discuss below). Since Gray claims that Tannaitic texts show empathy towards the formerly wealthy poor without ambivalence, she argues that *t. Peah* 4:10 applies to the community, while 4:11 refers to the poor. Thus, although the community is obligated to provide these items, the poor are similarly obligated to modify their life style.²⁹ In my opinion, it is worth considering the possibility that these two laws convey two conflicting points of view. From this perspective, *t. Peah* 4:10 offers an idealistic approach where it is desirable to provide to the poor according to their needs in correspondence with their former life style. Whereas *t. Peah* 4:11 suggests a more realistic approach, that acknowledges the impossibility of furnishing very expensive items, and therefore, the poor are required to modify their life style. Thus, reservations over the obligation to provide generous support for the relative poor are voiced in the Tosefta.

²⁸ Gray, "The Formerly Wealthy Poor," 109.

²⁹ *Ibid.*, 109:

. . . 4:10, with its refrain of *notnim lo*, is addressed to the community and its responsibility, while 4:11, with its own refrain of *mokhran u'mishtamesh*, is addressed to the poor themselves. On this reading, the Tosefta does not—perhaps unintentionally—link the poor's responsibility (4:11) in any way to the community's responsibility (4:10); the community is thus responsible to the poor, including the formerly wealthy poor, regardless of the poor's fulfillment of their own obligation, as in 4:11. Thus, although 4:10 and 4:11 may sit together uneasily, the Tosefta does not necessarily provide for any diminution in the munificence to be extended to the formerly wealthy poor.

Even more striking, the almsgiving model in Mishnah *Peah* lacks any mention of specific obligations for the relative poor. The only reference in the Mishnah, which perhaps refers to the relative poor, is the description of the Chamber of Secrets in Mishnah *Sheqalim*. This text discusses the special care to be provided for the formerly wealthy poor (who are referred to as "poor from good families"). However, it is not clear if these poor are now in a state of absolute poverty, or whether their poverty is only relative to their former status:

שתי לשכות היו במקדש אחת לשכת חשאים ואחת לשכת הכלים לשכת חשאים יראי חטא נותנים לתוכה בחשאי ועניים בני טובים מתפרנסים מתוכה בחשאי . . .
There were two chambers in the Temple: one—the Chamber of Secrets, and the other—the Utensil Chamber. The Chamber of Secrets—the sin-fearing would deposit secretly and the poor from good families would support themselves from it in secret. . . (*m. Sheqal. 5:6*)³⁰

This institution, however, is described in the past tense, as having existed in the time of the Second Temple. Even in the Tosefta, which claims that such institutions existed in each town, the description appears in past tense. Furthermore, in the main section of Mishnah *Peah* which discusses communal charitable institutions, there is no mention of the Chamber (Chambers?) of Secrets. Moreover, it is not clear from these texts whether the support that was given in the Chamber of Secrets was particularly generous, or whether this institution's confidentiality was designed to eliminate the extra shame and embarrassment that might prevent these poor from seeking support. In addition, donations to this institution are not described as obligatory, but rather as voluntary acts of

³⁰ This translation was adapted from the translation by Rabbi Shmuel Himelatein in Pinhas Kehati, *The Mishnah: Seder Moed Vol. 3: Sheqalim: A New Translation with a Commentary* by Rabbi Pinhas Kehati (Jerusalem, Eliner Library, 1994), 62.

virtuous people. The main section of the Mishnah that describes the obligation to support the poor makes no mention of the relative poor. Neither is there any supplementary discussion of a requirement to direct particular attention to the situation of the poor of high status.³¹ Thus, the silence towards the relative poor in Mishnah *Peah* seems to be intentional rather than coincidental.

The Yerushalmi

Even though special consideration for the relative poor is not absent from the Yerushalmi, the *baraitot* that instruct generous support for the relative poor are limited here by means of contextualizing the circumstances presented as illustrations. For example, Yerushalmi *Peah* tells of people in the Galilee who provided a large quantity of meat to one elder, but also includes some reservations:

... מעשה באנשי הגליל שהיו מעלין לזקן אחד ליט' {בשר} צפרים בכל יום. ואיפשר כן. אלא דלא הוה אכל עם חורנין.

... It happened that the people of the Galilee would daily send to one old man a pound of meat [according to the weights used in] Sepphoris.

[But] is this possible?

Rather, it was [so] because he did not eat with others. (y. *Peah* 8:8, 21a)

³¹ Hellinger, "Charity in Talmudic and Rabbinic Literature," 3, 7, 26, suggests that the differences in the definition for poverty in the Mishnah and the Tosefta can be explained by historical changes. According to his claim, the wars against Rome brought about economic hardships and also increased the impoverished population. This shift influenced rabbinic views concerning the support that should be allocated to the poor from community recourses. Thus, while the Tosefta requires giving each poor person according to his need, even when it is on a very generous level, the Mishnah sets limits on this requirement. According to Hellinger, the Tosefta continues the biblical approach, while the Mishnah represents a new model. In my view, both texts extend the biblical demands and provide new models that should be explained in the context of the Greco-Roman world. Moreover, it is difficult to determine whether the Mishnah approach is later to that of the Tosefta.

The Yerushalmi first questions the probability that such generous provisions of meat were supplied, and then attempts to explain it by situating this story in a particular context. Commentators and translators suggest two ways to explain this particular circumstance. In one, this elder always ate with other people, thus, this quantity of meat was not meant for only one person, but also for his fellows.³² In the other, this person did not eat anything else, and therefore, a sizeable portion of meat was a necessity.³³ In either case, through such contextualization, the story can no longer be understood as a paradigm for giving alms, but rather as the result of a particular situation.

Another technique, which the Yerushalmi employs to place a boundary on support for the relative poor, can be found in a discussion about the calculation of eligibility and its terms. The Yerushalmi aims to resolve the tension between *t. Peah* 4:10 and 4:11 (as mentioned above), namely the requirement to provide for the poor according their former status, even with a garment of fine wool, a horse and a slave (4:10), and the requirement that the poor reduce their life style (4:11). According to the Yerushalmi, the contradiction between these two *baraitot* may be solved by applying these teachings to two categories of possessions, separating personal items, such as clothing, that touch the body and are almost perceived as part of the body, from possessions that are not in close and constant

³² For example, Roger Brooks, trans. *The Talmud of the Land of Israel: A Preliminary Translation and Explanations: Volume 2: Peah*, 330, translates: “Yes, because this poor man never ate alone in his entire life, [so he required enough to share with his compatriots].” Heinrich W. Guggenheimer, trans. *The Jerusalem Talmud: First Order: Zeraim: Tractates Peah and Demay* (Berlin and New York: Watter de Gruyter, 2000), 333, translates: “It was because he did not eat except in company.”

³³ For example, according to the *Pnei Moshe* commentary, this person did not eat any other food, and therefore could not eat with others.

contact with one's body. Commentators have explained this categorization, claiming that items that touch the body differ from other possessions (such as tools used for work) since a person becomes physically accustomed to them; therefore, he might experience discomfort when a different type of fabric touches his skin.³⁴ It seems, therefore, that the Yerushalmi limits the obligation to generously provide for the relative poor to clothing as an outstanding category. Indeed, this text is followed by a tale that confirms this understanding:

חד מן אילין דנשייותא איתנחת מן ניכסוי והוון זכין ליה במאן דחסף. והוא אכל ומותיב. אמ' ליה אסיא. עיקר תבשילה לא מן גוא לפסא הוא. אכיל מן לפצא.
 One [member of the house] of the Patriarch fell into poverty; they supported him [with food] in a clay vessel. He ate and [then] threw up. The doctor told him: "Was not the dish originally [cooked] in a [clay] pot (λοπάς)?" [So] he ate [it] from the pot [itself]. (y. *Peah* 8:8, 21a)³⁵

This story describes the traumatic effect of a drastic decrease in the quality of one's tableware, resulting from impoverishment. In this case, a member of the patriarch's family (or perhaps his close circle) became so poor that he depended on charity for his food. His meal was provided in a clay vessel. After eating, he vomited in reaction to the clay dishes. A physician then informed him that since the food was originally cooked in a clay pot, there was no reason for this reaction. The story concludes with the person eating from the pot itself. According to this narrative, not only is it unnecessary to provide for the poor according to their previous status, in contrast to the teaching in *t. Peah* 4:10, but

³⁴ This explanation was given by *Pnei Moshe* and also the Steinzaltz edition of the Yerushalmi.

³⁵ Sokolof reads the word אכיל as a masculine singular participle. According to this reading, this individual ate directly from the pot. However, several commentators read אכיל as an imperative, meaning that the doctor ordered the poor person to eat directly from the pot!

neither is there an obligation to gradually decrease one's standard of living, as stated in *t. Peah* 4:11. Moreover, the story ironically presents the need of certain individuals, who came from a high social status, to eat from expensive, high quality tableware as absurd, since their food had actually been prepared in a clay pot. This story indicates that according to the Yerushalmi, even when personal tableware is concerned, the poor need not be provided with items according to their former status. In the case of clothing, however, prior status remains a relevant consideration.

The Yerushalmi's sensitivity may also reflect an awareness of the Roman Empire's cultural norms, where clothing communicated identity. As Richard Saller explains, a change in clothing might publicly expose a related change in status:³⁶

A Roman's clothing served to mark his rank: senators wore togas with a broad purple stripe, knights a narrow purple stripe, and citizens a plain white toga. The poor wore coarse, uncomfortable clothing at best . . . and dirty rags at worst. Juvenal says that nothing of unhappy poverty (*infelix paupertas*) is harder to endure than the ridicule it attracts to, for instance, one's torn or soiled clothing (*Satire* 3.152). The importance placed on clothing as a symbol of status must have made it impossible to hide genuine poverty.³⁷

Indeed, the Yerushalmi prioritizes consideration for the clothing of the poor. For example, *y. Peah* 8:7, 21a, emphasizes the need to provide the relative poor with clothing according to their former status. This text, which discusses the question of examining the eligibility of the poor who apply for support, suggests that in the case of clothing, the prior standing of the poor should be taken into account. The Yerushalmi uses the phrase

³⁶ See also Brown, *Poverty and Leadership*, 60, for the extra layer of shame experienced by the well born poor who lack clothing: "In 577, he [Pelagius I] wrote urgently to the bishop of Arles, to send him supplies of cheap clothing that had been earmarked for the poor—hoods, tunics, and short cloaks: 'for there is such shortage and lack of clothing in this city that I cannot without grief and heaviness of heart look at our men, whom we knew once as well-born and well to do.'"

³⁷ Saller, "Poverty, Honor and Obligation in Imperial Rome," 19.

“according to his honor” (לפי כבודו),³⁸ which indicates the consideration of hierarchy with regard to people’s status. In another section of the Yerushalmi (*Peah* 8:8, at the bottom of 21a), Rabbi Haninah claims that a person should not sell his clothing for festivals and Shabbat in order to become eligible for support. Prestige is not the sole issue here, but also the importance of special clothing for holy days.³⁹ In its overall approach, the Yerushalmi emphasizes the provision of clothing according to one’s former status, while limiting or questioning the obligation to provide other expensive items or exceedingly generous support to the relative poor.⁴⁰

³⁸ This phrase occurs in *m. B. Qam.* 8:6 in the context of the responsibility to give compensation after having shamed another person:

צָרַם בְּאֶזְנוֹ תֵּלֶשׁ בִּסְעָרוֹ רִקְקָה הִיגִיעַ בּוֹ הַרוּק הָעֵבִיר טְלִיתוֹ מִמֶּנּוּ פָּרַע רֵאשָׁה שֶׁל אִשָּׁה בְּשׁוּק נֹתֵן לוֹ אַרְבַּע מֵאוֹת זָוָה וְהַכֵּל לְפִי כְבוֹדוֹ אָמַר רַבִּי עֲקִיבָה אֶפִּילוֹ עֲנִיִּים שְׁבִי־שְׂרָאֵל רֹאִין אוֹתָן כְּ[א]יְלוֹ הֵן בְּנֵי חוֹרֵין שִׁירְדוּ מִנְכַּסְיָהֶם שֶׁהֵם בְּנֵי אַבְרָהָם יִצְחָק וְיַעֲקֹב

[If] he mutilated his [fellow's] ear, plucked his [fellow's] hair, spat and the spittle reached his [fellow], removed his [fellow's] cloak from him, uncovered the head of a woman in the marketplace—he gives him four hundred *zuz*, and everything is according to his honor. Said Rabbi Akiba: "Even the poor in Israel, [we] consider them as free men who lost their wealth, for they are the sons of Abraham, Yitzhak and Yaakov.

In this text, there are two opinions: 1) a person who has humiliated another (man or woman) should pay compensation according to the status of that fellow (“according to his honor”); 2) Rabbi Akiba’s view that the entire people of Israel, including the poor, should receive maximum compensation since they share an elevated status inherent in their lineage as descendants of the patriarchs. Here we see a contrast in two opinions regarding the shame of the poor. The first is that the wealthy should receive a higher level of compensation than the poor, an opinion that may stem from the notion that the shame of the wealthy is greater. The second opinion—attributed to Rabbi Akiba—is that all Jews, including the poorest should receive the higher sum, since their embarrassment does not differ from the embarrassment of the wealthy who fell to poverty. Thus, Rabbi Akiba, does not negate the idea which prevailed in the Roman world, that the shame of a person of a higher status is more pronounced than the shame of the lower classes—but rather raises the entire people of Israel to the higher category because of their genealogy.

³⁹ However, the accuracy of this passage is not certain, since it is missing from Ms. Or. 4720 (Scal. 3) of the Leiden University Library, but exists in Ms. Vatican 133.

⁴⁰ It seems that the setting of such instructions is related to life in towns or cities rather in villages.

Overview: Relative and Absolute Poverty in Rabbinic Discourse on Almsgiving

Tannaitic texts present two main approaches regarding eligibility for support. Mishnah *Peah* defines eligibility in absolute terms, allocating equal measures to the poor on the basis of their holdings, without specific attention for the relative poor. The obligation to support the poor, therefore, applies to the ordinary poor. In contrast, *t. Peah* 4:10, uses relative standards, which include an obligation to provide for the particular needs (or desires) of poor persons, according to their former status. Thus, beyond a baseline concern for the ordinary poor, the Tosefta requires special provisions for the relative poor, especially those from prominent families, instructing that their previous status should serve as a guide for how they will be supported. This approach resembles the Roman model of food distributions and higher levels of care for the poor from good families. Considering these Roman norms, the Mishnah's silence concerning the relative poor is striking, as is the attitude evinces in some Tannaitic texts (and even in the Tosefta itself) that seem to voice reservations with respect to the obligation of generous support for the relative poor. In the Yerushalmi, several *baraitot* (which have equivalents in the Tosefta) that prescribe highly generous support to the relative poor, are contextualized by the inclusion of specific examples that restrict their validity and authority. However, the idea of extra support for the relative poor is not absent from the Yerushalmi, as the view that clothing should be provided to the poor according to their former status indicates (and as will be discussed in the story of Rabbi Yonah in the next section). Given the strong link between clothing and status in the Roman Empire, to lower the quality of a

poor person's clothing would publicly display the related reversal in that individual's economic standing, potentially causing additional shame and embarrassment.

On the whole, while the obligation to support the absolute poor extensively and clearly emerges throughout these texts, the requirement to support the relative poor according to their former status is limited to select references (most of them discussed in this chapter). While no reservations can be found regarding the obligation to support the absolute poor, boundaries on the provisions required for the relative poor are part of the discourse.

The Ordinary Poor and the Relative Poor in Rabbinic Discourse on Dignity and Shame

בזמן שאדם עשיר יש לו פנים שמחים לראות את חבירו, ובזמן שאדם עני אין לו פנים לראות מפני שהוא מתבייש מחבירו

When a person is wealthy, he has a happy countenance [face] to see his friend. But when a person is poor, he has not the face for seeing [his friend], because he is ashamed before his friend. (An addition to *Gen. Rab.* 91:5; Theodor-Albeck 1121.)

This statement, which appears in a late addition to the Amoraic midrash, *Genesis Rabbah*, indicates a common perspective that associates poverty with shame.⁴¹ Indeed, in many societies throughout history, involuntary poverty has been linked to shame and

⁴¹ This text appears in the printed editions of *Genesis Rabbah*, as well as in some manuscripts. However, according to Albeck, *Bereschit Rabbah*, 1118, note 4, this text is part of sections that were not originally part of *Genesis Rabbah*, but it originates in a later addition taken from midrash *Tanhuma*. Indeed, this part does not appear in Vatican Ebr. 30. However, the passage quoted here does not appear in the *Tanhuma* (see Albeck, *idem.*, 1121, notes), and therefore may even be a later addition to the *Tanhuma*.

embarrassment.⁴² Neville Morley describes shame, together with vulnerability and exclusion, as typical of the experience of the poor in the Roman Empire:

Whether a man felt himself to be poor because of a lack of slaves, because of his clothing and shoes (. . .), because he was compelled to work his farm himself or had insufficient money for a proper dowry (. . .), because he had to sell his labour to another (. . .) or because he was genuinely destitute and desperate, the sense of shame, and envy against those who enjoyed better (and undeserved) fortune, may have been the same.⁴³

Shame caused by poverty may therefore be a relative concept. Let us now explore who, according to rabbinic texts, are the poor who experience shame.

As we have seen, rabbinic texts from the land of Israel assume that poor persons coming from good families experience extra embarrassment when they are required to receive alms. This assumption is illustrated in a story about Rabbi Yonah that appears in *Yerushalmi Peah*:

(A) אמ' ר' יונה. "אשרי נותן לדל" אין כת' כאן אלא "אשרי משכיל אל דל". והוא שמסתכל במצוה היאך לעשותה.

(B) כיצד היה ר' יונה עושה. כשהיה רואה בן טובים שירד מנכסיו היה או' לו. בני. בשביל ששמעתי שנפלה לך ירושה ממקום אחר טול ואת פורע. מן דהוה נסב ליה אמ' ליה. מתנה.

(A) Rabbi Yonah said: "It is not written here [in Scripture], 'Happy is he who gives to the needy,' but rather [it is written] 'Happy is he who is thoughtful of the needy'⁴⁴ (Ps 41:2). The meaning of this [specific articulation] is that one should look [thoughtfully] at this *mitzvah* [of almsgiving, to see] how [best] to perform it."

(B) What would Rabbi Yonah do? When he saw a member of a noble family who fell into poverty, Rabbi Yonah] would tell him: "My son, since I have heard that that an inheritance has fallen to you from another place, take [this money and later] you [shall] pay [it] back [to me]." When [the poor person] took [the money] for himself, [Rabbi Yonah] would say to him: "[It is] a gift." (y. *Peah* 8:7, 21b; y. *Sheqal.* 5:4, 49b)

⁴² For example, Cohen, *Poverty and Charity in the Jewish Community of Medieval Egypt*, 35, 45-48.

⁴³ Morley, "The poor in the City of Rome," 16-20.

⁴⁴ Based on JPS.

This tradition contains two parts: in (A) Rabbi Yonah teaches that giving alms requires a certain level of discernment. He supports his assertion with the phrase from Ps 41:2, "Happy is he who is thoughtful of the needy" (אשרי משכיל אל דל), which states that such special consideration is required; part (B) describes Rabbi Yonah's own considerate manner of giving to the poor from good families who lost their property. First Rabbi Yonah informs the poor person that he heard that he (the poor person) is about to receive an inheritance, but in the meantime, Rabbi Yonah wishes to lend him a sum of money. After the poor person accepts his offer, Rabbi Yonah reveals that it is actually a gift. Rabbi Yonah's consideration for the poor person is not only displayed by his special way of giving, but also when he addresses the recipient as "my son."

The same two-part tradition also appears in *Leviticus Rabbah*. Here, however, the midrash explicitly articulates the Yerushalmi's assumption that a poor person from a noble family may refuse to take alms since he might be embarrassed to need support:⁴⁵

... ר' יונה כך היה עושה בשעה שהיה רואה בן גדולים ובן טובים שירד מנכסיו והוא מתבייש ליקח
היה הולך אצלו וא' לו ...
... Rabbi Yonah would do [as follows]: When he saw a son of a great and noble family who fell into poverty and was embarrassed by taking [alms], [Rabbi Yonah] would go to him and tell him ... (*Lev. Rab.* 34:1)

We are not told whether this poor person from a good family is now destitute, or whether his poverty is only relative to what he used to have. However, it is clear that this story indicates extra care and consideration towards the poor from noble families, who are

⁴⁵ A very similar practice of giving appears in *t. Peah* 4:12, but in that passage the particular background of the poor is not mentioned: namely, the poor person is not described as coming from a noble or wealthy family. See also *Sifre Deuteronomy* 116.

presented as being embarrassed to readily accept support. The same assumption seems present in the Mishnah's and Tosefta's descriptions of the "Chamber(s) of Secrets" described above. These texts suggest that greater shame is associated with the poor from wealthy backgrounds, especially when they receive charity. As we have acknowledged, this special consideration and care towards the poor from good families is a common theme in Greco-Roman writings. However, rabbinic texts from the land of Israel go beyond concern for the poor from good families. In these texts, empathy and sensitivity are also extended to the ordinary poor.⁴⁶ Such concern for the feelings of the ordinary poor is rare in contemporaneous Greco-Roman writings.

Let us examine several rabbinic traditions that illustrate consideration for embarrassment experienced by the ordinary poor. Mishnah *Ta'anit* recalls practices on the Day of Atonement and the 15 of Av during the Second Temple period. On those days, white garments were lent and borrowed, to avoid embarrassing whoever did not own such clothing:

אמר רבן [שמעון בן גמליאל] לא היו ימים טובים ליש[ראל] כחמשה עשר באב וכיום הכיפורים שבהן בני ירושלים⁴⁷ יוצאין בכלי לבן שאולים שלא לבייש את מי שאין לו . . .⁴⁸
 Rabban Shimon ben Gamliel said: "There were no better days⁴⁹ for Israel than the fifteenth of Av and the Day of Atonement, for then the sons of Jerusalem go out in borrowed white garments, so as not to embarrass those who had none." (*m. Ta'an. 4:8*)

⁴⁶ Sensitivity towards the embarrassment of poor women appears in *m. Ta'an. 4:8*; a story in which one who considers the shame of a poor person is rewarded by God occurs in *y. Hag. 2:2, 77d*.

⁴⁷ In the printed edition of the Mishnah, those wearing borrowed white garments and go out are identified as the "daughters of Jerusalem." According to the Kaufmann manuscript, on those days, the sons of Jerusalem wore white borrowed garments, indicating that men wore white garments on that day.

⁴⁸ About the versions of this text, see, Paul Mandel, "There were no Happier Days for Israel than the Fifteenth of Av and the Day of Atonement": On the Final Mishnah of Tractate *Ta'anit* and its Transmission," *Te'uda* 11 (1996):147-178.

In this text, Rabban Shimon Ben Gamliel praises these two days as the best times of the year for the people of Israel, since on these days, the variations in status that were otherwise displayed by different garments were erased.⁵⁰ Shmuel and Ze'ev Safrai note that white cloth is contrasted with expensive colored garments, and therefore it symbolizes purity of body and soul.⁵¹ According to Rabban Simon Ben Gamliel, the borrowed white garments that were worn on these days prevented shame and embarrassment for those who did not possess such clothing.⁵² Hence, this mishnah articulates sensitivity to the potential embarrassment that could result from a lack of appropriate clothing, particularly on holy days and special occasions when people gather in public. This mishnah expresses care toward the absolute poor, but not the relative poor. Thus the clothing being discussed in this text is not expensive, like the garment of fine wool which should be provided to the relative poor according to *t. Peah* 4:10, but rather a simpler sort. In addition, the saying of Rabban Gamliel included the entire population of Jerusalem and not only one particular class.

⁴⁹ According to Edward Levin's translation: "Holidays" in *Pinhas Kehati, The Mishnah: Seder Moed Vol. 5: Ta'anit: A New Translation with a Commentary by Rabbi Pinhas Kehati* (trans. Edward Levine; ed. Rabbi Nahman Kahana; Jerusalem: Eliner Library, 1991), 57.

⁵⁰ According to Paul Mandel, "There were no Happier Days for Israel," 147-178, the statement "so as not to embarrass those who had none" (שלא לבייש את מי שאין לו) is not part of the original Mishnah, but it is a later addition that occurs in all Palestinian manuscripts of the Mishnah; he claims that this phrase predates the Yerushalmi, but that the portion about borrowed white garments is original.

⁵¹ Shmuel and Ze'ev Safrai, *Mishnat Eretz Israel: Tractate Ta'anit – Megila (Moed E): with Historical and Sociological Commentary* (Jerusalem: The E.M. Liphshitz Publishing House College, 2010), 166.

⁵² Compare, Hamel, *Poverty and Charity in Roman Palestine*, 84-85.

Elsewhere, embarrassment is linked to situations in which the dignity of particular groups would otherwise be left unprotected. Tosefta *Niddah* describes several practices that were performed in order to uphold the dignity of women who died during a menstrual period, people with intestinal diseases and the poor:

(A) בראשונה היו מטבילין על גב הנשים המתות נדות חזרו להיות מטבילין על כל אחת ואחת מפני כבוד הנשים

(B) בראשונה היו מוציאים מוגמר לפני חולי מעיים וחזרו להיות מוציאים לפני כל אחת ואחת מפני כבוד המתים

(C) בראשונה היו מוציאים עשירים בדרגש ועניים בכליבא חזרו להיות מוציאים בין בדרגש בין בכליבה מפני כבוד העניים :

- (A) At first they would immerse [objects which were in contact with]⁵³ women who died [during their] menstrual period. They [later] turned to [the practice of] immersing [the objects which were in contact with] every woman out of concern for the honor of women.
- (B) At first they would carry burning spices in front of those [who died while suffering from] intestinal disease. They [later] turned to carrying [burning spices] in front of everyone, out of concern for the honor of the dead.
- (C) At first they would carry out the wealthy [deceased] on a couch, and the poor on a common bier. They [later] turned to carry [all of them] out, whether on a couch or on a common bier, out of concern for the honor of the poor. (*t. Nid.* 9:16)

According to this text, these practices initially distinguished between these particular groups and the community at large, but the rituals were ultimately altered to eliminate these divisions. Section C discusses the difference between burial practices for the wealthy and the poor.⁵⁴ The text indicates that the dignity of the poor might be diminished due to the difference in how their bodies were transported. Although the word shame is not explicitly used here, the motivation for altering the practice was to uphold

⁵³ This interpretation is according to the Babylonian Talmud's version:

בראשונה היו מטבילין [ה]כלים על גבי נידות מתות

⁵⁴ This portion is not completely clear, since it seems that both of these practices continue after the change was made, thus it does not completely match the other examples. Rabbi David Ferarow, in his commentary , דודי חסדי suggests that the two options reflect customs from different communities. According to his view, in each place there had only one of these practices for the wealthy and the poor. In certain places there was a special *dargash* and in other places *keliva*.

the honor of the poor. From the description above, it is clear that these texts refer to the ordinary [absolute] poor, not the relative poor. David Kraemer suggests the possibility that the dignity at issue in this text relates to the deceased, rather than to their relatives:

We must consider the possibility that the women and poor whose honor is being defended are those who have already died. That the honor of the dead (as well as the living) requires protection is clear. And the Mishnah already hinted that the dead continue to sense what is happening in the world they have begun to leave, so they would naturally feel disgrace or pain. The current practices, whatever their origin, seem to respect this perceived reality.⁵⁵

Kraemer presents death as “a leveling experience,” a time in which socio-economic divisions are erased:

Whatever distinctions may have divided people in their lives – wealth or poverty, health or sickness, gender – are symbolically erased with the advent of death. . . . The practice currently endorsed by the sages whose opinions are recorded in this document recognizes and upholds equality. Though other considerations (such as righteousness or wickedness) might divide individuals after death, distinctions that living persons experience most frequently are erased when the journey to the other world begins.⁵⁶ However, the next tosefta, which also focuses on the dignity of poor members of

the community during times of mourning, seem to consider those who come to comfort the mourners:

בראשונה היו מוליכין לבית האבל עניים בכלי זכוכית צבועה עשרים בכלי זכוכית הלבנה חזרו להיות מוציאים בין בצבועה בין בלבנה מפני כבוד עניים

At first, they would carry [food or drinks] to the house of mourning: the poor – in colored glass vessels, the wealthy – in white glass vessels. They [later] turned to carrying both colored (glass) as well as white (glass) [regardless of status,] out of concern for the honor of the poor. (*t. Nid.* 9:17)

⁵⁵ David Kraemer, *The Meanings of Death in Rabbinic Judaism* (London and New York: Routledge, 2000), 37.

⁵⁶ *Ibid.*, 37.

In this text, the dignity of those who bring food to the house of the mourners is being addressed.⁵⁷ The differences between the containers that were used by the wealthy and the poor would reveal the socio-economic status of each neighbor to the public eye. As Nissan Rubin writes, the practice of bringing food to houses of mourning became an arena for competition among neighbors.⁵⁸ This may be the background for *m. Mo'ed Qat.* 3:7, which instructs that food should only be brought in plain baskets:

ואין מוליכים לבית האבל לא בטבלא ולא באסקוטלא ולא בקנון אלא בסלים
One may not deliver [food] to the house of mourning on a tray or on a salver or in reed basket, but [only] in [ordinary] baskets. (*m. Mo'ed Qat.* 3:7)

The following tosefta deals with the issue of burial cost. The high cost of burial and mourning practices is demonstrated by the description of the people who would leave their dead and flee because of the expense involved:

בראשונה כל מי שיש לו מת היו יציאותיו קשות עליו יותר ממתו התחילו הכל מניחין מתיהן ובורחין
הנהיג רבן גמליאל קלות ראש בעצמו נהגו הכל כרבן גמליאל:
At first whoever had a deceased [in the family], his [burial] expenses were more difficult to bear than the death [itself]. Everyone began to leave their dead and flee. [Until] Rabban Gamliel behaved with disregard [for custom] towards himself. [From then on,] everyone conducted themselves in accordance with Rabban Gamliel. (*t. Nid.* 9:17)

This tosefta reports that the exorbitant cost of burial caused greater hardship for the relatives than the death itself. Only when Rabban Gamliel (who had the means for an expensive burial) decided to have a less costly burial arranged for himself did others

⁵⁷ Some commentators, however, have suggested that the types of containers were in accordance with the socio-economic status of mourners. For example, Neusner, *The Tosefta: Translated from the Hebrew: Sixth Division Tohorot: (The Order of Purities)* (New York: Ktav Publishing House, 1977), 233, translates: "At first they would bring [food] to the house of mourning of the poor in a colored glass utensil and to the rich in white glass."

⁵⁸ Nissan Rubin, *The End of Life: Rites of Burial and Mourning in the Talmud and the Midrash* (Tel-Aviv Hakkibutz Hameuchad), 237.

follow his example. The Tosefta, therefore, portrays Rabban Gamliel demonstrating leadership: by choosing a more modest burial for himself, he enabled others to do the same. Since this led to lower normative costs, the dignity of the poor was better protected.

These teachings from the Tosefta reveal sensitivity and care toward both the dignity and the shame of the ordinary poor (whether the deceased, their relatives, or those who come to comfort the mourners). Individual practices become a central focus of attention at times of mourning, and thus communal expectations hold particular influence over one's customs and related expenses.

The Tosefta, however, does not specify in what respect Rabban Gamliel's burial was cheaper. The Babylonian Talmud fills in these details by presenting additional traditions that do not appear in the Tosefta and draw more explicit links between dignity and shame. In the Babylonian Talmud's version of these sections of the Tosefta, this sense of shame experienced by the poor led the rabbis to establish new practices:

- (A) תנו רבנן בראשונה היו מוליכין לבית האבל עשירי בקלותות של זהב עניים בסלי נצרים של ערבה קלופה והיו עניים מתביישין התקינו שיהיו הכל מוציאין בכלי נצרים של ערבה קלופה מפני כבודן של עניים
- (B) תנו רבנן בתחילה היו משקין בבית האבל עשירים בכלי זכוכית לבנה עניים בזכוכית צבועה והיו עניים מתביישין התקינו שיהו הכל משקין בזכוכית צבועה מפני כבודן של עניים
- (C) תנו רבנן בראשונה היו מגלין פני עשירים ומכסין פני עניים שהיו פניהם מושחרין בשני בצרות והיו עניים מתביישין התקינו שיהו מכסין פני הכל מפני כבודן של עניים
- (D) תנו רבנן בראשונה היו מוציאין עשירים בדרגש ועניים כליבה והיו עניים מתביישין התקינו שיהו הכל מוציאין בכליבה מפני כבודן של עניים
- ...
- (E) בראשונה היה יציאתו של מת קשה לקרוביו יותר ממיתתו עד שהיו מניחין אותו ובורחין עד שבא ר"ג ונהג קלות ראש בעצמו לצאת בכלי פשתן
- (A) A Our rabbis have taught [in a Tannaitic tradition]: At first they would bring [food] to the house of mourning, the wealthy—in baskets of gold, [and] the poor—in baskets of peeled willow twigs. And the poor were embarrassed. [Thus] they

established that everyone should bring [food] in baskets of peeled willow twigs out of concern for the honor of the poor.

- (B) Our rabbis have taught [in a Tannaitic tradition]: At first they would serve drinks in the house of mourning, the wealthy with white glass vessels, [and] the poor with colored glass. And the poor were embarrassed. [Thus] they established that everyone should serve drinks in colored glass out of concern for the honor of the poor.
- (C) Our rabbis have taught [in a Tannaitic tradition]: At first they would uncover the face of the wealthy [deceased] and cover the face of the poor [deceased] because their faces became blackened in years of drought. And the poor were embarrassed. [Thus] they established that they should cover the faces of all [the dead] out of concern for the honor of the poor.
- (D) Our rabbis have taught [in a Tannaitic tradition]: At first they would carry out the wealthy [deceased] on a couch, and the poor on a common bier. And the poor were embarrassed. [Thus] they established that everyone should be carried out on a common bier, out of concern for the honor of the poor.
- ...
- (E) At first, the [burial] expenses of the deceased were more difficult for his relatives than his death, so they would abandon him and flee. Until Rabban Gamliel came and conducted himself with disregard [for custom], being removed [for burial] in linen garment. (*b. Mo'ed Qat. 27a*)

Like the Tosefta, the Babylonian Talmud discusses the problem of inequality between the poor and the wealthy at the time of mourning and burial. The first *baraita* (A), which deals with bringing of food to the house of mourning, differs from the version in the Tosefta. This *baraita* seems to integrate the material in *t. Nid. 9:17* (quoted above), the Mishnah's instructions to bring food to the house of mourning only in plain baskets (cited above),⁵⁹ and *m. Bik.3:8*, which describes the bringing of the first fruit offering to the Temple:

העשירים מביאים בכוריהם בקלתות של כסף ושל זהב והעניים מביאין אותם בסלי נצרים של ערבה
קלופה

⁵⁹ Regarding the "Tosefta parallels" in the Babylonian Talmud, Shamma Friedman, "The Primacy of Tosefta," 104, writes: "[T]he type of editing found in the Bavli often introduce elements of the Mishnah into the baraita, and similarly substitutes the Mishnah's language for the original (Tosefta) style in the in the baraita!"

The wealthy bring their first fruits [to the Temple] in baskets of silver and of gold, and the poor bring them in baskets made of peeled willow twigs. (*m. Bik* 3:8)⁶⁰

In this Mishnah, the giver's socio-economic status is made visible to all by the containers in which the first fruits offering is brought. Yet, the embarrassment of the poor is not mentioned in this text, and no change is suggested or established.

The second *baraita* (B) in *b. Mo'ed Qat.* 27a discusses the glassware used for serving drinks in houses of mourning. The difference between white glass and colored glass appears also in *t. Nid.* 9:17, but with regard to the containers used for bringing food (or drinks) to the house. In the Babylonian Talmud, food is brought in baskets, according to the Mishnah's instruction, while glass containers for drinks, are used inside the house. The third *baraita* (C), describing the blackened faces of the poor as a result of drought, has no parallel in the Tosefta.⁶¹ The fourth *baraita* (D) is similar to *t. Nid.* 9:16, but the Babylonian version is clearer, since, according to this text, at first there was a division between the poor and the wealthy, then, after rabbinic intervention, only one practice was allowed for all. The fifth *baraita* (E) brings the story about Rabban Gamliel that also appears in the Tosefta. The Babylonian Talmud, however, states that Rabban Gamliel was buried in linen burial cloth, which was cheaper than the shrouds that had been used before.

⁶⁰ The English translation was adapted from the translation of Margaret Wenig Rubenstein and David Weiner in Neusner, *The Mishnah: A New Translation*, 174.

⁶¹ The idea that poverty undermines the beauty of women appears in *m. Ned.* 9: 10.

In all of these sources, the Babylonian Talmud offers the most detailed and explicit presentation of the relationship between embarrassment and the dignity of the poor, and rabbinic efforts at to establish new practices that would reduce such personal hardships, especially during times of mourning, when public attention is focused on the mourners and the dead. We do not know whether the Babylonian version of these *baraitot* reflects an unknown Palestinian source or whether it was composed by Babylonian scholars who were working with the same Palestinian texts that we possess.⁶² However, the sensitivity conveyed with respect to the embarrassment and the dignity of the ordinary poor has precedents in earlier rabbinic texts from the land of Israel.

Conclusion

This chapter demonstrates that the rabbis were aware of and negotiated between Greco-Roman models and attitudes and biblical traditions and values. While the Hebrew Bible requires support for the absolute poor, pre-Christian Greco-Roman writings neither define nor mention the absolute poor as a group that deserves assistance. Rather, when poverty is discussed in Greco-Roman texts, it is often relative poverty, which can be exemplified by a person who may feel poor since he has fewer slaves than his neighbor.⁶³ Textual analysis reveals that rabbinic discourse on poverty can be best understood by

⁶² According to Friedman, "The Primacy of Tosefta," 106, it is more likely that the Bavli was composed without additional Palestinian texts, but rather: "the baraitot of the Bavli corresponding to Tosefta passages contain evolved style and leveled presentation."

⁶³ But see references regarding the absolute poor in Roman writings in Saller, "Poverty, Honor and Obligation in Imperial Rome," 12-20.

taking the influences of both contexts into account (the biblical text and Greco-Roman culture). While a number of rabbinic texts discuss the responsibility to support the relative poor at a higher standard than is described in the Bible, rabbinic sources consistently exceed the Greco-Roman horizons by prescribing care and sensitivity towards the absolute poor.

In the previous chapters, I claimed that the socio-economic status of the rabbis in the land of Israel was diverse. I also argued that in Palestinian rabbinic texts, the absolute poor were rarely blamed for their situation and ordinary poverty was not understood as a punishment. This chapter demonstrates that with respect to charity, as well as the embarrassment and the dignity of the poor, rabbinic texts from the land of Israel are concerned with both the relative and the absolute poor. Thus, not only was the socio-economic background of the rabbis diverse, but the depictions of poor members of the community in these texts reflect more than one condition or status. However, since the majority of rabbinic texts on almsgiving focus exclusively on the ordinary poor, without mentioning their backgrounds, the following chapters will primarily address the absolute poor.

Chapter Six: Rabbinic Almsgiving: Extending and Elaborating on the Biblical Instruction to Support the Poor

Discussions of support for the poor and approaches to giving are located in several thematic contexts throughout rabbinic literature. In the previous chapters, some of these areas have already been explored. Here I will review the material on almsgiving in rabbinic texts in order to provide a comprehensive picture of the methods for assisting the poor that were embraced by the rabbis. For the purposes of this discussion, I divide the sources of support into five categories: 1) produce gifts; 2) communal charitable institutions; 3) specially designated communal fund drives; 4) private support for known individuals; and 5) giving in response to direct requests from the indigent. Some of these categories are central to rabbinic almsgiving, while others receive marginal attention.

In this chapter, I will describe each of the methods used for collecting and distributing alms, its origin, the eligibility criteria for each system, and the contributors and their obligations. Given the significance of the relationship between rabbinic descriptions, instructions and prescriptions vis-à-vis actual social practice, I also examine the extent to which the textual sources for these five categories of almsgiving reflect an ideal model or practical realities during the first centuries of the Common Era.

Produce Gifts (Gifts for the Poor and the Poor Man's Tithe)

Let us begin with biblical instruction: according to Leviticus and Deuteronomy, certain portions of every harvest are designated for the poor (while others are for the priest and the Levite). In Leviticus we read:

וּבְקִצְרְכֶם אֶת־קִצִּיר אֲרָצְכֶם לֹא תִכְלֶה פֶּאֶת שְׂדֵךְ לְקַצֵּר וּלְקַט קִצִּירְךָ לֹא תִלְקֹט: וְכִרְמֶךָ לֹא תַעֲוִלֵּל
וּפְרֵט כִּרְמֶךָ לֹא תִלְקֹט לְעָנִי וְלִגֵּר תַּעֲזֹב אֹתָם אָנֹכִי יְהוָה אֱלֹהֵיכֶם:

When you reap the harvest of your land, you shall not reap to the very edges of your field, or gather the gleaning of your harvest. You shall not strip your vineyard bare, or gather the fallen grapes of your vineyard; you shall leave them for the poor and the alien: I am the Lord your God (Lev 19:9-10, NRSV).

וּבְקִצְרְכֶם אֶת־קִצִּיר אֲרָצְכֶם לֹא־תִכְלֶה פֶּאֶת שְׂדֵךְ בְּקִצְרְךָ וּלְקַט קִצִּירְךָ לֹא תִלְקֹט לְעָנִי וְלִגֵּר תַּעֲזֹב אֹתָם
אָנֹכִי יְהוָה אֱלֹהֵיכֶם:

When you reap the harvest of your land, you shall not reap to the very edges of your field, or gather the gleaning of your harvest; you shall leave them for the poor and for the alien: I am the Lord your God (Lev 23:22, NRSV).

Another instruction appears in Deuteronomy:

כִּי תִקְצֹר קִצִּירְךָ בְּשֵׂדֶךָ וְשָׁכַחְתָּ עִמָּךְ בְּשֵׂדֶךָ לֹא תָשׁוּב לְקַחְתּוֹ לִגֵּר לִיתּוֹם וְלֹא־לְמִנְגָּה יִהְיֶה לְמַעַן יְבָרְכֶךָ
יְהוָה אֱלֹהֶיךָ בְּכֹל מַעֲשֵׂה יָדֶיךָ: כִּי תַחֲבֹט זֵיתֶךָ לֹא תִפְאַר אַחֲרָיֶךָ לִגֵּר לִיתּוֹם וְלֹא־לְמִנְגָּה יִהְיֶה: כִּי תִבְצֹר
כִּרְמֶךָ לֹא תַעֲוִלֵּל אַחֲרָיֶךָ לִגֵּר לִיתּוֹם וְלֹא־לְמִנְגָּה יִהְיֶה: וְזָכַרְתָּ כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם עַל־פְּנֵי אֲנֹכִי
מִצְוֶךָ לַעֲשׂוֹת אֶת־הַדְּבָר הַזֶּה:

When you reap your harvest in your field and forget a sheaf in the field, you shall not go back to get it; it shall be left for the alien, the orphan, and the widow, so that the Lord your God may bless you in all your undertakings.

When you beat your olives trees, do not strip what is left; it shall be for the alien, the orphan, and the widow.

When you gather the grapes of your vineyard, do not glean what is left; it shall be for the alien, the orphan, and the widow. Remember that you were a slave in the land of Egypt; therefore I am commanding you to do this (Deut 24:19-22, NRSV).

These biblical laws concern the portions of crop yields that should be left for the vulnerable members of society. In the Torah, however, most of these laws lack precise measures and details. Therefore, the rabbis interpreted and expanded upon this small set of verses.

Rabbinic discourse on this category of giving appears mainly in tractate *Peah* of the Mishnah, Tosefta, and the Yerushalmi, as well as in several Tannaitic midrashim.

Roger Brooks writes about the Mishnah's treatment of these gifts:

Tractate *Peah* asserts that needy Israelites are entitled to a portion of each crop that grows on the Land of Israel. The householder must designate some of his produce to meet this entitlement, while other gifts become the property of the poor entirely through processes of accident. What these various types of food have in common is the fact that they are reserved for the poor alone—no one else may eat them.¹

In rabbinic texts, these yearly gifts are called the “gifts of the poor” (מתנות עניים),² a name that articulates the similarity in communal provisions for the poor, the priests, and the Levites; the latter two groups received “gifts for the priesthood” (מתנות כהונה). Brooks explains the parallel between the poor and the priests as follows:

What conception stands behind this analogy between the poor and the priests? It is their common claim on God for protective support. Because neither group possesses a portion of the Land of Israel, neither can produce the food it needs. The priests, for their part, are forbidden by Scriptural law to own land (see Deut. 18:1-5). Instead, they act as God's servants in the Temple and are accorded food on that account. Similarly, the poor have lost whatever portion of the Land they may have possessed, and so are entitled to receive some of its yield. God supports both the priests and the poor because they neither own land nor attain the economic prosperity promised to all Israelites who live in the Land.³

The rabbinic elaboration of the biblical laws on this topic⁴ categorizes and defines produce gifts according to three types of crops,⁵ as summarized in Tosefta *Peah*:

ארבע מתנות בכרם פרט שכחה ופאה ועוללות שלש בתבואה לקט שכחה ופאה שטים באילן שכחה
ופאה

¹ Brooks, *Support for the Poor*, 17.

² See, for example, *m. Avot* 5:9; *Peah* 2:18.

³ Brooks, *Support for the Poor*, 18.

⁴ An extensive description and translation of Mishnah and Tosefta *Peah* can be found in Brooks, *Support for the Poor*.

⁵ Interestingly, rabbinic texts provide evidence that not everyone practice these gifts according to these categories. For example, in *m. Pes.* 4:8 and *t. Pes.* 3:19, we read that the people of Jericho set aside *peah* from their vegetable crops, even though the rabbis had exempted vegetables from *peah*.

[There are] four gifts from the vineyard: *peret* (individual grapes), *shikheḥah* (forgotten grapes), *peah* (produce at the edge of a vineyard) and *olelot* (defective clusters). [There are] three [gifts] from [a field of] grain: *leqet* (gleaning), *shikheḥah* (forgotten sheaves), and *peah* [produce at the edge of a field]. [There are] two [gifts] from [the fruit of] a tree: *shikheḥah* (forgotten fruit) and *peah* [fruit on trees at the edge of an orchard]. (*t. Peah* 2:13)

According to the rabbinic understanding, the produce from which gifts to the poor should be taken is sorted into three groups, each with its own specified gifts: 1) From fields of grain, come three gifts: *peah* (פאה), "the produce at the edges of a field," should be left for the poor to collect. This section of the field was designated by peasants and had to equal at least one-sixtieth of the entire field (*m. Peah* 1:2). *Shikheḥah* (שכחה), literally "the forgotten sheaf," refers to sheaves that were inadvertently left in the field during the harvest, and therefore belong to the poor. Finally, gleaning (*leqet*/לקט) refers to ears of grain that fall in the process of harvesting and should be left behind so they can be collected by the poor.

2) From vineyards, four gifts were derived: in addition to *peah* and *shikheḥah*, each individual grape (*peret*/פרט) that falls is designated for the poor, as was the case with gleaning in the fields. Finally, the defective clusters, '*olelot* (עוללות), also belong to the poor.

3) Orchards were the source for two gifts: *peah* and *shikheḥah*.

Transfer of these gifts to the poor should be done without any intervention from the landowner regarding the identity of the recipients, since such control could lead to expectations of obtaining something in return. On the contrary, the texts make clear that these portions of the crops belong to the poor, not to the landowner, so those in need are

actually gathering their rightful share of the yield. Thus in the Tosefta, after the gifts to the poor have been enumerated, the text continues:

כל אילו אין בהם משם טובה אפי' עניי שבישראל מוציאהו אוחו מידו
None of these [gifts] are [given] as a favor (טובה), Even a poor Israelite they take [these gifts] from his hand [if they are given to him by a householder, so that all the poor will have equal access to these gifts]. (*t. Peah* 2:13)

In discussions of produce gifts and the laws of the Sabbatical year, the word טובה (*to vah*) denotes a favor that involves an expectation of an exchange, where the recipient will give something in return; it may not be immediate, but an element of obligation is inherent in such relationships. This tosefta precludes a landowner from reserving these gifts for poor relatives and friends, thereby eliminating doubt over the nature of these agricultural provisions and any expectation of a gesture in return.⁶

In addition to the produce gifts that were collected during each harvest season, Deut 14:28-29 and 26:12 instruct that a poor man's tithe be given every three years.⁷ According to rabbinic texts, twelve tithes were prescribed per sabbatical cycle, two tithes for each of the first six years: the farmer should first tithe the Levites (with a tenth of that tithe designated for the priests, as the heave offering); and a second tithe should be spent in Jerusalem during the first, second, fourth and fifth years of the sabbatical cycle. In the third and the sixth years, the second tithe should be given to the poor. Neither agricultural activity nor tithing was carried out during the sabbatical year. According to Josephus, there were three tithes in the third and sixth years, with the poor man's tithe being added to the annual Levitical and Jerusalem tithes, rather than as a substitute for the

⁶ Lieberman, *The Tosefta*, 1: 48; compare Lieberman, *Tosefta Ki-Fshutah*, 1: 152.

⁷ These verses were already quoted in the previous chapter.

latter (*Ant.* 4.69, 205, 240). This system indicates a total of fourteen tithes during the first six years of each sabbatical cycle. According to Fabian E. Udoh, the Sinaiticus tradition of Tobit 1: 6-8 describes a tithing system like the one mentioned by Josephus, while in “the Alexandrinus and Vaticanus textual traditions,” the poor tithe was given during all six active agricultural years, adding up to three tithes annually.⁸ The rabbinic system, therefore, presents but one calculation for tithing from the Second Temple period and in comparison to the others noted here, it is the most lenient, since the poor man’s tithe is in lieu of the “second tithe,” not in addition to it.

It is important to note that rabbinic texts distinguish between yearly gifts and the poor man’s tithe. Whereas the poor should collect their portion of the yearly gifts themselves (with the exception of dangerous harvesting conditions), the poor man’s tithe was distributed by farmers. Thus, in contrast to the yearly gifts, a number of texts state that the landowner may determine (at least partially) the recipients of the poor man’s tithe, similar to the practice for priestly and Levitical gifts.⁹

The rabbis, therefore, constructed a sophisticated system using the verses in Leviticus and Deuteronomy as its foundation, but also providing the mechanisms and

⁸ For more details, as well as other tithing systems, see, E. P. Sanders, *Judaism: Practice and Belief: 63 BCE – 66 CE* (London and Philadelphia: SCM Press and Trinity Press, 1992), 146-150; Fabian E. Udoh, *To Caesar What is Caesar’s: Tribute, Taxes, and Imperial Administration in Early Roman Palestine (63 B.C.E. – 70 C.E.)* (Brown Judaic Studies 343; Providence, Rhode Island: Brown Judaic Studies, 2005), 245-248.

⁹ While according to *m. Ned.* 7:4 and the Erfurt manuscript of the Tosfta, no favor (טובה) may be linked to the poor man’s tithe, and therefore, a farmer cannot select its recipients, other texts grant the farmer partial control over the recipients, since he is allowed to reserve part of this tithe for his poor relatives and friends after other poor persons received a certain amount each. See, *m. Peah* 5:5; 8:5-6; *t. Peah* 4:2; *Sifre Deuteronomy* 303; *y. Peah* 8:6, 21a, and see the story in *y. Peah* 8:8 21a, about Rabbi Yehuda the Patriarch, who would give his poor man’s tithe to one of his students. See, Lieberman, *Tosefta Ki-Fshutah*, 1: 152-153.

details that are absent from the Torah. The *Peah* tractates of the Mishnah, Tosefta, and Yerushalmi provide answers to questions on topics that extend logically from the succinct biblical passages. For example, which types of produce are included and exempted from the requirements of *peah*? What portion of the yield fulfills the minimum designation for *peah*? From which part of a field should it be made available? As we will see in the following analysis, these technical discussions often illuminate rabbinic thinking about the poor and their relationship with the crop owners who are obliged to provide gifts from their yield.

For the remainder of this study, the annual contributions to the poor from the produce yield (allocated directly and incidentally) and the poor man's tithe (given during the third and the sixth years of the sabbatical cycle) are referred to collectively as "produce gifts," to distinguish them from other categories of giving.

Who Should Allocate Produce Gifts?

According to the Torah, Israelite landowners are commanded to allow the poor to collect their portion or to give it to them. No further procedural information is provided in the Tanakh. The Mishnah cites several opinions regarding the minimum portion of land from which *peah* should be given.

ר' אליעזר אומי קרקע בית רובע חייב בפיהא ר' יהושע אומי העושה סאתים ר' טרפון אומי ששה על ששה טפחים רבי יהודה¹⁰ בן בתירה אומי כדי לקצור ולישנות והלכה כדבריו ר' עקיבא אומי קרקע כל שהוא חייב בפיהא . . .

Rabbi Eliezer says: "[An area] of land [where] a quarter [*qab* of seed has been planted] is subject to [the laws of] *peah*." Rabbi Yehoshua says: "[An area of land which] produces two *seahs* [of grain is subject to the laws of *peah*]." Rabbi Tarfon says: "[An area of land measuring] six by six hand-breadths [is subject to the laws of *peah*]." Rabbi Yehuda ben Beterah says: "[An area of land which produces] sufficient [produce that the farmer must] harvest twice (with two strokes of a sickle) [is subject to the laws of *peah*]." And the law is according to his words. Rabbi Akiba says: "Any area of land, [however minuscule,] is subject [to the laws of *peah*]. . ."¹¹ (*m. Peah* 3:6)

In this text, the rabbis agree that the minimum size for a plot of land to which *peah* applies is very small. Furthermore, according to *m. Peah* 5:5, tenant farmers are also obliged to designate *peah*. Other types of agricultural gifts, such as defective grape clusters and the forgotten sheaf, could accidentally fall in any section of a vineyard or field and be apportioned to the poor. It is also noteworthy that the requirement to provide these gifts refers to the land of Israel exclusively, and not to other lands, since according to rabbinic texts, most laws that relate to agriculture are exclusively intended for the land of Israel.¹² Yet some texts describe the practice of tithing, including the poor man's tithe, outside the land of Israel.¹³

Who Is Eligible?

According to Leviticus, the poor and the resident alien are the beneficiaries of agricultural gifts. In Deuteronomy, the widow, the orphan, and the resident alien appear

¹⁰ In the Kaufmann manuscript: ר' יהושע בן בתירה

¹¹ The translation is by Roger Brooks, in: Neusner, *The Mishnah: A New Translation*, 19-20.

¹² *m. Qidd.* 1:9; *Sifre Deuteronomy* 44, 59. This understanding is linked to the rabbinic discussion of the borders of the land of Israel.

¹³ Shmuel Safrai, "The Practical Implementation of the Sabbatical Year after the Destruction of the Second Temple," *Tarbiz* 35 (1966): 306.

as recipients of these gifts. Rabbinic texts consider material need rather than these societal categories. For example, *Sifre Deuteronomy* discusses Deut 14:29, where farmers are instructed to leave the poor man's tithe for the alien, the orphan and the widow:

”והגר והיתום והאלמנה אשר בשעריך”, יכול בין חסירין ובין שאין חסירין. ואל תתמה שהרי הוא אומר (דברים כד יז) ”לא תחבל בגד אלמנה” בין עניה ובין עשירה. תלמוד לומר (ויקרא יט ז) ”עניי” מה עני חסיר אף כולן חסירין.

“... and the stranger, the fatherless, and the widow in your settlements” (Deut 14:29, JPS). Is it feasible that [the poor man's tithe should be given to the stranger, the fatherless, and the widow] whether they are in need or not in need? And do not wonder [about this possibility] since [Scripture] says: “You shall not take a widow's garment in pawn” (Deut 24:17, JPS), whether she is wealthy or poor. [Therefore] Scripture says: “a poor person” (Lev 19:10) [to teach that] just as the poor person is in need, so must all of those [who are eligible to receive poor man's tithe] be in need. (*Sifre Deuteronomy* 110; Finkelstein 171)

This midrash discusses eligibility for the poor man's tithe. Deuteronomy mentions the alien, the orphan and the widow as the populations who qualify to receive this tithe. However, the rabbis considered the possibility that certain resident aliens, widows, and orphans may not be economically deprived. Thus, the midrash uses Lev 19:10 to make clear that only those who are in need are eligible for this gift.¹⁴ This reading of *Sifre* is congruent with the rabbinic tendency to use the word *'ani* rather than terms such as the widow, the orphan and the resident alien when referring to the poor.¹⁵ In *m. Peah* 8:7-9 (discussed in the previous chapter), eligibility to receive produce gifts is defined as possession of less than two hundreds *zuz*. *Sifre Zuta on Deuteronomy* attributes this standard to the School of Hillel, while the School of Shammai states that one who possesses more than 100 *zuz* should not receive the poor man's tithe and one who

¹⁴ See also Kahana, *Sifre Zuta on Deuteronomy*, 377.

¹⁵ See the discussion of rabbinic vocabulary in Chapter Two.

possesses more than 200 zuz should not collect other produce gifts.¹⁶ Even though we do not know the exact value of these sums, it is significant that eligibility for produce gifts is determined by one's economic standing.

Extending and Elaborating on Biblical Requirements

Let us look at a few additional examples that represent rabbinic extensions of biblical requirements and may also offer insight on how the poor recipients of these gifts are portrayed. In Tosefta *Peah*, Rabbi Shimon says that one reason to give *peah* at the end (of the harvest or of the field)¹⁷ is to prevent any need for the poor to wait all day beside the field, demonstrating sensitivity to the poor with respect to time. This explanation is called “the idleness of the poor”:

מפני בטל עניים כיצד? שלא יהו עניים יושבין ומשמרין כל היום ואוי עכשיו הוא נותן פיאה עכשיו הוא נותן פיאה אלא מתוך שניתנה בסוף הולך ועושה מלאכתו ובה ונוטלה באחרונה
“Because of the idleness of the poor”— in what respect? So that the poor will not sit and wait the entire day and say: “Now he is giving *peah*,” “Now he is giving *peah*.” But since [the *peah*] is given at the end [of the field or/and the harvest, the poor person] goes and does his work and [then] comes and takes it at the end. (*t. Peah* 1:6, Lieberman 42-43)

The Tosefta vividly describes the situation that Rabbi Shimon seeks to avoid. The poor sit next to the field, forced to wait idly for the *peah* gift, unable to go to their daily work. Their frustration is conveyed by the repetition of “Now he is giving *peah*.” By providing

¹⁶ Kahana, *Sifre Zuta on Deuteronomy*, 208:

. . . מכן אמרו מי שיש לו מנה לא יטול מעשר עני, מאתים לא יטול לא פרט ולא שכחה ולא עוללות כדברי בית שמי בית הלל אומ' הכל מאתים. מי שיש לו חמישים זוז והוא נושא ונותן בהן הרי זה לא יטול.

On this basis they said: "Whoever has one hundred [*zuzim* in liquid assets] may not collect the poor man's tithe. [Whoever has] two hundred [*zuzim* in liquid assets] may not collect *peret* (individual grapes), *shikhehah* (forgotten grapes, sheaves or fruit) or *olelot* (defective clusters). This is the teaching of the School of Shammai, but the School of Hillel says: All [apply when one lacks] two hundred [*zuzim*]. Whoever has [only] fifty *zuz*, yet conducts business with them, this man may not collect [produce designated for the poor].

¹⁷ See, Saul Lieberman, *Tosefta Ki-feshutah*, 1:127-129.

the voice of the poor who wait and wonder when they can gather their portion, the Tosefta teaches that practical details, such as where and when *peah* is designated, affect the daily lives of the poor.¹⁸ In the Yerushalmi and *Sifra*, the poor are depicted as traveling from field to field to receive their gifts,¹⁹ with the implications that sensitivity to timing enables them to collect their gifts with greater ease.

The Mishnah also provides specific instructions concerning the safety of the poor who collect their portions. For example, *m. Peah* 4:1, 4 states:

- ... הפיאה ניתנת במחובר לקרקע בדלית ובדקל בעל הבית מוריד ומחלק לעניים . . .
(4) פיאה אין קוצרין אותה במגלות [ו]אין עוקרין אותה בקרדומות כדי שלא יכו איש את רעהו
1) *Peah* is given from [produce that] is [still] connected to the ground. [In the case of] hanging fruits [such as grapes] and [the yield] of the palm tree—the householder [should] bring [the produce] down and distribute it among the poor . . .
4) *Peah* should not be harvested with sickles, nor should it be uprooted with spades so that [the poor] will not strike one another. (*m. Peah* 4:1, 4)

These two mishnahs reveal concern for the safety of the poor who gather their portions in the fields. While *peah* should generally be reaped by the poor, in the case of fruit trees or produce growing on a trellis, the landowner should climb, reap and distribute the produce himself. Moreover, *m. Peah* 4:4 instructs that *peah* should be harvested by the poor without sickles or spades, to prevent violence among them. The aggression and tension that surrounded the collection of these gifts are explicitly described in the Tosefta:

שני עניים שהיו מתכשין על העמור ובא עני אחד ונטלו מאחוריהן הרי זה זכה
Two poor men who were fighting over a [forgotten] sheaf. And [then] came one [other] poor man and took it from behind them, behold, this one obtained [it as his possession].
(*t. Peah* 2:2)

¹⁸ For another reading of this text, see, Goodman, *State and Society*, 39, who writes: "Free distribution of food at the harvest time had to be carefully managed to avoid a riot—the poor hang around the field all day shouting to each other 'Here's gleanings,' . . ."

¹⁹ *Sifra* Parashat Kedoshim, Parashah 1, Perek 1; y. *Peah* 4:3, 18b.

A similar scenario is also found in the Yerushalmi:

והתני רבי חייא שנייה שהיו מתכתשין על העומר ובא עני אחר וחטפו מלפניהן זכה בו
According to a Tannaitic tradition, Rabbi Hiyya stated that: “Two [poor persons] were fighting over a [forgotten] sheaf. And [then] another poor person came and snatched it from before them - he obtained [it as his possession]. (y. *Peah* 4:2, 18b; y. *Git.* 8:3, 49c; y. *B. Metz.* 1:4, 7d)

These texts present two principles concerning the distribution of yearly gifts. On the one hand, as the rightful owners of this portion of the yield, the poor are responsible for collecting it themselves. On the other hand, this competitive setting could lead to violence among the poor. The texts, therefore, aim to uphold the principle that the poor harvest their rightful share while striving to adopt conditions in order to reduce safety risks.

These examples from rabbinic discourse about produce gifts for the poor provide practical information and instructions which are not described in the Torah. Thus, while Leviticus and Deuteronomy contain a discrete number of verses (quoted above) concerning produce gifts to the poor, three major rabbinic texts from the land of Israel each dedicate nearly one full tractate to this subject, in addition to several sections of Tannaitic midrashim.

In Practice

At this point, it is important to ask whether the descriptions and instructions that appear in rabbinic texts regarding produce gifts for the poor reflect historical reality or whether they provide a model that the rabbis aspired to establish. Since gifts to the poor are part of a cluster of mitzvot related to agriculture and tithing, it is difficult to discuss

gifts for the poor in isolation. Thus, I will begin with a brief discussion of the evidence regarding the implementation of the poor man's tithe and other gifts within the general context of tithing and the sabbatical year. During the Second Temple period, there is evidence of an internal Jewish system of taxation that was acknowledged by the Roman Empire and whose main goal was to sustain the Temple, the priests, and the Levites. Furthermore, a tax exemption granted by Caesar for the Sabbatical Year indicates Jewish observance of this mitzvah (*A. J.* 14. 202-203).²⁰ The poor man's tithes and other produce gifts are best understood as components of this Jewish taxation framework.

In contrast to the collection of the first tithe by Temple officials, for which there is evidence (at least during part of the Second Temple period), we lack data regarding the actual practice of the poor man's tithe and other produce gifts for the poor. Josephus mentions gifts for the poor, but without indicating the extent of their distribution in practice.²¹ Regarding the poor man's tithe, Udoh offers that:

Some people would have given a tithe for the needs of the poor in lieu of this tithe [the 'second tithe' available for entertainment and festivities during a pilgrimage in Jerusalem] in the third and the sixth years, according to the system we find in the Mishnah. Others would have set aside a tithe for celebration in Jerusalem even during these years, as Josephus says. It must be mentioned also that some people, at least sometimes, did not care for the needs of the poor.²²

We do not know, therefore, how many people observed these laws during the time of the Temple. It is clear, however, that although the rabbinic texts that we possess were edited from the beginning of the third century CE onward, the laws regarding the produce gifts

²⁰ Udoh, *To Caesar What is Caesar's*, 31.

²¹ See Josephus, *Ant.* 4.231-232; *C. Ap.* 2. 283-84 as translated in Sorek, *Remembered for Good*, 215-216.

²² Udoh, *To Caesar What is Caesar's*, 277-278.

had developed well before 70 CE. Rabbinic texts also associate these laws with the time of the Temple. Indeed, several disputes regarding produce gifts are linked to the Schools of Hillel and Shammai, which were active in the first century CE and disappeared after the destruction of the Second Temple.²³ Regarding the time before and after the Destruction, rabbinic texts reflect a reality in which some people practiced such laws (at least in rabbinic circles), while others did not. The proportion of observers among the Jewish population in each period remains unclear.

The Mishnah, the Tosefta, and the Yerushalmi dedicate one tractate for questions regarding produce whose inclusion in the system of tithes and gifts was ambiguous. The title of this tractate reflects this category of questionable produce, known as *demai* (דמאי). Mishnah *Demai* implies that some people observed tithing, while others did not:

... גבאי צדקה בית שמיי אומי נותנין מעושר למי שאינו מעשר ואת שאינו מעושר למעשר נימצאו כל האדם אוכלין מתוקן וחכמי אומי גובים סתם ומחלקין סתם והרוצה לתקן יתקן.
 ... [Concerning] charity collectors—the School of Shammai says: “They may give tithed produce to one who does not tithe [his produce], and produce that was not tithed [may be given] to one who tithes his produce; [thereby] all people eat legally fit produce. And the sages say: “They may collect indiscriminately and distribute indiscriminately and the one who wants to legally fix [the produce] will fix it.” (*m. Demai* 3:1)

This text, which instructs charity officials, indicates that charity collectors may know the tithing practices of people who give and receive produce for charitable purposes. Yet, according to the sages, charity collectors are not responsible for ensuring that food would

²³ For example, *m. Peah* 6:1; 7:6; *m. Ed.* 4:5.

be consumed according to halakha.²⁴ Other sections of Mishnah *Demai* also present situations where some people can be trusted to tithe their produce, while others cannot.²⁵

In relation to the neglect of these mitzvot, Mishnah *Avot* identifies pestilence as the punishment for failing to give the poor man's tithe and other produce gifts, and for neglecting observance of the Sabbatical year:

בארבעה פרקים הדבר מרובה ברביעית ובשביעית ובמוצאי שביעית ובמוצאי החג שבכל שנה ברביעית מפני מעשר עני שבשלישית בשביעית מפני מעשר עני שבשלישית ובמוצאי שביעית מפני פירות שביעית ובמוצאי החג שבכל שנה מפני גזל מתנות עניים

During four [time] periods pestilence increases: in the fourth and the seventh [years of the Sabbatical cycle], in the period that immediately follows the Sabbatical year and in the time after the Festival [of Sukkot] each year. In the fourth [year of the Sabbatical cycle] because of [not giving the] poor man's tithe in the third [year of that cycle]. In the seventh [year of the Sabbatical cycle] because of [not giving the] poor man's tithe in the sixth [year of that cycle]. And in the period that immediately follows the Sabbatical year because [of trading] fruits from the Sabbatical year. And after the Festival [of Sukkot] each year because of the robbery of the gifts of the poor [such as *peah*, gleaning and the forgotten sheaves]. (*m. Avot* 5:9)

This mishnah indicates that at least during certain eras, these laws were not observed by a majority of the Jewish population.²⁶

²⁴ As I discussed in Chapter Four, this text assumes that observance of tithing is not related to one's socio-economic standing. Thus, among those who donate produce — some tithe while others do not, and likewise for those who receive produce as alms — some tithe it and some do not.

²⁵ *m. Ma'aser Sh. 5:15* and *m. Sotha 9:10* tell that during the time of Yohanan the High Priest (Johan Horcunus in the Hasmonean period), “no one had to ask” about *demai*. *Y. Ma'aser Sh. 5:5, 56d*, and *y. Sotha 9:11, 24a* explain that Yohanan appointed administrators to ensure that all produce was being tithed according to the law. The Yerushalmi claims that while some rabbis praised Yohanan for this act, others criticized him, adding explanations for both opinions. According to *t. Sotah 13:10*, Yohanan was responding to a reality in which not all tithes were given as instructed:

לפי ששלה לכל עירות ישראל ומצאן שאין מפרישין אלא תרומה גדולה בלבד מעשר ראשון ומעשר שיני מקצתן מפרישין ומקצתן אין מפרישין [אמר] הואיל ותרומה גדולה עון מיתה ותרומת מעשר עון טבל יהא אדם קורא שם לתרומה ותרומת מעשר ונותנן לכהן ומעשר שני מחללו על המעות והשאר מעשר מעשר עני המוציא מחבירו עליו הראיה
Yet, this text indicates that not everyone participated in the practice of designating the poor man's tithe at this time. Even if this Tosefta is not representative of the Hasmonean era, it indicates that observance of the poor man's tithe was less common than some of the other tithes. And see, Hanoch Albeck, *The Mishna* (Tel Aviv and Jerusalem: Dvir and the Bialik Institute, 1958), 1:69-70; Lieberman, *Tosefta Ki-Fshutah*, 8: 749-750; Ben-Shalom, “Hasids and Hasidism,” 107-108.

Historically, we have insufficient evidence to calculate the degree of adherence to mitzvot concerning produce gifts to the poor in different periods.²⁷ Yet rabbinic texts indicate that several of these laws were practiced at least in some circles, and select texts describe examples of actual practice.²⁸ Thus, the discussions in Mishnah, Tosefta, and Yerushalmi *Peah* are not limited to the theoretical realm.²⁹

The Communal Institutions for Supporting the Poor

While produce gifts have their basis in the Torah, the communal institutions described in rabbinic texts are not mentioned in the Hebrew Bible. Moreover, in the Tanakh, the requirement to support the poor usually addresses the individual rather than the community as a whole. Given that there is no historical documentation of the

²⁶ See also Safrai, *The Jewish Community*, 311, who argues that the most people did not designate the poor man's tithe. However, Safrai claims that in certain places this tithe was given to the local town which distributed it.

²⁷ In several Christian texts, there are also some references to the Jewish giving of tithes, often in the context of encouraging Christians to give more. Finn, *Almsgiving in the Later Roman Empire*, 50, quotes Jerome in one such context:

[L]et us at least imitate the start made by the Jews, so as to give some part of the total to the poor and offer to the priests and Levites the honour due to them.

Finn [Ibid. p. 52] also writes that "Chrysostom reckoned that the Jews gave up to a third or half their goods away in various tithes, whereas Christians frequently give less than a tenth." However, such evidence may be problematic as an indication of the actual observance of these laws among the Jews, since the goal of these statements is to encourage Christians to increase their own giving, rather than provide an accurate account of Jewish practice. Moreover, it is not clear whether this comparison relates to the contemporaneous Jewish community or to biblical representations of them.

²⁸ For example, see *m. Ma'aser Sh.* 5:9. Some scholars discuss the actual practice of these laws. Schwartz, "Political, Social, and Economic Life," 44, writes: "And while some pious Jewish farmers may have continued to leave the corners of their fields for gleaners, it seems very unlikely that there was any way after the Destruction to collect the poor-tithe, or enforce any of the other biblical laws." However, there is not enough evidence to draw decisive conclusions about the actual practice of these laws.

²⁹ In addition to legal discussions, there are stories in which the poor man's tithe and other gifts are mentioned, sometimes in passing, rather than as the main point of the narrative.

inception of communal institutions to support the poor - neither from rabbinic literature nor from external sources - their origins and development remain unclear. While some of these communal institutions are central to rabbinic discussions of support for the poor, others are mentioned only occasionally. For example, while the Chamber of Secrets occurs in only a few texts, there are numerous references to *qûpâ* (hereafter *qupah*) and *tamḥûy* (hereafter *tamḥuy*). I will divide my discussion of these communal frameworks into three sections. The first will examine the Chamber of Secrets, the second will address the *qupah* and the *tamḥuy* together, and these will be followed by a discussion of the communal responsibility to provide lodging for poor travelers.

The Chamber of Secrets

As cited in the last chapter, Mishnah *Sheqalim* describes the Chamber of Secrets in the Temple:

שתי לשכות היו במקדש אחת לשכת חשיים ואחת לשכת הכלים לשכת חשיים יראי חט³⁰ נותנין לתוכה בחשיי ועניים בני טובים מתפרנסין מתוכה בחשיי . . .

There were two chambers in the Temple: one—the Chamber of Secrets, and the other—the Utensil Chamber. The Chamber of Secrets—the sin-fearing would deposit secretly and the poor from good families would support themselves from it in secret. . . (*m. Sheqal. 5:6*)³¹

According to the Tosefta, this institution existed in every town:³²

. . . כשם שהיתה לשכת חשאיין במקדש כך היתה בכל עיר ועיר מפני שעניים בני טובים מתפרנסין מתוכה בחשיי

³⁰ This spelling of this word is according to the Kaufmann manuscript.

³¹ The translation was adapted from the one by Rabbi Shmuel Himelatein in Kehati, *The Mishnah: Sheqalim*, 62.

³² Another Tannaitic tradition regarding the "Chamber of Secrets" appears in *Sifre on Deuteronomy* 117 (Finkelstein addition 176).

Just as there was a Chamber of Secrets in the Temple, so was there (a Chamber of Secrets) in each town, so the poor of good families could support themselves from it secretly. (*t. Sheqal. 2:16*)

We have little information about this institution, in the Temple or in towns. In contrast to the *qupah* and the *tamḥuy*, that are mentioned in a number of different texts, the Chamber of Secrets is only mentioned in these two traditions.

Who Is Expected to Contribute?

According to the Mishnah and the Tosefta, this chamber was named the Chamber of Secrets because of its dual function: first, the “sin-fearing would deposit (money) secretly.”³³ According to Menachem Ben Shalom, “fearing sin” (יראת הַטָּא) in rabbinic texts means "preventing sin from the outset by attempting to avoid it altogether, in order to bring about a reality of holiness and faith (and thus eliminating) any barrier to God."³⁴ Here, the sin-fearing give in secret so they might contribute without having their actions observed by others. Thus, they could act generously without seeking public honor. The Mishnah and the Tosefta do not instruct every Jew to give in secret nor do they claim that this was common practice, nonetheless, it is described as a virtuous act.

³³ Jastrow, *A Dictionary*, 593, translates ירא הַטָּא as shunning sin, careful in conduct, conscientious.

³⁴ Ben Shalom, *Hassidut and Hassidim*, 203-204, showed that from the Second Temple period onward, “sin fearing” (יראת הַטָּא) was related to *hassidut*. Ben Shalom discusses this term by explaining that “sin fearing” was linked to physical purity, certain offerings in the Temple, and the ability to bring rainfall. The English translation of this quotation is mine.

Who Is Eligible?

The beneficiaries are “the poor of good families.” As we discussed in the previous chapter, several rabbinic texts from the land of Israel reveal a special concern for the dignity of the poor from good families. The assumption is that these poor might otherwise avoid taking charity due to their feelings of shame.³⁵ Thus, protecting the identity of these recipients of financial support is the second aspect of secrecy indicated in the name, Chamber of Secrets.

In Practice

Given the scant evidence regarding the Chamber of Secrets, it seems that, if it ever existed, this institution had probably become defunct after the Destruction of the Temple, or at the latest, by the time of the Mishnah and the Tosefta.

Qupah, Tamḥuy and Clothing Distribution

In rabbinic texts, *qupah* and *tamḥuy* denote particular types of containers. According to Jastrow’s dictionary, *qupah* refers to “a basket” or “a large vessel” and *tamḥuy* refers to “a tray or a plate for various dishes or portions.” However, these words also refer to two communal institutions whose setting is the town.³⁶ *T. Peah* 4: 10, which

³⁵ See, for example, *y. Peah* 8:9, 21b.

³⁶ Safrai, *The Economy of Roman Palestine*, 50, describes these institutions in the context of towns. See also the texts cited below that explicitly mentions the term town (עיר), and Safrai’s book in the difference between the village, the town and the city in Palestine during this era. See also Dov Rappel, “The Charity in Israel and its establishment” (הצדקה בישראל והתמסדותה) in: *Iturim: Studies in Honor of*

instructs charity collectors on whether to accept or reject a poor person's donation to a communal collection, provides some information concerning these institutions:

עני שנתן פרוטה לקופה ופרוטה לתמחוי מקבלין אותן ממנו.
אם לא נתן אין מחייבין אותו ליתן.
נתנו לו חדשים והחזיר להן שחקין מקבלין אותו ממנו.
אם לא נתן, אין מחייבין אותו ליתן.

[In the case of] a poor person who gave a small coin (פרוטה) for the *qupah* (communal charity fund) and a piece of bread for the *tamḥuy* (soup kitchen) — they (the charity collectors) accept them (these contributions) from him.

If he did not give—they do not force him to give.

If they give him new (clothes) and he gives them worn out clothes in return—they accept it (the clothing) from him.

If he did not give—they do not force him to give. (*t. Peah* 4:10)

According to this text, portions of food, money, and clothing were collected from

members of each community.³⁷ The Tosefta instructs charity collectors to accept a

donation from a poor person who wishes to give, but not to pressure him if he is

unwilling to contribute, thereby revealing sensitivity towards the situation of the poor

person. This tosefta indicates that *tamḥuy* refers to an institution that provides food for

the poor, while *qupah* refers to a communal fund which provides money (or other

provisions). In addition, this tosefta mentions the collection and distribution of clothing.³⁸

The Tosefta and the Yerushalmi describe the *tamḥuy* as operating on a daily basis,

whereas the *qupah* was open once a week, on Fridays before Shabbat:

תמחוי בכל יום קופה מערב שבת לערב שבת תמחוי לכל אדם קופה אינה אלא לאנשי אותה העיר
בלבד.³⁹

Moshe Krone (Jerusalem: Eliner-Torah Education Department of the World Zionist Organization, 1986), 241-247; Safrai, *The Jewish Community*, 64-67.

³⁷ See also Safrai, *The Jewish Community*, 64-67.

³⁸ On Christian churches that also distributed clothing, see, Finn, *Almsgiving in the Later Roman Empire*, 81.

³⁹ This is the version in the Yerushalmi.

The *tamḥuy* [distributes food] every day, [while] the *qupah* [distributes] on every Shabbat eve [on Fridays before Shabbat]. The *tamḥuy* [distributes food] to anyone, while the *qupah* [supports] only the poor from that town. (y. *Peah* 8:6, 21a; t. *Peah* 4:9)

This text distinguishes between the populations supported by these two institutions: the *tamḥuy* serves all poor people, but the *qupah* only assists local residents.

According to Mishnah *Pesaḥim*, the *tamḥuy* provides wine to the poor for the

Passover Seder:

ערב פסחים סמוך למנחה לא יאכל אדם עד שתחשך אפילו עני שבישראל לא יאכל עד שיסב לא יפחתו
לו מארבעה כוסות שליון אפילו מן התמחוי

On the eve of Passover, no one may eat from the time of the afternoon offering until it becomes dark. Even a poor man of Israel may not eat until he reclines.⁴⁰ And they [must] provide him with no less than four cups of wine, even [if it must be provided] from the *tamḥuy*. (m. *Pes.* 10:1)⁴¹

Reclining at a feast was a symbol of freedom and elite dining in the Greco-Roman world.⁴² During the Passover Seder, every Jew is required to recline and drink four cups of wine. Therefore, one who cannot afford wine must be supported by the *tamḥuy*. It is possible that people who did not regularly receive support still needed this particular type

⁴⁰ Several translators render: “even the poorest Israelite” or “even the poorest man in Israel.” However, it is not clear that this is accurate; rather that phrase probably refers to a Jewish poor man, and see, Rosenfeld and Perlmutter, “The Poor as a Stratum of Jewish Society,” 291-292.

⁴¹ t. *Pes.* 10:1 is a parallel for this mishnah. And see, Shamma Friedman, *Tosefta Atiqta: Pesah Rishon: Synoptic Parallels of Mishna and Tosefta Analyzed with a Methodological Introduction* (Ramat-Gan: Bar-Ilan University Press, 2002), 405-408, who claims that t. *Pes.* 10:1 is earlier than the Mishnah (הלכה קדומה) and that its original context pertains to charity laws, particularly the instructions for charity distributors on the eve of Passover. In this Tosefta, however, the word *tamḥuy* does not occur.

⁴² As Katherine M. D. Dunbabin, *Roman Banquet: Images of Conviviality* (Cambridge: Cambridge University Press, 2003), 13, explains:

In Rome, as earlier in Greece, the practice of reclining to dine spread vertically through society, so that a custom originally aristocratic was imitated by lower social groups. . . .

. . . But reclining never lost the connotation of status and luxury, the mark of a privileged order of society, and of behavior which must be learned and practiced.

Matthew B. Roller, *Dining Posture in Ancient Rome: Bodies, Values, and Status* (Princeton and Oxford: Princeton University Press, 2006), 84, maintains that:

The evidence from literary texts, funerary monuments, and wall paintings is overwhelming and consistent: throughout our period, free adult males of every status normally reclined at convivial, assuming the posture associated with pleasure, *otium*, luxury, and social privilege . . .

of help. In the Yerushalmi, there is an interesting note regarding the provision of wine from the *tamḥuy*:

אמר ר' חייה בר אדא. לפי שאין ערב לאדם לוכל מן הקופה. וכאן אפי' מן התמחוי.
Rabbi Hiyya bar Adda said: "Since [it is known] that it is unpleasant for a person to eat [what he receives] from the *qupah*, and here [regarding the Seder, the Mishnah requires to receive wine] even from the *tamḥuy*." (y. *Pes.* 10:1, 37b)

The Yerushalmi infers that being supported by the community would be a negative experience, thus the food that was given as alms (even in the form of money or other provisions from the communal fund) would seem less pleasant. This text reflects on the perspective of the poor, who are dependent on support from communal institutions.

Overall, Mishnah, Tosefta, and Yerushalmi *Peah* describe an organized system of relief for the poor, with the *qupah* providing money (or other provisions), the *tamḥuy* supplying food, and an additional procedure for distributing clothing. These descriptions may give the impression that there were separate communal mechanisms for collecting and distributing these items. However, other sections of the Tosefta (*Demai* 3: 17; *B. Metz.* 3:9) and the Mishna (*Demai* 3:1) depict scenarios where alms collectors (גבאי צדקה) gathered whatever was given to them, including money, food and produce, and also distributed those donations. These texts do not categorize the work of these community officials in relation to specific institutions (*qupah* and *tamḥuy*), but rather describes these functions as being implemented together. Thus, it is possible that within a given community, the same officials were responsible for the operations of the *qupah*, the *tamḥuy* and clothing distribution. It is also possible that this system evolved over time, and therefore the texts transmitted to us may reflect different stages of this process.

Whatever the exact mechanism and categories of the actual system were, the texts cited

above suggest that Jewish communal institutions were expected to provide the poor with food, money and clothing to ensure a basic level of subsistence.

Who Is Expected to Contribute?

According to rabbinic texts from the land of Israel, each member of the community who wasn't actually poor was obligated to participate as a contributor to this system. In *t. Peah* 4:10 (as cited earlier), charity collectors are instructed to accept a poor person's donation to a communal collection only if he wishes to contribute. It is also interesting to note that this text implies that representatives of these charitable institutions have the power to compel individuals (who have the resources) to donate to these communal institutions.⁴³

The assumption that a poor person is not obligated to contribute support for the poor also emerges in a saying from Rabbi Shimon ben Yohai that is cited in the Yerushalmi:

ר' שמעון בן יוחי אוי. גדול הוא כיבוד אב ואם שהעדיפו הק' יותר מכיבודו. נאמי "כבוד את אביך ואת אמך". ונאמי "כבוד את יי מהונך". ממה את מכבדו [משיחנך]. מפריש לקט שכחה ופיאה. מפריש תרומה ומעשר ראשון ומעשר שיני ומעשר עני וחלה. ועושה סוכה ולולב ושופר ותפילין וציצית. ומאכיל את העניים ואת הרעיבים ומשקה את הצמיאים. אם יש לך את חייב בכל אילו. ואם אין לך אין את חייב באחת מהן. אבל כשהוא בא אצל כיבוד אב ואם. בין שיש לך הון בין שאין לך הון "כבוד את אביך ואת אמך" ואפי' את מסבב על הפתחים.

Rabbi Shimon ben Yohai says: "[So] great is the honor owed to one's father and mother that the Holy One preferred it over his own honor. It is said [in Scripture]: "Honor your father and your mother" (Exod 20:11, JPS verse 12) and also: "Honor the Lord with your wealth" (Prov 3:9, JPS). From what [resources] are you to honor Him? [From whatever He has bestowed upon you]:⁴⁴ [You] set aside gleanings, the forgotten sheaf, and *peah*. You set aside heave-offering (תרומה) and first tithe and second tithe and the poor man's tithe and *hallah*-offering (the priest's share of dough). And [you] make a *sukkah* and a *lulav* (a palm-tree branch) and a *shofar* (horn trumpet) and *tefillin* (phylacteries) and

⁴³ The same impression also emerges in later Amoraic texts; see, *Lev. Rab.* 30: 1 and *Pesiq. Rab Kah.* 27 (Mandelbaum 402).

⁴⁴ This word is uncertain in the text.

tzitzit (knotted fringes on a garment). And [you] feed the poor and the hungry and give drink to the thirsty. If you have [resources], you are obliged [to do] them all. But if you have not [the resources], you are not obliged [to do] any of them. But when it comes to [the issue] of honoring [your] father and mother—whether you have wealth or whether you do not, [Scripture still states,] “Honor your father and your mother” (Exod 20:11, JPS verse 12). Even [if] you [are obligated to] go begging from door to door [to collect the funds needed to honor your father and mother]. (y. *Peah* 1:1, 15d)

In this midrash, Rabbi Shimon claims that God views the command to honor one’s parents as more important than the command to honor God, since one who lacks resources should beg in order to support his parents, but he is exempt from fulfilling religious obligations towards God. It is important to note that in this text, the obligations to support the poor with food and produce gifts are viewed as duties to God, and not, for example, towards one’s neighbor. Therefore, giving to the poor, contributing produce gifts and tithing are considered a means for honoring God, a responsibility from which the poor, at least in this case are exempt.⁴⁵

Who Is Eligible?

According to *m. Peah* 8:7 (discussed in the previous chapter), the eligibility for receiving aid from the *qupah* and the *tamḥuy* was determined by economic need. Food from the *tamḥuy* should be provided for those without food for that very day. Support from the *qupah* should be given to those who lack sufficient food for the entire week:

... מי שיש לו מזון שתי סעודות לא יטול מן התמחויי מזון ארבע עשרה [סעודות] לא יטול מן הקופה ...

⁴⁵ However, in *b. Git.* 7b one can find another approach:

... אמר מר זוטרא: אפילו עני המתפרנס מן הצדקה יעשה צדקה.

Mar Zutra said: Even a poor person who is provided with charity should give charity. This saying from the Babylonian Talmud is very similar to a Christian Syriac saying in the Syrian version of the story of “The Man of God”: “If by chance he would receive more, he would immediately give it to someone else, and from alms he would make alms.” See in Robert Doran, *Stewards of the Poor: The Man of God, Rabbula, and Hiba in Fifth-Century Edessa* (Cistercian Studies Series 208; Kalamazoo, MI: Cistercian Publications, 2006), 20.

Whoever has sufficient food for two meals may not take [food] from the *tamḥuy* (soup kitchen). [Whoever has sufficient] food for fourteen meals may not take [money] from the *qupah* (communal fund). . . (*m. Peah* 8:7)⁴⁶

At the time of the Mishnah, two meals was the daily standard.⁴⁷ The Tosefta provides further criteria regarding eligibility for support from the *qupah* and the *tamḥuy*:

... תמחוי לכל אדם קופה לעניי אותה העיר אם שהא שם שלשים יום הרי הוא כאנשי העיר לקופה ולכסות ששה חדשים
... The *tamḥuy* [distributes food] to any [poor] man, while the *qupah* [supports] the poor of the town. If [a poor man] had dwelled [in the town] for thirty days—he is considered as one of the people of the town for [receiving support from] the *qupah*. And for [receiving] clothing—[a poor person must dwell in the town for] six months. (*t. Peah* 4:9)

Here the Tosefta distinguishes between the *tamḥuy* which provides for anyone, local resident and visitor alike, and the *qupah* which was intended for residents only. Poor travelers, therefore, were supported from the *tamḥuy*. According to the Tosefta, after thirty days in town, a poor person is eligible for receiving money (or other support) from the *qupah*, and after six months there, he (or she) is eligible to receive clothing.⁴⁸

In Practice

Since these communal institutions are not mentioned in the Hebrew Bible, their descriptions in rabbinic texts cannot be explained as expansions or exegesis of material in

⁴⁶ The English translation was adapted from the one by Roger Brooks in: Neusner, *The Mishnah: A New Translation*, 35.

⁴⁷ However, in *Sifre Zuta on Deuteronomy*, one who has three meals cannot take from the *tamḥuy*; see, Kahana, *Sifre Zuta on Deuteronomy*, 208:

... מזון שלוש סעודות לא יטול מן התמחוי מזון ארבע עשרה לא יטול [מן הקופה].
[Whoever has sufficient food for] three meals may not take [food] from the *tamḥuy* (soup kitchen).
[Whoever has sufficient] food for fourteen [meals] may not take [money from the *qupah*]
(communal fund). . .

⁴⁸ Hamel, *Poverty and Charity*, 239, claims that: "To be recognized as poor and receive the full benefits of the law, it was essential also to behave in a certain religious manner." However, Palestinian rabbinic texts do not suggest such requirements.

the Torah. It therefore seems safe to say that by the time of the Mishnah (early third century CE), communal institutions for supporting the poor had been established in at least some communities in the land of Israel.⁴⁹ Scholars debate when these communal charitable institutions began to function. This issue arises particularly with regard to whether or not these Jewish institutions provided models for early Christians. For example, in discussing the *qupah* and the *tamhuy*, Joachim Jeremias claims:

There can be no doubt therefore that these arrangements served as a model for the primitive Church. The daily distribution of aid indicates the *tamhūy*, and the fact that local people (especially widows) were helped, indicates the *quppāh*. It is possible that Jewish poor relief was only at a later time divided into two compartments, and that originally it was simply a daily distribution to the local poor, like the Christian relief . . .⁵⁰

David Seccombe challenges Jeremias's thesis by asserting:

For if, in fact, there already existed a system of public relief for the poor there would have been little point in the Christians duplicating it.⁵¹

To close his argument, Seccombe writes:

Thus with no positive evidence of such organized charity as the Mishnah describes, in Jerusalem in the N. T. period, and with certain indication of a contrary nature, we must conclude that the system did not originate until later. Indeed one can more readily imagine such a system arising in the small communities in the difficult times after the first or second war, than in the settled and populous conditions of the Second Temple.

⁴⁹ Regarding evidence for the existence of a soup kitchen in a Jewish community in the Diaspora, Joyce Reynolds and Robert Tannenbaum, *Jews and God-Fearers at Aphrodisias: Greek Inscription with Commentary* (Cambridge: Cambridge Philological Society, 1987), 27, 79-80, have identified an inscription indicates a third century CE communal soup kitchen at a synagogue in Aphrodisias (western Turkey). They suggest that the word *πάτελλα*, found at the head of a list of donors, "could stand for the distribution station for charity food – i.e. a community soup kitchen," (p. 27). According to these scholars, this word "is an attested word, a Latin loan word fully integrated into the Greek inflectional system already in the first century A.D. In Latin the first meaning is 'dish, plate, pan', as used in the kitchen or at table . . ." (p. 26). Thus, they suggest that the placement of this word in this inscription indicates a soup kitchen, similar to the use of the word *tamhuy* in rabbinic texts, that refers according to Jastrow to both "a tray or a plate for various dishes or portions" and to a communal soup kitchen.

⁵⁰ Joachim Jeremias, *Jerusalem in the Time of Jesus: An Investigation into Economic and Social Conditions during the New Testament Period* (trans. F. H. Cave and C. H. Cave; London: SCM Press, 1969), 131.

⁵¹ David Seccombe, "Was There Organized Charity in Jerusalem before the Christians?" *The Journal of Theological Studies* 29 (1978): 140.

Sharing, and care for the poor, would therefore have been appropriate to the Christian from the beginning. . . . If the Christians modeled their system on anything it was not the Mishnahic system of *quppah* and *tamhuy*.⁵²

Other scholars also hold the position that Jewish communal institutions did not exist until the second century CE, as George Foot Moore states:⁵³

The regulation of particulars in Tosefta Peah c. 4 shows that the system was well-established and familiar at the end of the second century, and other evidence makes it probable that it was organized or recognized under Simeon ben Gamaliel and the scholars who gathered around him in Galilee after the war under Hadrian. For the preceding period our sources give but scanty intimations. For the second century they are ample.⁵⁴

Indeed, we have little evidence for charitable communal institutions during the Second Temple period and immediately following the Destruction.⁵⁵ The rabbis, however, do not present these institutions as innovations, nor do they associate them with Rabban Shimon ben Gamliel (of the second century CE), as was claimed by Moore. Furthermore, *m. Demai* 3:1 presents a debate between the Schools of Shammai and Hillel regarding the responsibilities of communal charity collectors (without the terms *qupah* and *tamhuy*).⁵⁶ As stated above, these schools were active during the first century CE and disappeared after the Destruction in 70 CE.⁵⁷ In my opinion, it is feasible that some forms

⁵² Ibid. 143.

⁵³ See also Sorek, *Remembered for Good*, 228.

⁵⁴ Moore, *Judaism*, 174.

⁵⁵ But compare, Jean Juster, *Les Juifs dans l'Empire Romain*, 1:427, who claims that communal support for the poor is attested in non-Jewish sources from the second century BCE.

⁵⁶ This lack of differentiation between the two terms in the early traditions may support the suggestion by Jeremias, *Jerusalem in the Time of Jesus*, 131, "It is possible that Jewish poor relief was only at a later time divided into two compartments, and that originally it was simply a daily distribution to the local poor, like the Christian relief."

⁵⁷ But compare the tradition in *m. Ketub.* 13:3 (= *m. B. Bat.* 9:1) that is attributed to a judge from Jerusalem in the Temple times, who rejected the view that if a father died leaving behind a small bequest, his daughters should be provided for and his sons should beg from door to door. At issue here is who has precedence as inheritors, sons or daughters? However, the possibility that communal institutions would care for them is not raised, rather the sons' option is begging from door to door.

of communal collections to support the poor existed before the second century CE, and even before the Destruction of the Temple, as was claimed by Jeremias. However, it is difficult to construct a coherent historical description of the evolution of such institutions.⁵⁸

Lodging for Poor Travelers

A text that offers detailed instructions of a community's obligations to poor travelers in need of lodging for the night appears in both Mishnah *Peah* and Tosefta *Peah*:

אין פוחתיך לעני העובר ממקום למקום מכבר בפונדיון מארבע סאין בסלע לן נותנין לו פרנסת לינה
They give to a poor man traveling from place to place no less than a loaf [of bread] worth a *dupondion*, [made from wheat which cost at least] one *sela* for four *seahs*. [If such a poor person] stays overnight, they give him the necessary arrangement for night's lodging.⁵⁹ (*m. Peah* 8:7, *t. Peah* 4:8)

The meaning of *פרנסת לינה* (*parnasat linah*), translated by Jastrow as "the necessary arrangement for night's lodging" and by Sokoloff as "requirements of an overnight stay,"⁶⁰ remains unclear. In the Babylonian Talmud, the term was understood by Rav Papa as (פוריא ובי סדיא) "the bed and the pillow."⁶¹ Brooks translated this part of the

⁵⁸ Compare my conclusions about the actual existence of these institutions with Schwartz, "Political, Social, and Economic Life," 45, who writes: ". . . there is little evidence for such institutions outside rabbinic literature, not even in the fourth to seventh centuries, when we might have expected to find traces of them in synagogal epigraphy. This silence obviously does not mean that communal charitable did not exist, but it may warn us against overestimating the extent of their diffusion. And even if widespread, they may have served mainly to keep the poorest people from starvation and so have fulfilled quite different social and economic function from patronage." See also Rosenfeld and Perlmutter, "The Poor as a Stratum of Jewish Society," 284: "It is unclear when the public charity institutions mentioned in the Mishna came into being, but by the time of the Mishna was redacted they were established and effective."

⁵⁹ This English translation was adapted from Roger Brooks' translation, which appears in: Neusner, *The Mishnah: A New Translation*, 35.

⁶⁰ Sokoloff, *A Dictionary of Jewish Babylonian Aramaic*, 892.

⁶¹ *b. B. Bat.* 9a

Mishnah as “If [such a poor person] stayed overnight, they give him enough [to pay] for night’s lodging.”⁶² While it is clear that there is a communal responsibility to poor travelers spending the night, it is not clear how this was arranged or where such travelers were sheltered. Did poor travelers stay in the synagogue complex, in a guesthouse or perhaps in private homes and facilities? If in a guesthouse, did the community pay for their lodging or were there specifically designated guesthouses for such travelers? Some evidence for guests staying in synagogues can be found in rabbinic texts from the land of Israel and also in the Babylonian Talmud, but without specific reference to the poor. I elaborate on the possibility of lodging in the synagogue in Appendix A (“Almsgiving and the Synagogue”).

Considering sources beyond rabbinic literature, the Theodotos inscription from Jerusalem (from the first century CE) indicates that a synagogue in Jerusalem included lodging for pilgrims within its complex. Another inscription from the Galilee (dated to the third century CE) offers possible evidence for the donation of a guesthouse.⁶³ If the reading of this inscription is correct, it seems to indicate a community with a lodging facility that might have served the poor. It is also important to consider the Christian institution that provided lodging for poor travelers, known as *xenodocheia* or

⁶² From Roger Brooks' translation in: Neusner, *The Mishnah: A New Translation*, 35.

⁶³ J. Ben Zevi, “A Third Century Aramaic Inscription in Er-Rama,” *The Journal of the Palestine Oriental Society* 13 (1933):94-96; Jean Baptiste Frey, *Corpus Inscriptionvm Ivdaicarvm: Vol. II Asie - Afrique* (Rome: Pontificio Instituto di Archeologia Cristiana: 1952), n. 972. See also Aviam, “Christian Galilee in the Byzantine Period,” 298, who describes this location after it had become Christian in the sixth century.

ptôchotropheia, that emerged in the fourth century CE,⁶⁴ which "received poor travelers, whether as pilgrims on their way to holy places or simply as wanderers in search of food and work."⁶⁵ Since this institution does not appear before the fourth century, it is not relevant to a discussion of Tannaitic texts; however, neither do Amoraic writings mention an equivalent of the *xenodocheia*.

In conclusion, I believe that we do not have sufficient information to describe the sleeping arrangements provided to poor travelers in the Jewish communities of the land of Israel during these centuries. It is also possible that the provision of lodging varied among communities.

Community Fund Drives for Special Goals

The *pšiqâ* (פסיקא, hereafter *pesiqah*) was a public collection for a specific purpose. Such fundraising was not only to gather alms for the poor, but it could be for other communal causes as well.⁶⁶ The term *pesiqah* refers to the act of pledging to give a contribution. Such pledges would be made at a public gathering, often held in the synagogue, and the money would be collected at a later date. This practice is not mentioned in the main sections of rabbinic texts that are dedicated to themes related to charity (chief among them Mishna, Tosefta and Yerushalmi *Peah*, as has been noted);

⁶⁴ Brown, *Poverty and Leadership*, 34, writes: "It is also important to realize that, in Christianity itself, the appearance of the *xenodocheion* was a novelty. It was not there in the pre-Constantinian church, and indeed, not as far we can see, in the reign of Constantine. It is only the 350s that *xenodocheia* clearly appear in Christian sources."

⁶⁵ Brown, *Poverty and Leadership*, 33.

⁶⁶ Safrai, *The Jewish Community*, 312-317; Levine, *The Ancient Synagogue*, 372.

rather, it is usually discussed in relation to other topics.⁶⁷ As could be expected, neither this practice nor the term *pesiqah* appears in the Tanakh. Even though a *pesiqah* could be conducted for various causes, some traditions link this practice with support for the poor. For example, a narrative appears in *Leviticus Rabbah* (and also in the *Yerushalmi*) about a rabbi who uses a *pesiqah* to assist a *mamzer* (ממזר - one who was born to an adulterous woman, a status with severe social implications, per the Torah and later texts):

ביומי דר' ברכיה סלק להכא חד בבליי והוה ידע ביה דהוא ממזר. אזל לגביה וא' ליה זכי עימי. א' ליה ר' ברכיה זיל לך ולמחר את אתי ואנן עבדין לך פסיקא בציבורא. למחר אזל לגביה ואשכחיה בכנשתא יתיב ודריש, אמתן עד דחסל, כיון דחסיל מן דרש אזל לגביה א' להון ר' ברכיה אחינן זכין בהדין גברא דהוא ממזר. עבדון ליה פסיקא. כיון דנפקון להון מן תמן א' ליה רבי חיי שעה אתית בעי גבך ופסקתה חייוי דההוא גברא. א' ליה חיך חיין יהבית לך, דא' ר' בא ורב הונא משם רב אין הממזר חיי יתיר משלשים יום, אימתי בזמן שאינו מפורסם אבל אם נתפרסם חיי הוא.

During the days of Rabbi Berekhiah, a Babylonian came up here (immigrated to the land of Israel) that [Rabbi Berekhiah] knew to be a *mamzer*. [The newcomer] went to [the rabbi] and told him: “Gain merit by [assisting] me” (זכי עימי). Rabbi Berekhiah said to him: “Go [now], come tomorrow and we will make a *pesiqah* for you in the community.” The next day, [the the newcomer] came to [to Rabbi Berekhiah] and found him sitting and lecturing in the synagogue. He waited until [the rabbi] completed [the lecture]. When he had finished his lecture, [the the newcomer] came to him. [Then] Rabbi Berekhiah said to them: “Our brothers, gain merit through [supporting] this man since he is a *mamzer*.” They made a *pesiqah* for him. When they [the community] left the place, [the *mamzer*] said to him: “Rabbi, temporary life (material necessities) I requested from you and you have cut off the life of this man (my life).” [Rabbi Berekhiah] said to him: “By your life! I have given you life! Since Rabbi [A]bba and Rav Huna said in the name of Rav: ‘A *mamzer* does not live more than thirty days. [This saying is only true] when he is not known [in public as a *mamzer*], but when he is known, he lives [more than thirty days].’” (*Lev. Rab.* 32:7 and *y. Qidd.* 3:12, 64c)⁶⁸

This story does not focus on fundraising for the poor, but rather its goal is to show that a *mamzer* can live only up to thirty days, unless others know that he is a *mamzer*. Yet, this story also indicates that a *pesiqah* can be conducted on behalf of a poor person. In this

⁶⁷ For example: *t. Shabb.* 16:22; *b. Shabb.* 12a; *y. Qidd.* 3:12, 64c; *Lev. Rab.* 32:7; *t. Sukkah* 2:5; *y. Qidd.* 4:1, 65b; *y. Sanh.* 6:4, 23d; *Lev. Rab.* 16:5;

⁶⁸ This version is according to *Leviticus Rabbah*.

case, the rabbi addressed the community, requesting that they pledge support. The story even suggests the exact wording with which this request was communicated.

Another example of a *pesiqah*, in this case for the wedding of orphans, appears in the Tosefta that mentions an argument between the School of Shammai and the School of Hillel regarding whether a *pesiqah* can be held on Shabbat:

בית שמאי אוי אין פוסקים צדקה לעניים בשבת בבית הכנסת אפילו להשיא יתום ויתומה . . . ובית הלל מתירים.

The School of Shammai says: “Making a pledge for charity is forbidden in synagogue on Shabbat, even for the wedding of a male orphan and a female orphan. . . . and the School of Hillel permits [such a pledges].⁶⁹ (*t. Shabbat* 16:22)

This tosefta shows that some *pesiqah* pledging sessions were held in synagogue during Shabbat, thus establishing the synagogue as the locus for such a public gathering.⁷⁰

During such a *pesiqah*, the people pledged without actually handling money on Shabbat.⁷¹ In addition, the text provides another example of a possible goal for this type of fundraising – garnering provisions for the wedding of orphans who lack family support.⁷²

⁶⁹ See also *b. Shabb.* 12a.

⁷⁰ Other texts also describe the *pesiqah* collections as taking place in the synagogue: *t. Ter.* 1:10; *y. Demai* 3:1, 23b. Without mentioning their exact venues, additional texts mention that these collections are made in public, for example, *t. Sukkah* 2:5; *y. Qidd.* 4:1, 65b.

Zeev Safrai, “The Communal Functions of the Synagogue in the Land of Israel in the Rabbinic Period,” in *Ancient Synagogues: Historical Analysis and Archaeological Discovery* (ed. Dan Urman and Paul V. M. Flesher; Leiden: Brill, 1995), 191-194, emphasizes the importance of the synagogue as the typical location for *pesiqah* collections.

⁷¹ Yet, the school of Shammai did not approve of holding discussions regarding money on Shabbat, even when the goal was charity. Regarding the strictness of the School of Shammai concerning Shabbat laws, see: Ben Shalom, *The School of Shammai*, 172-177.

⁷² Marriage was understood by the rabbis as a basic and universal need, as a human right and as a duty. Therefore, they advocated that the community should support the ability of persons who lacked the material necessities required for getting married. The communal responsibility for the marriage of orphans is mentioned also in the Tosefta:

יתום שמבקש לישא שוכרין לו בית ומציעין לו מטה ואחר כך משיאין לו אשה . . .

Other texts that discuss *pesiqah* fundraising either mention the poor without specifying their goals in detail or suggest that the purpose was to support Torah students. It is possible that these ad hoc fundraising sessions were primarily held for special occasions, above and beyond regular community support for the poor. According to Ze'ev Safrai, *pesiqah* fundraising was employed for a fixed set of communal goals, including the construction of synagogues.⁷³ Other texts that discuss the *pesiqah* will be discussed in Chapter Nine, along with the Greco-Roman context for this practice.

Who Gave at the *pesiqah* and Who Is Eligible to Be Supported?

Each member of the community may give according to the pledge made in a public assembly. This fundraising format was conducted by the communal leadership for a specific goal, such as aiding a particular poor person for a stated purpose or for community goals, including construction and renovation of a synagogue.

[When] one who is fatherless wants to marry—they rent a house for him and set up a bed for him, and only then do they marry a wife to him. (*t. Ketub.* 6:8, *t. Peah* 4:10)

In this text, it is not specified who is responsible for the expenses of an orphaned man's wedding, yet it seems reasonable this would fall on the community.

⁷³ Ze'ev Safrai, "Financing Synagogue Construction in the Period of the Mishna and the Talmud," in *Synagogues in Antiquity* (eds. A. Kasher, A. Oppenheimer and U. Rappaport; Jerusalem: Yad Izhak Ben Zvi, 1987), 80-83.

In Practice

This practice does not appear in the Hebrew Bible, but resembles a custom that was common in Greek cities.⁷⁴ The fact that *pesiqah* is mentioned without explanation in various contexts in rabbinic texts strengthens the probability that it actually was a method for raising communal funds. Moreover, several inscriptions from synagogues in the land of Israel mention this practice, often in association with synagogue construction and renovation.⁷⁵ This practice may be also alluded to in the New Testament: "So whenever you give alms, do not sound a trumpet before you, as the hypocrites do in the synagogues and in the streets, so that they may be praised by others" (Matt 6:2, NRSV).

Private Charity

As stated earlier, the Tanakh often addresses the individual rather than the community when stating requirements for supporting the poor. For example, in Isaiah we read:

הָלוֹא פָּרַס לְרַעֲב לַחֲמֹד וְעַנְיִים מְרוּדִים תָּבִיא בֵּית כִּי־תִרְאֶה עָרִם וְכִסִּיתוּ וּמִבְּשָׂרְךָ לֹא תִתְעַלֵּם:
It is to share your bread with the hungry, And to take the wretched poor into your home;
When you see the naked, to cloth him, And not to ignore your own kin. (Isa 58: 7, JPS)

And Deuteronomy requires that:

כִּי־יִהְיֶה בְּךָ אֲבִיּוֹן מֵאַחַד אֶחָיֶךָ בְּאַחַד שְׁעָרֶיךָ בְּאַרְצֶיךָ אֲשֶׁר־יְהוּנָה אֱלֹהֶיךָ נָתַן לְךָ לֹא תֹאמַר אֶת־לִבִּי
וְלֹא תִקַּפֵּל אֶת־יְדֶיךָ מֵאֲחִיךָ הָאֲבִיּוֹן:⁸ כִּי־פָתַח תִּפְתָּח אֶת־יְדֶיךָ לּוֹ וְהַעֲבַט תַּעֲבִיטֵנוּ דֵּי מַחֲסוֹ אֲשֶׁר
יִחַסֵּר לּוֹ:

⁷⁴ I will discuss the Greco-Roman context of the *pesiqah* in Chapter Nine.

⁷⁵ For examples, see Chapter Nine.

If, however, there is a needy person among you, one of your kinsmen in any of your settlements in the land that the Lord your God is giving you, do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever he needs. (Deut 15:7-8, JPS)

The English translation of these texts conceals the singular form of these instructions in the Hebrew text. Encouragement to independently support the poor also appears in numerous rabbinic texts. Such personal assistance may be directed at relatives, friends and neighbors. We have already mentioned the stories about Hillel, who provided a horse and a slave for a poor person from a good family. The narrative of Rabbi Yonah (cited in Chapter Five), whose sensitive “loan” was later revealed to be a gift to a poor person from a good family, may also be included in this category.⁷⁶ These stories indicate that private support was often given to poor persons with high status. This may be the case since individual support is nearly the only category of giving for which the relative poor are eligible, according to the model presented in the Mishnah. In contrast to communal assistance, private gifts also guaranteed a much higher level of confidentiality. Thus, since rabbinic texts from the land of Israel assume that the relative poor who required support experienced greater levels of shame than the ordinary poor, such giving added extra protection for their dignity. However, the relative poor were not the exclusive recipients of private support.

⁷⁶ In the story about Rabbi Yonah in the Yerushalmi, the source of the money remains unclear. Roger Brooks, in his translation of the Yerushalmi, assumes that the money that Rabbi Yonah gives is from the community fund. Thus, according to Brooks’ translation, Rabbi Yonah says to the poor: “My son, since I have heard that you have received an inheritance from some other source, why don’t you take some of the community fund’s money, and repay it later?” Brooks’ translation is in: Brooks, trans., *The Talmud of the Land of Israel*, 334. In the version of this passage that appears in *Leviticus Rabbah* 34:1, not only does the context suggest private charity as the core issue, but also the fact that Rabbi Yonah gave an object (דָּבָר) rather than money from the community fund.

In the collection of Amoraic midrashim, *Leviticus Rabbah*, there are several examples of encouragement toward giving private charity without a focus on the relative poor:

א' ר' אחא "ביום טובה היה בטוב וביום רעה ראה" (קהלת ז', י"ד). אם באת רעה לחבירך הוי מסתכל בו היאך לזכות בו ולפרנסו כדי שתקבל מתן שכרו.

Rabbi Aha said: "In the day of prosperity be joyful, and in the day of adversity consider' (Eccl 7:14, NRSV). If your friend experiences adversity, consider [his situation and] how to gain merit through [assisting] him (לזכות בו),⁷⁷ and provide for him so that you will receive his reward [from God]." (*Lev. Rab.* 34:5)

In its original context, this verse instructs the person being addressed to recognize that his life includes good and bad days, and to understand that God is responsible for all of them. According to this midrash, however, one is directed to consider his fellow's circumstances over one's own. Moreover, an individual should seek the best way to support a friend who is in dire straits. When one's fellow falls into poverty, it is an opportunity to support him and to be rewarded by God.

In Practice

Even though there is relatively little discourse about private giving in rabbinic texts from the land of Israel, it is quite likely that such help for relatives, friends and neighbors took place among Jews in Palestine. Such aid has taken place throughout history, even in societies that do not emphasize giving to the poor, including the Greco-Roman world. It is even more interesting, however, to explore rabbinic approaches to begging, which also concern individual giving.

⁷⁷ See the discussion of this phrase in Chapter Two.

Giving to Beggars

Ancient texts portray poor people gathering in public places, such as baths, markets, and temples, or walking from door to door, asking for support in each place. As Anneliese Parkins writes, “beggars were a commonplace in the early empire. Their continued presence can only be explained by a habit of giving, by at least some members of society.”⁷⁸ In the opening statements of Mishnah (and Tosefta) *Shabbat*, this common situation illustrates the principles that limit carrying objects from one domain to another on the Sabbath:

... העני עומד בחוץ ובעל הבית בפנים פשט העני את ידו לפנים ונתן לתוך ידו של בעל הבית או שנטל מתוכה והוציא העני חייב ובעל הבית פטור פשט בעל הבית את ידו לחוץ ונתן לתוך ידו של עני או שנטל מתוכה והכניס בעל הבית חייב והעני פטור . . .
... [If] the poor man stands outside and the householder stands inside [his house], [and] the poor man stretches his hand forth [into the house] and places [something] in the hand of the householder, or takes [something] from [the householder's hand] and carries [it] out - the poor man is liable [for transgressing the Shabbat law] and the householder is exempt. [If] the householder stretched his hand outside [his house] and placed [something] into the hand of the poor man, or took something from [the poor man's hand] and carried [it] inside, the householder is liable [for transgressing that same Shabbat law] and the poor man is exempt. (*m. Shabb. 1:1*)

In rabbinic texts, the act of begging is usually called “to ask from door to door” (לסבב על הפתחים ; לחזור על הפתחים) or “to go around from door to door” (לשאול על הפתחים). For example, in the Mishnah, an opinion appears (which was ultimately rejected) concerning the priority of daughters over sons to be supported by assets from their late father's inheritance (if it were small):

⁷⁸ Parkin, “You Do Him No Service,” 67; Finn, *Almsgiving in the Later Roman Empire*, 111; see also Brown, *Poverty and Leadership*, 77: “To be a beggar had always been one form, among others, of earning money in the ancient Mediterranean. It was considered dishonorable by respectable persons and slightly uncanny. But it was a device used with little shame by the lower classes. To give to such beggars was a routine matter.”

מי שמת והניח בנים ובנות בזמן שהנכסים מרובין הבנים יורשין והבנות ייזונו נכסים מועטים הבנות יזונו והבנים ישאלו על הפתחים

If a man died and left sons and daughters: when the property is large, the sons inherit and the daughters are maintained; [when the] property is small, the daughters are maintained and the sons would beg from door to door. (*m. Ketub.* 13: 3; *m. B. Bat.* 9:1)

In several Tannaitic texts, the idea emerges that the support from community resources given to those who beg from door to door should be limited. Ze'ev Safrai claims that the rabbis tried to limit private support for beggars in order to organize and centralize relief for the poor by means of community institutions, such as the *qupah* and the *tamḥuy*.⁷⁹ One of the texts that limit giving to beggars is an exegesis on Deut 15:7 in

Sifre Deuteronomy:

כשהוא אומר "באחד שעריך" היה יושב במקום אחד אתה מצוה לפרנסו היה מחזור על הפתחים אי אתה זקוק לו לכל דבר.

When it says [in Scripture]: "In one of your gates [in any of your settlements]" (Deut 15:7), [it teaches that] if [a poor man] dwells in one place, you are commanded to provide for him. [But if the poor person] begs from door to door, you are not obligated to him for all things. (*Sifre Deuteronomy*, Finkelstein 175)

It is not clear, however, whether this instruction is directing communal officials to provide lower levels of support to people who beg from door to door, or guiding individuals to give less to beggars than to a neighbor experiencing hardship, who does not beg.

A similar message appears in Tosefta *Peah*, though in this case without reference to a biblical verse. Here the context indicates an instruction being addressed to communal officials:

היה מסביב על הפתחים אין נזקקין לו לכל דבר.

⁷⁹ Safrai, *The Jewish Community*, 63.

[If a poor person] was [begging] from door to door, they⁸⁰ are not obligated [to give him] all things. (*t. Peah* 4:8)

Michall Hellinger suggests two possible interpretations for this tosefta 1) the communal fund should not support the poor who beg from door to door; 2) the communal fund should offer limited support to the poor who beg.⁸¹ The latter understanding, according to Hellinger, is shared by the Yerushalmi:

תני. המסבבין על הפתחים אין נזקקין להן לכל דבר. אמר ר' יונה. ובלחוד דלא יפחות ליה מן ארגרון דיליה.

It is stated in a Tannaitic tradition: “[In the case of] those who go [begging] from door to door -- they are not obliged [to give them] all things [or: anything].” Rabbi Yonah said: “Provided that he does not give him less than his *siliqua* [a silver coin].” (*y. Peah* 8:7, 21a)

According to Daniel Sperber, commentators have explained that the *argaron* (ארגרון) or *siliqua* was a coin of little worth, and therefore they interpreted Rabbi Yonah’s statement to mean that “a beggar should still receive some charity.”⁸² However, Sperber posits that an *argaron* did not have such a low value and, therefore, he suggests that Rabbi Yonah’s statement means that if a beggar has collected less than *argaron* by the end of the day, he may receive some support from the *qupah*.⁸³ In either case, these texts limit the recourses that the poor who beg from door to door may receive from communal institutions.

⁸⁰ It seems that Brooks, in his translation (that appears in Neusner, ed. *The Tosefta: First Division: Zeraim*, 69), understood this instruction to address people who give, not officials, since he translates: “[If a poor person] went from door to door, [begging for food from each family], they are not obligated to him in any way, [because he should receive money from the communal fund.]”

⁸¹ Hellinger, "The Charity Box," 93-100.

⁸² Sperber, *Roman Palestine: 200-400: Money and Prices*, 155.

⁸³ According to Sperber, *Idem.*, 155-156, it is also possible that the request to give at least a nominal sum, as described in the Yerushalmi, refers not to *qupah* administrators but rather to people who support beggars. According to this reading, people who find a beggar at their door steps should give them something, at the very least a small coin. Lieberman, *Tosefta Ki-Feshutah* 1:184.

Yet, the rabbis also encouraged their audience to give to beggars. Several Tannaitic and Amoraic texts support this type of direct giving.⁸⁴ For example, in a section of *Mekhilta De-Rabbi Ismael*, (discussed in Chapter Three), we read:

... עני שפשט ידו לבעל הבית ובעל הבית רוצה ליתן לו, "מאיר עיני שניהם ה'"; אבל עני שפשט ידו לבעל הבית ואין בעל הבית רוצה ליתן לו, "עושה כלם ה'". מי שהעני זה סוף שיעשרנו, ומי שהעשיר זה סוף שיעני אותו. . .

[When] a poor man stretches out his hand towards the householder, and the householder wants to give him [support, then]: "The Lord gives luster to the eyes of both" (Prov 29:13, JPS). But [when] a poor man stretches out his hand towards the householder, and the householder does not want to give him [support, then]: "The Lord is the maker of them all" (Prov 22:2). The One who made this one poor will eventually make him wealthy and the One who made that one wealthy will eventually make him poor. (*Mek. De-Rabbi Ismael*, Tractate Amalek *parashah* 2, Horvitz and Rabin 201-202, Lauterbach 228-229)

According to this text, God himself is involved in any encounter between a beggar and a householder. Each encounter may consequently lead to divine reward or punishment.

This midrash appears also in chapter 34 of *Leviticus Rabbah*, where giving to beggars appears as a theme:

אמ' ר' אבין העני הזה עומד על פתחך והקב"ה עומד על ימינו, דכי' כי יעמד לימין אביון (תהלים קט, לא), אם נתתה לו דע ששמי עומד על ימינו ועתיד לשלם לך שכרך, ואם אין את נותן לו דע ששמי הוא עומד על ימינו ועתיד ליפרע מאותו האיש, דכי' להושיע משפטי נפשו (שם/תהלים ק"ט, ל"א).
 Rabbi Avin said: "This poor man stands at your door, and the Holy One, blessed be He, stands at his right hand. Since it is written [in Scripture]: 'For He stands at the right hand of the needy' (Ps 109: 31).⁸⁵ If you have given [to the poor man], you should know that my Name stands at his right hand and will pay you your reward. But if you do not give to him, you should know that my Name stands at his right hand and will punish this man (you, who did not give). As it is written [in Scripture]: 'To save them from those who would condemn them to death' (Ps 109:31, NRSV)." (*Lev. Rab.* 34:9)

This midrash also emphasizes the message that God is personally involved in any encounter between a beggar and a potential benefactor. According to this text, a person

⁸⁴ For Christian encouragement of giving to the poor, see Finn, *Almsgiving in the Later Roman Empire*, 101.

⁸⁵ Based on NRSV.

who is asked for help by a beggar should bear in mind that God is also present and will meet out reward or punishment, according to the potential benefactor's actions.⁸⁶ As Peter Brown notes: “[t]o give alms to the poor was to find oneself, instantly, standing in the Presence of God.”⁸⁷

In another section of *Leviticus Rabbah*, chapter 34, giving a small coin to a beggar is portrayed as saving him from death:⁸⁸

ר' פינחס בש"ר ר' ראובן כל מי שהוא נותן פרוטה לעני הקדוש ברוך הוא נותן לו פרוטה. וכי פרוטה הוא נותן לו, והלא אינו נותן לו אלא נפשו, הא כיצד היתה כבר בעשר פרוטות והעני עומד ליקח ואין בידו אלא תשע ובא אחד ונתן לו פרוטה ונטל את הכתר ואכלה ושבת נפשו עליו, אמר לו הקדוש ברוך הוא אף אתה כשנפשך מצפצפת לצאת מגופך הרי אני משיבה לך לתוך גופך. לפיכך משה מזהיר את ישראל ואומר להן "וכי ימוך אחיך" (ויקרא כה, לה).

Rabbi Pinhas [said] in the name of Rabbi Reuben: “Whoever gives a *perutah* (a small coin) to a poor man, the Holy One, blessed be He, gives him a *perutah*. Is it a *perutah* that [God] gives [to the donor]? Does He not give him his soul? How is it [that He grants life for a *perutah*]? [It is so since] when a loaf of bread is worth ten *perutot* and a poor man is standing there, wishing to buy [the loaf] but possessing only nine *perutot* and [then] one comes and gives him a *perutah* - the poor man can buy the loaf [of bread] and eat it [and this] restores his soul, [then] the Holy One blessed be He says to [to the donor] : 'For you too, when your soul presses to leave your body, I will restore it to your body.' Because of this Moses cautions Israel, saying to them: 'If your brother falls into difficulty [and becomes dependent on you, you shall support him; they shall live with you as though resident aliens]’” (Lev 25:35).⁸⁹ (*Lev. Rab.* 34:2)

The reward for giving a small coin to a beggar is articulated in terms of “measure for measure” — “For the donor's coin saves the life of the hungry poor, so God will save the

⁸⁶ This notion that God is aware of each person's giving, which God then rewards proportionately, also appears in the New Testament, for example, Matthew 6: 4.

⁸⁷ Brown, *Poverty and Leadership*, 92.

⁸⁸ In other texts the decision of alms distributors is also presented as similar to a court sentence for life or death. For example, y. *Peah* 8:7, 21a.

⁸⁹ Based on NRSV.

life of the donor when it is endangered.”⁹⁰ According to a story in the Yerushalmi, giving to beggars has such enormous power that it can even avert a grim astrological destiny:⁹¹

תרין תלמידין מן דר' חנינה הוון נפקין מקטוע כיסין. חמתון חדא איסטרולוגוס. אילין (מ)תרין מי נפקין ולא חזרין. מי נפקין פגע בהון חד סב. אמ' לון. זכון עמי. דאית לי תלתא יומין דלא טעמית כלום. והוה עמון חד עיגול. קצון פלגא ויהביניה ליה. אכל וצלי עליהון. אמ' לון. תתקיים לכון נפשיכון בהדין יומא. היך דקיימתון לי נפשי בהדין יומא. נפקון בשלם וחזרון בשלם. והוון תמן בני אינש דשמעון קליה. אמרין ליה. ולא כן אמרת. אילין תרין מי נפקין ולא חזרין. אמר אי [ההוא] גברא שקר דאיסטרולוגייה דידיה שקרין. אפילו כן אזלון ופשפשוון ואשכחוון חכינה פלגא בהדא מובלא ופלגא בהדא מובלא. אמרו. מה טיבו עבידתכון יומא דין. ותניין ליה עובדא. אמ'. ומה ההוא גברא יכל עביד. דאלההון די יהודאי מתפייס בפלגות עיגול.

Two students of Rabbi Hanina went out to cut wood. An astrologer saw them [and said]: “These two who go out will not return.” When they were going out, an old man encountered them. He told them. “Gain merit by [assisting] me (זכון עמי).”⁹² [Since] I have not eaten anything in three days.” They had one loaf [of bread] with them. They cut half and gave it to him. He ate and prayed for them. He told them: “May your lives be preserved today, just as you preserved my life today.” They went out in peace, and returned in peace. And there were people there who had heard the [astrologer’s] prediction and told him: “Did you not say that these two who were going out would not return?” [The astrologer] said: “This man (I) is a liar, since his (my) astrology is falsehood.” Even so, they went and searched and found half of a snake in one’s load and half in the other’s load. They said [to the students]: “What good deed did you perform today?” And [the students] told the story. [Then the astrologer] said [of himself again]: “And what can this person do, since the God of the Jews is appeased by a half of a loaf?” (y. *Shabb.* 6:10, 8d)

In this story, Rabbi Hanina’s two students are not wealthy; they support themselves through manual labor. Indeed, in a similar story in the Babylonian Talmud, the one who goes to work is simply a Jew, not specifically a student.⁹³ In the Yerushalmi’s version, however, there is no disparity between the class or status of the students and the beggar, who is not called “a poor man” (מסכן), but rather “an old man” (סב). The difference

⁹⁰ Visotzky, *Golden Bells and Pomegranates*, 133.

⁹¹ And see a similar story in *b. Shabb.* 156b.

⁹² On this phrase, see the discussion in Chapter Two.

⁹³ For the Bavli it may be inappropriate to describe students as manual workers. For a discussion of other differences between the versions in the Yerushalmi and the Bavli, see, Jeffrey L. Rubenstein, *The Culture of The Babylonian Talmud* (Baltimore & London: The Johns Hopkins University Press, 2003), 68-70; Jeffrey L. Rubenstein, *Stories of the Babylonian Talmud* (Baltimore: The Johns Hopkins University Press, 2010), 159-164; Gray, “Redemptive Almsgivings,” 155, 162-163.

between them, therefore, is age alone. The old man not only uses the common phrase of request “gain merit through [giving something] to me” (זכון עמי), but he also explains that he has not eaten for three days. The two students are responsive to the old man’s request and share their loaf of bread with him. After eating the bread, the old man prays for them: “May your souls be preserved today, just as you preserved my soul today.” His prayer articulates the idea of “measure for measure,” which is a fundamental motif of this story: just as the students divided their loaf and gave half of it (פלגא) to the old man, saving his life—so the snake was cut in two halves [פלגא and פלגא] and the lives of the students were saved.

In addition to the idea that benefactors are rewarded (or punished if they refuse to give), the notion that people who give alms are imitating God is also presented in rabbinic texts.⁹⁴ In the *Mekhilta De-Rabbi Ishmael*, we read:

אבא שאול אומר אדמה לו מה הוא רחום וחנון אף אתה רחום וחנון.
 Abba Shaul says: “I shall be like Him. As He is gracious and merciful, so [shall] you [be] gracious and merciful.” (*Mek. De-Rabbi Ishmael*, Tractate *Shirata* 3; Horvitz-Rabin 127)⁹⁵

This teaching occurs again as a *baraita* in the *Yerushalmi* (y. *Peah* 1:1, 15b), immediately preceding the story of a rabbi who wanted to distribute all of his property to the poor, and the story about King Monbaz (cited in Chapter Two). In later Amoraic texts

⁹⁴ Ribeiro, “Les œuvres de miséricorde comme *imitation Dei*,” 788-805, writes about rabbinic texts that express this idea concerning *gemilut hasadim*. However, Ribeiro does not refer to the texts that I discuss here, including the *Yerushalmi* and *Mekilta De-Rabbi Ishmael*, nor does he take note of developments within the texts on these particular issues.

⁹⁵ A very similar teaching occurs in the New Testament: “Be merciful, just as your Father is merciful.” (Luke 6:36, NRSV).

- especially *Qoheleth Rabbah* (7:2-3) - this idea is developed further, in reference to *gemilut ḥasadim* and specific categories for which God acts as a model.⁹⁶

Whereas Tannaitic and Amoraic texts emphasize both the concept that those who support the poor imitate God and the promise that great rewards (whether in this world or in the world to come) are secured for those who give to the poor, in Amoraic midrashim we also find teachings that describe an interdependence between the wealthy and the poor:

... אם באת רעה לחבירך הוי מסתכל בו היאך לזכות בו ולפרנסו כדי שתקבל מתן שכרו. ר' תנחום ברי חייה כך היה עושה בשעה שהייתה אמו לוקחת לו ליטרא שלבשר מן השוק היתה לוקחת שתיים, אחת לו ואחת לעניים, ובשעה שהיתה לוקחת אגודה שלירק מן השוק היתה לוקחת שתיים, אחת לו ואחת לעניים, על שם גם את זה לעומת זה עשה האלהים (קהלת ז, יד), עניים ועשירים, כדי שיהיו זכים אילו עם אילו ויהיו מזכים אלו את אלו . . .

If your friend experiences adversity, consider [his situation and] how to gain merit through [assisting] him (לזכות בו) and provide for him in order that you will receive his reward [from God]. Rabbi Tanhum bar Rabbi Hiyya did as follows: When his mother would buy a pound of meat from the market for him, she would buy two [pounds of meat], one for him and one for the poor. And when she would buy a bunch of vegetables from the markets, she would buy two [bunches], one for him and one for the poor. [This practice was] in accordance with [the verse]: “The one no less the other was God’s doing” (Eccl 7:14, JPS) – the poor and the wealthy. For they will gain merit (זכים), these with those [through supporting each other], and will enable each other to gain merit (מזכים). (*Lev. Rab.* 34:5; *Pesiq. Rab. Kah.* 28)

In this text, the wealthy and the poor each need the other and benefit from one another, thereby indicating that the division of human society into the wealthy and the poor is part

⁹⁶ See also, *Lev. Rab.* 34: 15 (Margulies 811): "If you did so—behold, you are like your creator" (אם עשית כן הרי את כבוראך); See also, *Gen. Rab.* 58:19; 59:4; Theodor-Albeck 630 and 633, in which God's profession or trade is *gemilut ḥasadim* and Abraham imitates God by enacting *gemilut ḥasadim*. Here, however, these acts do not only apply to the poor since, in the first example, Abraham buried Sarah and as such *gamal ḥesed* for her.

The Targums' sections (from *Targum Neofiti* and *Pseudo Jonathan*) cited by Ribeiro especially resemble *Qoh. Rab.* 7:2-3, which has been dated to the eighth century CE and is therefore not discussed in this study.

of God's design. In another section of *Leviticus Rabbah*, the benefactor is presented as gaining more from his giving than the poor receive:⁹⁷

יותר ממה שבעל הבית עושה עם העני העני עושה עם בעל הבית, שכן רות אומרת לנעמי ותאמר שם האיש אשר עשיתי עמו היום בועז (רות ב, יט), אשר עשה עמי אין כת' כן אלא אשר עשיתי עמו, אמרה לה הרבה פעולות וטובות פעלתי עימו היום בשביל פרוסה שנתן לי.

More than what the householder does for a poor person, a poor person does for a householder. For so Ruth says to Naomi: "The name of the man with whom I worked is Boaz." (Ruth 2:19, JPS). "Who worked with me" (אשר עשה עמי) is not written [here], but rather "With whom I worked" (אשר עשיתי עמו). She said to her: "Many works and favors I worked on his behalf today for the piece of bread that he gave me." (*Lev. Rab.* 34:8)⁹⁸

It is noteworthy that this specific notion of interdependence between the wealthy and the poor and the mutual benefits that each may gain from the other, as well as the idea that God created the world with these two groups appears only in rabbinic texts dating from the fifth century onward.⁹⁹

On the whole, the stories and teachings cited above illustrate that rabbinic texts from the land of Israel encourage support for beggars. The texts describe God as a witness in all instances of giving (and refusal) who responds with reward or punishment, respectively,¹⁰⁰ in accordance with the "measure to measure" principle. Even small gestures of giving are presented as life saving and thus may reciprocally save the life of

⁹⁷ Although this text is presented in *Leviticus Rabbah* in the name of Rabbi Yehoshua, no such teaching occurs in Tannaitic texts.

⁹⁸ See also *Ruth Rab.* 5:9. Margulies, *Midrash Wayyikra Rabbah*, 791, writes that some commentators suggest that this section was originally in *Ruth Rabbah*, and later inserted into *Leviticus Rabbah*. The idea that a householder who gives to a poor person actually receives more than the recipient also appears in a poem of Yannai dated to the sixth century; see, Rabinovitz, *The Liturgical Poems of Rabbi Yannai*, 1:477:

"גם יתר מאשר תיזכה בעני//אמנם יזכה עימך העני."

⁹⁹ Even more than you obtain for the poor // the poor would enable you to obtain (divine merit) These ideas may echo changes in Roman discourse that resulted from the rise of Christianity, as described by Evelyne Patlagean, *Pauvreté économique et pauvreté sociale à Byzance, 4e-7e siècles* (Paris: Mouton, 1977), 187, and therefore they may present a rabbinic view of almsgiving that emerged within the context of Byzantine discourse. However, this notion requires further investigation.

¹⁰⁰ See, Bergman, *The Charity in Israel*, 26.

the one who gives to a beggar or reward him at a future point (in this world or in the next).

Moreover, the plentiful information about begging provided in rabbinic texts from the land of Israel suggests that it was a widespread phenomenon. This hypothesis is supported by evidence from Greco-Roman sources:

. . . [T]he presence of living beggars in the pagan world, which is very well attested, is mute testimony that people did give. Beggars were a normal part of at least urban, and probably also rural life in the imperial period, yet it is not clear precisely who gave to them, or with what motivations. The problem is, predictably, one of sources: our elite writers are simply not interested in the dregs of their society and their survival mechanisms.¹⁰¹

However, in contrast to the Roman “elite writers,” rabbinic texts express an empathetic interest in beggars, and especially in encouraging people to support them (from a human perspective or because of the inevitable execution of divine justice). Even though some rabbinic rules limit the level of support that should be given to beggars – be it communal or private, we find numerous rabbinic traditions that encourage people to assist beggars.

Who Gives and Who Receives?

According to Palestinian rabbinic texts, everyone should give something to beggars - unless they are poor themselves - whether at one’s door or in public. People who dare to ask strangers for support should be assisted.

¹⁰¹ Parkin, “You Do Him No Service,” 61.

In Practice

Begging existed throughout the Greco-Roman world, not only among Jews. Thus, it is likely that beggars were actually supported by Jews during this time. When the Temple stood, Jerusalem was described as a center for beggars.¹⁰² During the end of the Second Temple period and in later centuries, the synagogue was described in several Greco-Roman texts as a center of care for beggars, especially in the Diaspora.¹⁰³ Jewish beggars are mentioned in several Roman texts. For example, Martial, in the second half of the first century CE “explains why he leaves Rome so often for rustic Nomentum . . . Among Rome’s characteristic nuisances, he lists the Jewish beggar, who is taught to beg by his mother.”¹⁰⁴ In the fourth century CE, while Julian criticizes pagans for neglecting the poor, he states that: “no Jew ever has to beg” (Julian, *Epistle 22*, 430D). Despite this statement, rabbinic texts provide evidence for the persistent existence of beggars as well as rabbinic efforts to persuade people to give to the poor directly.

Conclusion

In this chapter, we analyzed the five categories of giving that appear in rabbinic texts. We noted that the rabbis extended and elaborated on biblical requirements to support the poor. Consequently, biblical produce gifts to the poor were discussed in

¹⁰² Jeremias, *Jerusalem in the Time of Jesus*, 128-130.

¹⁰³ Johanan Hans Levy, *Studies in Jewish Hellenism* (Jerusalem: Bialik Institute, 1960), 197-203.

¹⁰⁴ M. Stern, *Greek and Latin Authors on Jews and Judaism* (Jerusalem: The Israel Academy of Sciences and Humanities: 1976), I no. 246. See also, *ibid.* II no. 299; See additional examples in Johanan Hans Levy, *Studies in Jewish Hellenism* (Jerusalem: Bialik Institute, 1960), 197-203.

detail, as well as other charitable institutions and practices which are not spelled out in the Tanakh. Indeed, we do not know enough about the *qupah* and the *tamḥuy* to map out their histories and functions with certainty. It is possible that the rabbis only describe communal institutions which they themselves did not establish. It is interesting to note that the Mishnah integrates the *qupah* and the *tamḥuy* into one model together with the produce gifts that are mentioned in the Torah. Perhaps this indicates that the Mishnah understands them to represent a multi-level, practical fulfillment of the Torah's requirement to support the poor. Thus, even though the biblical verses address the individual rather than the community, the Mishnah presents a model in which the community is responsible for providing this support. The *pesiqah*, as a method of fundraising within the community, is not included in the model detailed in Mishnah *Peah*, but it is mentioned in other tractates of the Mishnah and in other rabbinic texts. It seems that this method of fundraising probably originated in Greek cities, but in that context it was not employed for the sake of the poor. Private charity and giving to beggars are a central theme of *Leviticus Rabbah* chapter 34, but these practices also appear in earlier texts, such as Tannaitic midrashim and the Yerushalmi. We also observed a development in the reasoning employed by the rabbis to persuade people to give to the poor.

With the exception of the *pesiqah*, the categories of giving detailed in this chapter were considered to be within the realm of normative religious responsibility rather than as expressions of generosity. They were fundamentally understood as obligations towards

God. According to Rabbi Shimon's saying in the Yerushalmi, produce gifts and other forms of support for the poor, whether through private or communal giving, are considered as ways to honor God. Similarly, God is viewed as being personally involved in private charity and giving to beggars. Private categories of giving were encouraged by the rabbis along with support for communal institutions.

The discussion of these five categories sheds light on the rabbinic understanding of support for the poor. Several texts indicate care and consideration towards the circumstances of the poor. The rabbis considered not only their physical needs, such as food and clothing, but also less tangible factors, including respect for the poor person's time, safety and feelings. It is important to note that most of these categories of support refer to the absolute poor. Care for the relative poor—those with high status backgrounds—is taken into account in fewer realms of giving: by means of the Chamber of Secrets (whose existence after the destruction of the Second Temple is doubtful), private assistance, and the provision of clothing according to their former status. The absolute poor, therefore, are the focus of rabbinic categories for supporting the poor as presented in rabbinic literature from the land of Israel.

In this chapter, I have also considered the relationship between rabbinic descriptions of these categories of giving and actual practice in ancient Palestine. While it is likely that the Chamber of Secrets was no longer functioning by the time of the Mishnah, *pesiqah* fundraising, giving to beggars, and providing private support to family and friends seem to have been part of the social reality. What remains for our

consideration is the actual implementation of the Mishnah's charitable model, including the designation of produce gifts and the activities of communal charitable institutions. Regarding produce gifts, the texts suggest mixed levels of observance of these biblical instructions within the Jewish population of the land of Israel. We lack statistical evidence to describe levels of observance of these practices, yet I would assert that rabbinic discourse on this topic is not merely academic. With respect to communal charitable institutions, I suggest that they existed in some form at least by the third century CE and probably earlier — though again, we cannot know their scope. Although we are unable to gauge the implementation of these categories of giving with precision, their descriptions in rabbinic texts do not simply represent an intellectual exercise.

Chapter Seven: Rabbinic Approaches to Examining the Eligibility of Applicants for Alms

Most modern societies that implement poverty relief programs also have stated criteria for determining eligibility and some sort of investigative procedure for confirming whether applicants qualify for support. With these contemporary norms in mind, this chapter examines whether verification for eligibility to receive alms was required according to the rabbinic model of supporting the poor and, if so, who was responsible for this process.¹ Since, according to the Mishnah, eligibility for particular support should correspond to one's level of poverty, it is logical to ask whether and how rabbinic texts describe the mechanisms for measuring a petitioner's qualifications,² as well as the concerns regarding deceptive claims.³ Rabbinic texts from the land of Israel indeed address the issue of people who feign poverty in order to receive alms. I will claim that most of these texts nevertheless place responsibility on the poor themselves

¹ See, Helinger, "Charity in Talmudic and Rabbinic Literature," 91-99, who deals with the same issue in a different way.

² The Roman census may provide a model for measuring individual wealth. In the Roman case, however, the mechanism focused on the wealthy elite rather than on the poor.

³ Such concerns can be found in several Christian texts: Finn, *Almsgiving in the Later Roman Empire*, 70, describes some of the Christian Fathers' reactions to the phenomenon of people who take alms without real need, suggesting that: "Ambrose complained about those who sought alms (*subsidia pauperum*) without good reason, when in good health and so able to seek work, and whose demands for more alms reduced what was available for the poor who had no other means of keeping themselves. The distinction between those able to work or keep themselves by other means and those wholly reliant on alms gives one criterion by which the poor were identified as worthy recipients of alms." Moreover, Finn (p. 69) claims that, according to the Christian Father Basil, no "no spiritual value" was found in such giving: "There was a widespread view that 'genuine' beggars were to be distinguished from false claimants. Basil taught that there was no spiritual value in giving alms to the unworthy and advocated distribution of gifts by an experienced official who could tell the genuine from the merely greedy."

and not on the donors, thus relieving those who give to the poor from scrutinizing the economic status of beggars.

Some texts, however, distinguish between limited contributions that should be given without inquiry and more extensive support, which necessitates familiarity with the poor persons in question. These texts usually apply to communal officials rather than to individual donors. An analysis of the texts that deal with determining eligibility for alms reveals some aspects of the relationship between those who give and those who receive and how the poor are portrayed.

The First Approach: The Giver Should Not Examine the Beneficiary

Mishnah *Peah* chapter eight, which presents varying degrees of eligibility and their corresponding gifts according to one's level of poverty, does not mention any method of verification by those who provide alms. The one who gives charity may be a peasant in the field in the case of produce gifts or a community official when charitable institutions are being discussed. The responsibility for honest conduct, therefore, rests completely on the poor person. Indeed, the graduated model of eligibility culminates with this statement:

וְכֹל מִי שֶׁאֵינוֹ צָרִיךְ לִיטוֹל וְנוֹטֵל אֵינוֹ מֵת מִן הַזְקֵנָה עַד שִׁיצְטָרֵךְ לְבִירִיּוֹת. . .⁴
And whoever does not need to take [alms] but takes [them anyhow], will not die of old age before he becomes dependent on others. (*m. Peah* 8:9)

⁴ This version is according to the Kauffmann manuscript; the version in the printed edition differs slightly.

This passage refers to any of the gifts described in the Mishnah, and teaches that one who cheats by pretending to be poor will become impoverished in the future.⁵

Similarly, the Tosefta argues that one who pretends to be blind or disabled (in order to receive assistance) will eventually suffer from the condition being falsely presented:

המסמא את עינו והמצבה את כריסו והמעבה את שוקיו אין נפטר מן העולם עד שיהא לו כך.
[The one who pretends to] blind his eye, swell his belly or bloat his thighs— will not depart the world until he has that [condition]. (*t. Peah* 4:14)

The setting where blindness or a physical disability would be feigned was often associated with begging. This text states that whoever pretends to be poor and disabled in order to receive alms will be punished by God. Those who give alms in response to deceptive claims, however, are not mentioned in this tosefta and no penalty applies to them. Just as God rewards the giver, so too does He will punish the deceiver.

Reluctance to Support the Healthy Poor

Deceptive strategies might emerge among the poor when potential supporters are reluctant to give to healthy beggars. As Anneliese Parkin writes: “. . . comparative studies of begging practices indicate that faking disabilities remains a common artifice, with

⁵ There is an additional *baraita* that is also relevant to our topic which closes *m. Peah* 8:9, which was not originally part of the Mishnaic text:

וכל מי שאינו לא חגר ולא סומא ולא פסח ועושה עצמו כאחד מהם אינו מת מן הזקנה עד שיהיה כאחד מהם שנא' (דברים טז) צדק צדק תרדוף

Whoever is not limp, nor blind, nor lame, but pretends to be as one of these, will not die of old age before he will be like one of these, as stated [in Scripture]: "Justice, and only justice, you shall pursue . . ." (Deut 16:20, NRSV)

beggars waving false limbs, and even mummified real limbs as ‘evidence’ of their disability.”⁶ Hesitation to support those who appear healthy and stable bodied is described in *Leviticus Rabbah*:

(A) "עשיר ורש נפגשו", עשיר זה שהוא עשיר בנכסים, ורש זה שהוא רש בנכסים. אמ' רש לאותו עשיר תן לי מצוה ולא נתן לו, "עושה כולם יי", מי שעשה לזה עשיר יכול לעשותו עני ומי שעשה לזה עני יכול לעשותו עשיר.

(B) אמ' עשיר לאותו עני לית את לעי ונגס, חמי שקין חמי כרעין חמי קפדיין, אמ' לו הקדוש ברוך הוא לא דיך שלא נתתה לו משלך אלא במה שנתתי לו אתה מכניס בו עין רעה, לפיכך "והוליד בן ואין בידו מאומה" (קהלת ה, יג) מן כל מה דהוה ליה.

(A) "Rich man and poor man meet" (Prov 22:2, JPS); a "rich man" refers to [one who is] rich in possessions, and a "poor man" refers to [one who is] lacking in possessions. The poor man said to the rich man: "Give me a *mitzvah* (alms)." but he did not give him [alms], "The Lord is the maker of them all" (Prov 22:2). The One who made this one wealthy can make him poor and the One who made this one poor can make him wealthy.

(B) The rich man said to the poor man: "Why don't you go to work [in order to] eat? Look at the thighs! Look at the legs! Look at the flesh!" The Holy One, blessed be He, said to [the rich man]: "Is it not enough that you did not give him [anything] from your possessions, but you also cast an evil eye on what I have given to him."⁷ Therefore, [it is written:] "And he begets a son and he has nothing in hand," (Eccl 5:13, adapted from JPS) from all that he has owned. (*Lev. Rab.* 34: 4)

The first part of the midrash (A) is similar to a Tannaitic midrash in *Mekhilta De-Rabbi Ishmael* (cited in Chapter Three).⁸ However, the version in *Leviticus Rabbah* provides the words of the wealthy man who refuses to give to a healthy poor man. It is interesting to note that while the entire midrash is in Hebrew, the quotation from the wealthy person is in Aramaic. The midrash critiques the rich man's comment and his refusal to give. The rabbis appear to be encouraging their audience to give to the poor even if the latter appear

⁶ Parkin, "You Do Him No Service," 71. See the studies she mentions in footnote 35. Parkin also mentions the Roman evidence for this phenomenon (p. 70).

⁷ That is the healthy body of this poor man.

⁸ Tractate Amalek Parashah 2 (Horvitz and Rabin 201-202, Lauterbach 228-229).

healthy. Scrutiny and unwillingness to give are condemned and defined as a way of “casting the evil eye.”⁹

This same comment is attributed to another wealthy individual in a different section of *Leviticus Rabbah*:

ר' מנא בשי' ר' יצחק כת' "ואבד העושר ההוא בעיניין רע" (קהלת ה, ג), בעיניין שהושיב את העני ואמ' לו לית את אזיל לעי ונגס חמי שקין חמי כרעין חמי קפדיין. אמ' לו הקדוש ברוך הוא לא דייך שלא נתתה לו משלך אלא מה שנתתי לו את מכניס בו עין רעה, לפיכך "והוליד בן ואין בידו מאומה" (קהלת ה', י"ג) מן כל מה דהוה ליה.

Rabbi Manna [said] in the name of Rabbi Yitzhak: “It is written [in Scripture]: ‘And those riches were lost in a bad matter’ (Ecc1 5:13). [They are lost] through the matter that he answered the poor man and said to him: ‘Why don’t you go to work [in order to] eat? Look at the thighs! Look at the legs! Look at the flesh!’ The Holy One, blessed be He, said to him [to the rich man]: ‘Is it not enough for you that you did not give to him from your possessions, but you also cast an evil eye on what I have given to him.’ Therefore, [it is written:] “And he begets a son and he has nothing in hand,” (Ecc1 5:13, adjusted from JPS) from all that he has owned. (*Lev. Rab.* 34: 7)

This midrash seems to be the original literary context for the wealthy man’s words, since it opens and closes with interpretations of the first and second clause of the same verse, respectively. In both of the midrashim where this quotation appears, these words convey reticence with regard to giving to healthy beggars, thereby supporting Parkin’s claim that people avoided giving to healthy men:

. . . in general healthy men were particularly disadvantaged, because they were perceived as capable of work they chose not to do. Able-bodied adult men – even in periods of chronic under/unemployment – often receive less sympathy from authorities and private benefactors . . .¹⁰

⁹ Finn, *Almsgiving in the Later Roman Empire*, 100-101, describes those who are reluctant to give to beggars, as learned from Chrysostom’s sermons: “[I]t is clear from Chrysostom’s sermons that wealthy individuals in the Antiochene church were reluctant to give alms to the beggars who accosted them on their travel across town. Chrysostom chided them for their excuses, which are themselves revealing. People said: ‘I haven’t got a servant with me now and I’m a long way from home. They said that they were too far from a money-changer. They claimed that the beggar ‘has already received church hand-out.’” See, also, *ibid.* 107-108.

¹⁰ Parkin, “You Do Him No Service,” 76.

The two midrashim quoted above unambiguously condemn potential benefactors who scrutinize the credibility of beggars. Such critical examination and avoidance from giving are equated with “casting the evil eye.”¹¹ The one being petitioned for support, therefore, is required to give without inquiry even to a man who looks healthy, strong and able to work. In these two traditions, the beggar was not in disguise, and was in fact poor; however in other rabbinic teachings, the theme of poverty as a ruse is explored. As we shall see, even when deceptive behavior is discussed, some rabbinic texts still reject any form of investigating the poor.

The Role of Stories that Depict the Deceitful Poor

The theme of the deceitful poor is developed in several rabbinic narratives.¹² Ze’ev Safrai argues that beggars were presented as deceitful in these texts because the sages preferred communal institutions over private donations as a means for assisting beggars. He understands such descriptions of beggars as a mechanism that encouraging direct giving via charitable bodies.¹³ In my opinion, the overarching tone of encouragement toward giving even to the “deceitful poor” that is conveyed in rabbinic stories weakens this claim. It is understandable that potential supporters of the poor might

¹¹ Finn, *Almsgiving in the Later Roman Empire*, 70, writes about a similar concern of John Chrysostom: “John Chrysostom was suspicious of the distinction between real and fake beggars when used by individual to excuse their refusal to give alms in the street—if someone went to the trouble of begging and faking extreme misery just to get a loaf of bread, that in itself was a sign of real need—but that suspicion does not imply that he ignored the distinction himself when it came to the distribution of Episcopal alms under public scrutiny.”

¹² For a comparison of these stories, see, David Assaf, “‘Let’s Thank the Crooks’: On the Shaping of Charity Stories in the World of the Sages” in *Iturim: Studies in Honor of Moshe Krone* (Jerusalem: Eliner-Torah Education Department of the World Zionist Organization, 1986), 248-262.

¹³ Zeev Safrai, *The Jewish Community*, 63.

be inclined to refrain from giving lest they be tricked into assisting the deceitful poor.

Therefore these stories address a reality that recognizes the existence of those deceitful poor - not to cast aspersions on the poor per se - but rather to encourage giving, despite the fact that the recipient may not always have a genuine need. Let us now look at some examples of these stories:

- (A) ר' אבהו בשי' ר' ליעזר צריכין אנו להחזיק טובה לרמאין שבהם, שאילולי הרמיין שבהן כיון שהיה אחד מהן תובע ביד אדם והוא מחזירו מיד היה נענש למיתה, דכתי' וקרא עליך אל י"י והיה בך חטא, וכת' הנפש החטאת היא תמות (יחזקאל יח, כ).
- (B) דילי' ר' יוחנן וריש לקיש נחתין למיסחי בהדין דימוסיא דטבריא ופגע בהון חד מסכן אמ' להון זכון בי, אמ' ליה מיחזרין אנן זכייין בך. מיחזרין אשכחניה מיית, אמרי הואיל ולא אטפלנן ביה בחיוי נטפל ביה במותוי. מי מסחין ליה אשכחון חדה כיס דחמש מאה דינרין תלי בצואריה.
- (C) אמרי ברוך שבחר בחכמים ובדבריהם, לא כן אמ' ר' אבהו בשי' ר' ליעזר צריכין אנו להחזיק טובה לרמיין שבהן, שאילולי הרמאין שבהן כיון שהיה אחד מהן תובע דבר ביד אדם והוא מחזירו מיד היה נענש למיתה, דכתי' וקרא עליך אל י"י וכת' הנפש החטאת היא תמות.

- (A) Rabbi Abbahu [said] in the name of Rabbi [E]liezer: “We have to be grateful to the deceivers among [the poor] since without the deceivers among them, when one of [the poor] requests of the hand of a person who then refuses him, immediately he [who refused] would be punished with death. Since it is written [in Scripture]: ‘And he [your needy kinsman who was refused] will cry out to the Lord against you, and you will incur guilt’ (Deut 15:9, JPS); and it is written [in Scripture]: “The person who sins shall die.” (Ezek 18:20, NRSV).
- (B) A story: Rabbi Yohanan and Resh (Rabbi Shimon ben) Laqish went to bathe in the public baths of Tiberias and [on their way] were encountered by a poor person. He told them: “Gain merit through [assisting] me (זכון בי).” They told him: “On our return, we will gain merit through [assisting] you (זכייין בך).” On their return, they found him dead. They said: “Since we did not attend to him when he was alive, let us attend to him now that he is dead.” While they were washing him, they found a money pouch containing five hundred dinars hanging from his neck.
- (C) They said: “Blessed [be He] who chose the sages and their sayings, [for] did not Rabbi Abbahu say in the name of Rabbi [E]liezer¹⁴ : ‘We have to be grateful to the deceivers among them (the poor) since without the deceivers among them, when one of them [of the poor] requests of the hand of a person who then refuses him, immediately he [who refused] would be punished with death. Since it is written [in Scripture]: ‘And he [your needy kinsman who was refused] will cry out to the Lord against you, and you will incur guilt.’ (Deut 15:9, JPS); and it is written [in Scripture]: “The person who sins shall die.” (Ezek 18:20, NRSV). (Lev. Rab. 34:10)

¹⁴ In sections A and C, there are variations in the manuscripts between Eliezer (אליעזר) and Elazar (אלעזר).

The first part of this midrash (A) presents a teaching that instructs gratitude for the deceivers among the poor, since without them every refusal to give to a poor person could result in death. The second part (B) illustrates this teaching through a story: Rabbi Yohanan and Rabbi Shimon ben Laqish encounter a beggar on their way to the public bath in Tiberias. A beggar asks the rabbis to help him financially, employing the phrase, “gain merit by [supporting] me.” Rather than helping the beggar immediately, the rabbis promise to assist him on their way back. Upon returning, they find that the beggar has died. Although they did not help him in life, they decide to help him after his death. While preparing him for burial, they find that he was not actually poor but rather wealthy, and they recall the saying that appears in the first part of the midrash (C). In the case of an ordinary poor person, these rabbis would have been blamed for his death by postponing their assistance and causing him to die from hunger. Since this poor person was feigning poverty, they were cleared from guilt. The opening teaching in this midrash was thus upheld. The one who does not respond immediately to a request for aid from the poor promptly is protected by the very existence of those who pretend to be poor. The false poor prevent immediate punishment by God foretold in Deut 15:9, “and he [your needy kinsman who was refused] will cry out to the Lord against you, and you will incur guilt,” and Ezek 8:20, “The person who sins shall die.” In this story, the discovery of the beggar’s wealth was not the result of an examination but by chance. The required response to a petition from the poor remains: give immediately, without investigation or hesitation. It is important to note the placement of this narrative in a chapter of *Leviticus Rabbah* that encourages support for the poor; in this context, this story may reflect the

alms].” Upon returning, they found him dead. They said: “Since we did not gain merit through [assisting] him (ולא זכינן ביה) in his lifetime, let us attend to him in his death. While they attended him, they found a money pouch [of dinars] hung on him. They said: “That is what was said by Rabbi Abbahu in the name of Rabbi [E]lazar: ‘We have to be grateful to the deceivers among them [the poor]. Since without the deceivers among them, if one of them [of the poor] would request alms from a person and he would not give him [alms], he [who did not give] would be punished immediately.’”

- (D) Abba bar [A]bba gave his son Shmuel money to distribute among the poor. He went out and found a poor man eating meat and drinking wine. He [returned home,] entered and reported [what he had seen] before his father. [His father] said to him: “Give him more since his desire should be the measure [for the support he receives]. [Or: “Give him more since his soul is his mistress.”]
- (E) Rabbi Jacob bar Idi and Rabbi Yitzhak bar Nahman were community officials (*parnasim*) and they would give Rabbi Hamma the father of Rabbi Hoshai a one dinar and he would give it to others [poor persons]. Rabbi Zechariah, the son-in-law of Rabbi Levi, all [people] would defame him. They said: that he does not need, but was [nevertheless] taking [alms].” After he died, they investigated and found that he had distributed [the alms] to others [poor persons]. (y. *Peah* 8:9, 21b)

These stories discuss the issue of the deceitful poor, beginning with a *baraita* (A) from the Tosefta (*Peah* 4:14), which states that one who pretends to be blind or physically disabled (in order to receive financial support) will eventually suffer that same fate. This provides another example of the rabbinic principle of "measure for measure" and the idea that punishment for dishonest conduct comes from God. The second tradition (B) describes how Shmuel, the renowned Babylonian Amora, ran away from his father (the reason is not provided) and found himself between two huts of the poor. He heard them arguing over which cutlery to use at their meal, the silver or the gold. The story presents a contradiction between the outer façade of poverty and the interior reality of wealth. Shmuel, probably astonished, returned to his father, and reports what he has witnessed. His father explains, “We have to be grateful to the deceivers among the poor.” The intention of this saying is not clear. Why should we be grateful to the deceitful poor? An explanation is provided in the story that follows (C), about the rabbis who go the public

bath (also in *Leviticus Rabbah*). This account seems to have been inserted between the two stories of Shmuel and his father (B and D) as an interpretation of Shmuel's father's statement. In the second tale about Shmuel and his father (D), Shmuel receives coins from his father to distribute among the poor. On this mission, Shmuel encounters a poor person who is eating meat and drinking wine. Upon returning home, Shmuel reports what he saw and his father responds by instructing him to supply more (coins?) to that poor person, since "his desire should be the measure [for the support he receives]."¹⁶ This story argues that provisions to the poor be according to their accustomed life styles. The message, therefore, echoes the Tosefta's approach of "sufficient for whatever he needs" (די מחסרו אשר יחסר לו). It is not clear whether the needy person in (D) should be counted among the deceitful poor.

The next tradition (E) does not discuss the deceitful poor, but rather a situation where someone receives charity (seemingly for himself) with the intention of distributing it in secret to other needy people. In a similar case of concealed redistribution of alms, some people, without knowledge of his secret allocations to others, slander Rabbi Zechariah, accusing him of taking alms without need. Only after his death is the truth revealed. This story leads the *sugya* to the theme of distributing alms in secret. Indeed, section E (and the traditions that follow) also appears in *y. Sheqal. 5:6, 49a-b* in the context of the "Chamber of Secrets" and a discussion of giving alms in secret. In our context, the one who was considered by others to be one of the deceitful poor was

¹⁶ See other possibilities for explaining the saying attributed to Shmuel's father in a note on the translation of this text.

actually a secret benefactor for other poor people. Thus, according to this story, it is wrong to accuse someone of being a deceitful poor person since he might in fact be redistributing the alms he receives. As in the earlier narrative (C), in (E) too the truth is revealed only after the death of the poor person in question. However, while the beggar in (C) was assumed to be genuine and was revealed as deceitful only after his death, here a man who had been suspected of deceit was discovered to be righteous after his death (E). Together these tales may caution against easy judgments, since impressions can be misleading.

Traditions about the deceitful poor are developed in several rabbinic texts, by emphasizing the benefit that the giver gains from the existence of such “poor” in society. It is understandable that people would be reluctant to give to the deceitful poor and that such reluctance would have serious implications for the indigent population as a whole. Since a number of rabbinic texts advocate giving without scrutiny, addressing the existence of the deceitful poor was crucial. In my opinion, the rabbis used these traditions to promote giving to beggars rather than to persuade people to channel their giving through communal institutions (as has been suggested elsewhere). When fraud was exposed in these texts, it was always by accident, without negatively affecting the donors involved. Thus in the Yerushalmi as well as in the other texts cited above, the responsibility for honest conduct rests with the beneficiary and not the one who gives charity. Poor persons are active agents, not merely passive recipients in this cultural framework. This view is articulated well in the Yerushalmi’s statement: “The one who

gives shall give, and the one who takes [alms] should be worried about himself [namely, his own conduct]," (הנותן נותן והלוקח יחוש לעצמו").¹⁷

A Second Approach: The Giver Should Be Familiar with the Beneficiary

A small number of traditions present another approach: while scrutiny is unnecessary for limited giving, when more liberal gifts are being considered, assurance of eligibility is required. These traditions distinguish between recipients who are known to the benefactor and those whom the potential donor does not know. Familiarity with beneficiaries assumes knowledge of their economic situation. For example, the Tosefta distinguishes between the known and the unfamiliar poor:

אין פוחתין לעני העובר ממקום למקום מכבר בפונדיון מארבע סאין בסלע לן נותנין לו פרנסת לינה שמן וקטנית שבת נותנין לו מזון שלש סעודות שמן וקטנית דג וירק במה דברים אמורים בזמן שאין מכירין אותו אבל בזמן שמכירין אותו אף מכסין אותו.

They give to a poor man traveling from place to place no less than a loaf [of bread] worth a *pondion*, [made from wheat which cost at least] one *sela* for four *seahs*. [If such a poor person] stayed overnight, they give him the necessary arrangement for a night's lodging, oil and beans. [If such a poor person] was spending the Sabbath, they would give him food for three meals: oil and beans, fish and vegetables. When do all these things apply? When they do not know him, but when they know him, they also provide him with clothing. (*t. Peah* 4:8)¹⁸

¹⁷ y. *Peah* 8:7, 21a; similarly, the view that one who requests alms should be provided for without inquiry also appears in y. *Meg.* 1:3, 70b, in relation to the gifts for the poor that should be given on Purim: אין מדקדין במצות פורים אלא כל מי שהוא פושט את ידו ליטול נותנין לו.

They should not investigate regarding the alms of Purim, but whoever stretches out his hand to take [alms] they give to him.

From this text, it is not clear whether the instruction to refrain from investigations applies exclusively to gifts on Purim. Yet, it is another example of a case when inquiry should be avoided.

¹⁸ The words in boldface also appear in *m. Peah* 8:7. The Tosefta details more provisions in comparison to those ordered in the Mishnah. According to Friedman, "The Primacy of Tosefta," 101, often the Tosefta provides "older forms of the same halakhot contained in the Mishnah." If this observation is true with regard to this tosefta, then the mishnah here limits the items that should be provided to the poor.

According to the Tosefta, while the transient and therefore unknown poor should receive food and lodging, the familiar poor also receive clothing.¹⁹

The Yerushalmi presents a disagreement between Rav and Rabbi Yohanan concerning the need for inquiry. While one of them argues that food should be given without inquiry, but that gifts of clothing should be preceded by an investigation, the other claims that even when clothing is provided no examination is required:

איתפלגון רב ור' יוחנן. חדי' אמ' מדקדקין²⁰ בכסות ואין מדקדקין בחיי נפשות. וחרנה אמ'. אף בכסות אין מדקדקין מפני בריתו של אברהם אבינו.

Rav and Rabbi Yohanan disagreed.²¹ One said: "[They should] investigate [the eligibility of one who requests] clothing, but they [should] not investigate [the eligibility of one who requests] sustenance." The other said: "Even [when one requests] clothing they should not investigate, on account of the covenant of our father Abraham." (y. *Peah* 8:4, 21a)

This tradition indicates that the rabbis debated the necessity, at least in certain cases, of examining eligibility. The rabbi who rejects any examination of eligibility cites the “covenant of Abraham” as grounds for refraining from an investigation when clothing is concerned.²² The precise meaning of this clause has been addressed by several commentators on the Yerushalmi. For example, *Pnei Moshe* states that prompt provision of clothing without investigation would protect the poor person from the humiliation of exposing the sign of the covenant (circumcision).²³ *Mahara Fulda*, on the other hand,

¹⁹ While in towns only a stranger can easily deceive others about his/her level of poverty, in cities one may conceal his real situation, as indicated in the story about the rabbis' encounter with the beggar on their way to the bath in Tiberias.

²⁰ Jastrow, *A Dictionary*, 318, renders: "to examine minutely, search, investigate."

²¹ Literally, “were divided.”

²² This tradition appears also in *Lev. Rab.* 34:14, attached to Isa 58:7: “When you see the naked, to clothe him,” (JPS). See also the explanation by Margulies, *Midrash Wayyikra Rabbah*, 802 (תחב).

²³ The *Pnei Moshe* is a commentary on the Yerushalmi that was composed by Rabbi Moshe Margoliot who lived during the 18th century in Lithuania.

explains that clothing is given without investigation because it would be disgraceful for a son of the covenant of “our father Abraham” (אברהם אבינו) to go naked or to be covered with rags.²⁴ These commentaries imply that receiving clothing was limited to Jews, and the issue of supporting poor gentiles will be taken up later (Appendix B). For the moment we will continue to examine the two approaches towards examining the poor as stated in the Yerushalmi:

מתניתי פליגא על מאן דאמי' אף בכסות אין מדקדקין פתר ליה לפי כבודו ותני כן במה דברים אמורי'
 בזמן שאין מכירין אותו אבל בזמן שמכירין אותו אף מכסין אותו והכל לפי כבודו
 A Tannaitic tradition (*baraita*) disagrees with the one who said: “Even [when one requests] clothing they should not investigate.” He [whose view was challenged]²⁵ may interpret [this contradictory *baraita* that condones investigation] as recognizing the criterion of “according to one’s honor [status]”. And [indeed there is a *baraita* that says]: **“When do all these things apply? When they do not know [the poor person], but when they know him, they also provide him with clothing,** and everything is according to his honor [status].”²⁶ (y. *Peah* 8:4, 21a)

To begin, the Yerushalmi argues that there is a *baraita* (probably *t. Peah* 4:8) that stands in contrast to the opinion of the rabbi who claims that there is no need to examine potential recipients of clothing. Then, the Yerushalmi interprets that *baraita* as relating to the provision of clothing according to one’s honor (status), rather than a basic garment. On the basis of this reading, providing clothing according to one’s former status requires familiarity or investigation. At this point, the Yerushalmi quotes a *baraita* – which is equivalent to *t. Peah* 4:8, but with an addition: “and everything is according to his honor” – to support this solution.

²⁴ *Mahara Fulda* is a commentary on the Yerushalmi by Rabbi Eliyahu of Fulda, who died in 1731.

²⁵ Or perhaps it can be translated as “[you may] interpret it (this *baraita* concerning the provision of clothing) according to one’s honor (status).

²⁶ The words in boldface also appear in *t. Peah* 4:8, and enable us to distinguish the additions found in the Yerushalmi.

According to the Yerushalmi, therefore, simple clothing can be distributed without examination, but giving clothing according to one's (former) status requires greater knowledge of the recipient. As has been noted previously, in the Greco-Roman world, clothing was an indication of status, since standing and rank were associated with one's mode of dress. Accordingly, the Yerushalmi and *t. Peah* 4:10 require that the poor be provided with clothing that reflected their prior status. In the Yerushalmi, however, if that clothing was expensive, a greater level of familiarity with the poor person would be required.

Conclusion

In this survey of rabbinic texts that discuss the need for investigations into the eligibility of applicants for charity, we find that where food is concerned, it would usually be provided to the poor without attempting to verify their status. With respect to clothing, only a small number of texts require familiarity with the recipient.²⁷ In most cases, the responsibility for honest conduct is placed on the recipient rather than on the giver. The

²⁷ Another text that speaks about the option for a householder to block ineligible poor from taking produce gifts appears in *t. Peah* 3:1:

היו שם עניים שאינן ראויין ללקט אם יכול בעל הבית למחות בידן ממחה ואם לאו מניחן מפני דרכי שלום

If there were there [in the field] poor people who are not worthy to glean: if the householder can prevent them [from gleaning] – he prevents; and if [he can] not – he lets them [glean] because of "the ways of peace."

Here, the exact meaning of "poor people who are not worthy" is not clear. See Lieberman, *Tosefta Ki-Fshutah*, 1: 158.

poor, therefore, are not only passive recipients, but rather they are responsible partners in the transaction who are accountable for their actions.

The overwhelming consensus among the rabbis was to forego a need for prior verification of a poor person's eligibility for receiving assistance, notwithstanding the fact that the recipient may at times be feigning poverty. Even the deceitful poor were presented as fulfilling a positive role, in that they serve to justify the reticence of those who do not respond to requests immediately. Two traditions from *Leviticus Rabbah* actually provide a possible reason – if not outright justification – for feigning poverty, namely a common reluctance to support the healthy poor. A series of traditions in the Yerushalmi warns against accusing others of being deceitful poor, since appearances may be misleading. This rabbinic rhetoric indicates a reality (also known from non-rabbinic texts) in which the cunning poor exist, thereby generating a reluctance to support the poor. While some of these rabbinic teachings address individual donors, others (including most of the teachings that require some investigation) apply to communal officials. In the next chapter, I will discuss the extent to which the rabbis were actually involved in this communal administration.

Chapter Eight: The Role of the Rabbis in the Communal Support for the Poor in the Land of Israel

Until now we have seen that the rabbis extensively discussed and elaborated on the biblical commands to support the poor. Their discussions suggest several venues for almsgiving, providing encouragement, and an ideology of helping the poor. We have also seen that certain rabbis were involved in giving privately to the poor (for example, Rabbi Yonah) and in organizing *pesiqah* fund drives to support impoverished individuals (Rabbi Berekhiah). In this chapter, I consider rabbinic involvement in communal institutions of support for the poor, asking whether the rabbis were personally involved in the collection and distribution of alms, as well as whether they supervised such activity. Moreover, I examine the extent to which responsibility for communal charity was an inherent aspect of rabbinic identity. Before discussing sources from the land of Israel, I will address two other models: first, the bishops and Christian clergy, and second, the rabbis in Babylonia.

The Bishops and the Poor

Any discourse about the rabbinic role in communal care for the poor in the land of Israel should consider the contemporaneous Christian clergy and their role in analogous initiatives. Several scholars have analyzed the centrality of bishops and church clergy in the collection and distribution of alms, especially from the fourth century onward:

. . . Alms were the responsibility and gift of the bishop, whose eloquence was essential to their successful collection and whose moral authority was enhanced, but also opened up to criticism, through their distribution. The bishop usually retained a personal hand in this distribution which formed a bond of patronage or leadership with the principal beneficiaries . . .²⁸

Peter Brown argues that there was a “general consensus in all regions of the Roman and the post-Roman world of the fourth, fifth, and sixth centuries, that the primary duty of the bishop was the care of the poor.”²⁹ Moreover, Brown emphasizes that the bishops gained power by supporting the poor, thereby extending “the networks of patronage and protection”:

The care of those who were vulnerable to impoverishment on all levels of urban society, and not only the care of the destitute, was crucial to the consolidation of the power of the bishop as a local leader.³⁰

Patronage, also described as the patron-client relationship, was an important institution within the Roman world. This bond emphasizes the structural hierarchy between one who gives and one who receives, as Richard A. Horsley writes: "The patronage system was rooted in the basic Roman value that honor and prestige, for which all were clamoring, derived from the power to give what others needed or wanted."³¹

Peter Garnsey and Richard Saller emphasize the expectation of a return that was inherent to this system:

Just as a loan created relationship between creditor and debtor, so a favor or service gave rise to a social relationship between Romans. Because benefaction and requital were matters of honor, the dynamics of the exchange partially determined the relative social standing of the men involved. A man might have "superior friends," "equal friends,"

²⁸ Finn, *Almsgiving in the Later Roman Empire*, 88.

²⁹ Brown, *Poverty and Leadership*, 45.

³⁰ *Ibid.*, 78-79.

³¹ Richard A. Horsley, *Paul and Empire: Religion and Power in Roman Imperial Society* (Harrisburg, Pa.: Trinity Press International: 1997), 92.

"lesser friends," and humble "clients," and the categorization of others into one or another of these depend on their resources."³²

In this social framework, through the act of contributing to a client's welfare, the patron receives honor and prestige in return. For example, clients "waited each morning in the antechamber of their protector or 'patron' to pay him brief homage."³³ According to scholars of Early Christianity, with the rise of Christianity "the poor as a group enter the Greek language of patronage."³⁴ Bishops were primary actors in this shift, themselves becoming patrons of the poor.

We have already seen that rabbinic texts extensively discuss care for the poor and categories of giving. However, we have yet to consider whether the rabbis present themselves as central agents for implementing this poverty relief system. In this context, one may approach rabbinic texts with additional questions: Does this literature include the collection and distribution of alms, as well as responsibility for communal institutions that supported the poor, among the rabbis' major roles? Do rabbinic texts imply a bond of patronage between rabbis and the poor? The picture that emerges in the Babylonian Talmud would appear to be affirmative.

³² Peter Garnsey and Richard Saller, "Patronal Power Relations" in *Paul and Empire: Religion and Power in Roman Imperial Society* (ed. Richard A. Horsley; Harrisburg, Pa.: Trinity Press International: 1997), 97.

³³ Veyne, in *A History of Private Life*, 71.

³⁴ Holman, *The Hungry Are Dying*, 75.

Rabbinic Involvement in Charity in Babylonia

Scholars have noted that according to the Babylonian Talmud, the rabbis controlled charitable funds for the poor. For example, Isaiah Gafni claims that in contrast to the land of Israel, where charity collectors and distributors came from all sectors of the community, in Babylonia the sages themselves directly engaged in activities related to alms and were in charge of communal support for the poor. Moreover, the Talmud emphasizes the significant role of the sages in charity.³⁵ Comparing the story from the Yerushalmi of an encounter between Nehemiah and a poor person (cited in Chapter One) with its Babylonian parallel illustrates the difference in the rabbinic involvement in charity distribution in these two communities:³⁶

נחמיה איש שיחין פגע ביה ירושלמי אחד. אמ' ליה. זכי עימי חדא תרנגולתא. אמ' ליה. הילך טימיתיה וזיל זבון קופד. ואכל ומית. ואמ'. בואו וספדו להרוגו שלנחמיה.³⁷
Nehemiah of Shihin was encountered (פגע ביה) by a Jerusalemite who told him: "Gain merit (זכי עימי) through giving me a hen!" [Nehemiah] said to him: "Here is its price for you. Go and buy [red] meat." He ate and died. (y. *Peah* 8:9, 21b)

In the Yerushalmi, these two men meet randomly. The story gives no indication that the man approached Nehemiah because he is a sage (note that the title 'Rabbi' is not used in this text). Nehemiah's support for the poor person appears to be in the category of private giving (or of giving to beggars), rather than being related to communal distribution. In the Babylonian version, however, the picture is quite different:

ההוא דאתא לקמיה דר' נחמיה אמ' לו במה אתה סועד בבשר שמן ויין ישן א"ל רצונך שתגלגל עמי בעדשים גילגל עמו בעדשים ומת אמרו אוי לו לזה שהרגו ר' נחמיה

³⁵ Gafni, *The Jews of Babylonia*, 105-106.

³⁶ See, Gray, "The Formerly Wealthy Poor," 124-125, who compares the two stories and their attitudes to the formerly wealthy poor.

³⁷ The story occurs also in y. *Sheqal.* 5:5, 49b.

A certain man came before Rabbi Nehemiah [asking for charity, and Nehemiah] inquired: "What do you [typically] eat?" [He answered]: "Fat meat and old wine." [Nehemiah] told him: "Do you want to join me in eating lentils?" He joined him at [his meal or meals of] lentils and died. They said³⁸ "Woe for this [man], whom Rabbi Nehemiah killed!" (*b. Ketub. 67b*)

In the Babylonian Talmud, the encounter between the poor person and Rabbi Nehemiah is not by chance, but intentional. Here, the man comes to ask for support because of the rabbi's role in alms allocation, as indicated by the phrase "came before" (אתה לקמיה).

Thus, the rabbi controls the communal fund and has the authority to support the poor at will.³⁹

The Babylonian Talmud's descriptions of the rabbis as responsible for communal charity, as well as the fundamental role of Christian bishops and clergy in implementing the distribution of alms, invites questions regarding the role of the rabbis in the land of Israel in the collection and distribution of charitable funds.

Palestinian Rabbis as Charity Officials

As noted by Gafni and several other scholars, in the land of Israel communal charity administrators were not necessarily rabbis and communal alms institutions were not under rabbinic control.⁴⁰ However, some researchers have asserted that in the third century the rabbis became more active in communal leadership, and especially in

³⁸ In the printed edition, Nehemiah speaks about himself in a manner that resembles the Yerushalmi's version. In Munich 95 and St. Petersburg - RNL Evr. I 187 "they said" appears. In other manuscripts the abbreviated version of the word (למא) appears, which could be read as both, "he said" or "they said."

³⁹ Examples of Babylonian rabbis who exercised control over community charity appear in Gafni, *The Jews of Babylonia*, 105-106.

⁴⁰ See, Hezser, *The Social Structure*, 270-273; Martin Goodman, *State and Society*, 121-122.

charitable activity. For example, Gedalia Alon claimed that the direct influence of the sages in local leadership increased toward the end of the third century and the beginning of the fourth century.⁴¹ Reuven Kimmelman argues that in the third century, Rabbi Yohanan acted to improve rabbinic standing within the Jewish society by encouraging their appointment to public positions.⁴² Alyssa Gray also suggests that the rabbis became more active at that time, linking their involvement to the decline in economic conditions:

It is in the amoraic period in Palestine that we begin to see literary evidence of rabbis engaging in organized charitable activity—whether on behalf of other rabbis or of the poor generally. To the extent that this literary evidence points to an underlying social reality, we may say that as the economic situation in Palestine deteriorated in the latter part of the third century and into the fourth, the rabbis became more active in social welfare issues.⁴³

Michael Satlow also posits that the Amoraim became active in charity, citing Lee Levine.

According to Satlow (and Levine), the rabbis wished to gain power, similar to the bishops:

By controlling charitable distribution, the rabbis could increase their own power and prestige. By using the money to support their own poor, the rabbis could support themselves and potentially attract new adherents. According to Lee Levine, "Just as the bishops' supervision of charitable institutions gave them extensive communal power and influence over the masses, so rabbinic prestige was undoubtedly enhanced by their participation in this realm," [Levine, *The Rabbinic Class*, 167]"⁴⁴

⁴¹ G. Alon, *Studies in Jewish History* (Jerusalem: Hakibutz Hameuchad, 1957), 2: 64, note 20. See also Goodman, *State and Society*, 121.

⁴² Reuven Kimmelman, "Rabbi Yohanan and the Professionalization of the Rabbinate," 329-358.

⁴³ Gray, "The Formerly Wealthy Poor," 121. However, the extent of the economic deterioration during this time is not agreed upon scholars, and see, Bar, "Was There a 3rd-c. Economic Crisis in Palestine?" 53, and the discussion in Chapter Four. Regarding the first half of the fourth century, see Safrai, *The Missing Century*, 32, who writes: "The first half of the fourth century was the period of maximal activity and growth in all areas of Palestine, excluding the central Negev area which was part of Palestina Tertia."

⁴⁴ Satlow, "Fruits and Fruits of Fruits," 273.

Let us now review the evidence regarding rabbis who either acted as charity officers or appointed charity officials, as described in rabbinic texts.

Tannaitic Texts

The Tannaitic texts are nearly silent with regard to rabbis as charity officials or as responsible for appointing them. One paragraph in the Mishnah may imply that Rabbi Akiba held a communal position to support the poor:

- (A) מי שהיו פירותיו רחוקים ממנו צריך לקראות להם שם
(B) מעשה ברבן גמליא' והזקנים שהיו באים בספינה אמי' רבן גמליא' עישור שני עתיד למוד נתון ליהושע ומקומו מוסכר לו עישור אחר שני עתיד למוד נתון לעקיבה שייזכה בו לעניים ומקומו מוסכר לו אמר ר' יהושע עישור שני עתיד למוד נתון לאלעזר בן עזרייה ומקומו מוסכר לו ונתקבלו זה מזה שכר⁴⁵
- (A) The one whose fruits were far from him [when the time for removing tithes arrives] should call [designate] them in name.
(B) [This] happened when Rabban Gamliel and the elders were traveling in a ship [when the time of removal had arrived]. Said Rabban Gamliel: "One tenth [of the produce] that I intend to measure [out] is given to Rabbi Yehoshua and the location [of this produce] is leased to him. Another tenth [of the produce] that I intend to measure [out] is given to Akiba in order that he will acquire it on behalf of the poor, and the location [of this produce] is leased to him." Said Rabbi Yehoshua: "The tenth that I intend to measure [out] [from the produce that I received from Rabban Gamliel] is given to Rabbi Elazar ben Azariah [as a heave-offering] and the location [of this produce] is leased to him." And they received the lease payment from each other. (*m. Ma'aser Sh. 5: 9*)

This mishnah contains two sections: (A) the statement that even though one is far from his crops, he should still designate tithes; and (B), a story of Rabban Gamliel that illustrates this halakha in practice. According to this text, Rabbi Akiba is entrusted with the poor's man tithe set aside by Rabban Gamliel, so he might distribute it to the poor. Even though this mishnah does not explicitly state that Rabbi Akiba holds an official role regarding charity, it may be inferred from this text. Therefore, just as Rabbi Yehoshua

⁴⁵ This version mostly follows the Kaufmann manuscript.

and Rabbi Elazar ben Azariah receive portions of the harvest on account of their status as a Levite and a priest respectively, so too Rabbi Akiba was charged with responsibility for the poor man's tithe.

The Yerushalmi (*Peah* 4:6, 18c; *Ma'aser Sh.* 5:4,56c) offers two explanations for Rabban Gamliel's decision to give his poor man's tithe to Rabbi Akiba. The first suggests that this event took place when Rabbi Akiba was still poor. The second explanation is that Rabbi Akiba was a *parnas*, who received tithes for distribution among the poor. The word *parnās* (פרנס; pl. *parnāsîm*/פרנסים, hereafter *parnas/parnasim*) appears in rabbinic texts in association with communal leadership positions, often in relation to charity. It is very difficult, however, to provide an accurate definition of this term.⁴⁶ As we shall see, several Amoraic texts suggest that *parnasim* were responsible for communal institutions that supported the poor. The notion that Rabbi Akiba was a *parnas* – as well as the idea that he was transformed from poverty to wealth – is also found elsewhere in the Yerushalmi.⁴⁷ However, except for the mishnah cited here, no Tannaitic text gives any

⁴⁶ A “*parnas*” is an administrator or a community leader; see, Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 448. In rabbinic texts, this word is used in relation to leadership of Moses and other biblical leaders as well as King Agrippas. This term also appears in letters and lead weights from the Bar Kokhba revolt. On the basis of that evidence, it seems that the administrator of Bar Kokhba was called a *parnas*. On the lead weights one can read שמעון בן כוסבא נשי ישראל ופרנסו, and in the letters, יהונתן בן מהנים, פרנסו של שמעון בן כוסבא, and see Ada Yardeni, *Textbook of Aramaic, Hebrew and Nabataean Documentary Texts from the Judean Desert and Related Material A: The Documents* (Jerusalem: The Ben-Zion Dinur Center, 2000), 123, 185; Amos Kloner, "Lead Weight of Bar Kokhba's Administration," *IEJ* 40 (1990): 58-67. See also Levine, *The Rabbinic Class*, 162-163; Safrai, *The Jewish Community*, 253-255; 162-163.

⁴⁷ In Chapter Four, I have cited two Amoraic stories that describe Rabbi Akiba collecting donations for the benefit of rabbis. About his rise from poverty to wealth, see also that chapter.

indication that Rabbi Akiba was a *parnas*. This mishnah may even have contributed to the development of these two biographical descriptions of Rabbi Akiba.⁴⁸

Tannaitic literature provides little information about specific rabbis who had roles in communal charitable institutions. This lack of evidence may indicate that the Tannaim were not personally involved in communal almsgiving. Alternatively, this may be another example of the contrasting literary nature of these texts. Tannaitic writings seemingly provide less detail about the rabbis than later sources such as the Yerushalmi, that offer more biographical data, namely by describing several Tannaim, including Rabbi Akiba, as charity officials.

Seth Schwartz argues that the Tannaim ideologically rejected any participation in communal charitable institutions:

While the Palestinian Talmud occasionally describes rabbis of the later third and fourth centuries serving as charity collectors (*gabba'im* or *parnasim*), the Tosefta still takes it for granted that charity collection is not under rabbinic control: "At first they said that a *haver* (literally, associate) who is made a *gabba'i* is expelled from his *havurah*, but then they said that while he is a *gabba'i*, he is not trustworthy [i.e., is not permitted to be a *haver*], but when he ceases to be a *gabba'i*, he is trustworthy" (T. Demai 3:4). On the common assumption that all rabbis were *haverim*, this rule effectively bars rabbis from serving as *gabbaim* and implicitly assumes that there was no substantial overlap between the groups and that rabbis had no influence over appointments of *gabbaim*. Why did the rabbis keep their distance? Perhaps because charity collectors had to deal with the *'am ha'aretz*—people who were careless about the laws of purity and priestly gifts; such dealing are forbidden for *haverim*. Perhaps also because a suspicion of dishonesty adhered to *gabbaim*, as to tax collectors. T. Bava Metzia 8:26 may confirm the second suggestion without excluding the first: "The repentance of *gabbaim* and tax collectors is difficult: they may return [scil., what they have extorted] to acquaintances, but the rest they must use for the public good."⁴⁹

⁴⁸ Friedman, "A Good Story Deserved Retelling," suggests that a story about the poverty of the son of Rabbi Akiba in *t. Ketub. 4:7* contributed to the Amoraic development of the story about the early poverty of Rabbi Akiba.

⁴⁹ Schwartz, *Imperialism and Jewish Society*, 230. See also Stemberger, *Jews and Christians in the Holy Land*, 276, who writes: "For a long time the rabbis resisted taking on public duties, according to the

According to Schwartz, in contrast to the Amoraim, the Tannaim avoided involvement in communal charity on principle. However, the two texts from the Tosefta that Schwartz quotes to support his view do not actually discuss communal charity collectors; instead, they deal with collectors of Roman taxes.⁵⁰ Thus these texts indicate rabbinic attitudes towards Rome, and specifically the Roman right to collect taxes, but they do not convey rabbinic attitudes towards communal officials and alms.

Tannaitic texts not only deliberate on several aspects of collecting and distributing communal alms, they also convey a highly positive attitude towards charity collectors, as shown in a number writings that include interpretations of Dan 12:3:

וְהַמְשֻׁבְּלִים יִזְהָרוּ כְּזֹהַר הַרְקִיעַ וּמְצַדִּיקֵי הָרַבִּים כְּכּוֹכְבֵּים לְעוֹלָם וָעֶד:

And the knowledgeable will be radiant like the bright expanse of sky, and those who lead the many to righteousness will be like the stars forever and ever (Dan 12:3, JPS)

Concerning this verse, *Sifre Deuteronomy* states:

rule of Abot IV.5 that the Torah may not be used as a spade to earn one's living with. Many rabbis also regarded work in the public administration of the community as inferior and despised ordinary schoolteachers as uneducated, as well as the popular preachers of the synagogue. . . Only in the third century did the rabbinate make significant attempts to gain a footing in the leadership of the community, in the synagogue's liturgy and preaching, and in school teaching."

⁵⁰ Regarding *t. Demai* 3:4—in this same chapter, the terminology used in reference to charity collectors is not the same as in this tosefta, but rather it is part of a two-word phrase. Thus, while in *t. Demai* 3:4, cited by Schwartz, the term is גבוי, in *t. Demai* 3:16, the term is גבאי קופה, and in *t. Demai* 3:17 the term is גבאי צדקה. Moreover, in the Tosefta (and in other Tannaitic texts), usually when the term גבאי/גבוי occurs, it refers to Roman tax collector/s (*t. B. Bat.* 10:5; *t. B. Qam.* 10: 22; *t. Teharot* 8:5) and when there is a reference to charity collectors, there is an explanatory term used, in the form of a compound noun, so for example, in *t. Peah* 4:15 and *t. B. Metz.* 3:9 occurs גבאי צדקה. Thus, *t. B. Metz.* 8:26, cited by Schwartz, discusses Roman tax collectors and Roman collectors of customs rather than charity collectors. About Tannaitic attitudes towards paying taxes and customs duty to Rome, see, Ben Shalom, *The School of Shammai*, 129, 190-191, 309-301.

ומצדיקי הרבים. אלו גבאי צדקה.

"And those who lead the many to righteousness" (Dan 12:3, JPS)—those are charity collectors. (*Sifre Deuteronomy* 47; Finkelstein 106)

This midrash builds on the affinity between the Hebrew word *צדקה*/tzedakah (here as “almsgiving”) and the word “מצדיקי” (“those who lead to righteousness”) to suggest that they who collect alms are the ones who lead people to righteousness.⁵¹

A similar midrash appears in *Mekilta Deuteronomy*:

”ומצדיקי הרבים ככוכבים.” ר' שמעון בן יוחאי אלו הזקנים שנתמנו על הציבור ר' נחמיה או' אלו גבאי צדקה ר' יהושע בן קרחה או' אלו סופרים ומשנים ומלמדי תנוקות באמונה ר' מנחם ברי' יוסי או' אלו החנונים שהן מעשרין פירותיהן ומוכרים לרבים . . .⁵²

"And those who lead the many to righteousness will be like the stars" (Dan 12:3, JPS). Rabbi Shimon ben Yohai [says]: "Those are the elders who were appointed over the congregation." Rabbi Nehemiah says: "Those are charity collectors." Rabbi Yehoshua ben Qerḥah says: "Those are Torah teachers and Mishnah teachers and teachers of children [who instruct the children] with faith." Rabbi Menahem ben Rabbi Yose says: "Those are shop-keepers who tithe their fruits and sell to the many." (*Mek. Deut.* 11:21)⁵³

This midrash presents four explanations for "those who lead the many to righteousness," and each of them indicates that this verse from Daniel refers to people who work for the good of the community. These interpretations may be organized by rank, with the appointed elders standing first and the shopkeepers concluding the list. If so, charity collectors immediately follow the appointed elders, with positive implications regarding their stature and level of authority. In any case, this midrash praises the work of charity collectors.

Another example appears in the Sifra:

⁵¹ See the discussion about the shift in the usage of the word *tzedakah* in Chapter Two.

⁵² This version is according to Kahana, *The Genizah Fragments of the Halakhic Midrashim: Part I*, 341.

⁵³ About this midrashic collection, *Mekilta Deuteronomy*, see, Kahana, "The Halakhic Midrashim," 100-103.

רבי אומר הרי הוא אומר ואשר יבוא את רעהו ביער וגי קבע הכתוב נפש למי שבאת על ידו ספק נפש בלא ידע, אמור מעתה המגבה את הצדקות והמפרנס את העניים והגומל את החסדים על אחת כמה וכמה תינתן לו נפשו.

Rabbi says: "[Scripture] states: 'Suppose someone goes into the forest with another [to cut wood, and when one of them swings the ax to cut down a tree, the head slips from the handle and strikes the other person who then dies; the killer may flee to one of these cities and live.]" (Deut 19:5, NRSV). Scripture determined as responsible for the loss of life someone who, without prior knowledge or intent, has incurred potential liability for the death of a soul.⁵⁴ Therefore, from now on say of the one who collects alms and [the one who] provides for the poor and the one who *gomel hasadim* (performs acts of benevolence) how much more so that his life [soul] will be given to him." (*Sifra, Diburah Dehovah*, Parashah 12, Finkelstein 2:207)

According to this midrash, the work of charity collectors leads to a great heavenly reward, comparable to the reward of those who actually provide support for the poor.

Tannaitic texts also articulate appreciation towards charity collectors by emphasizing the impeccable lineage that such officials hold. Hence, *m. Qidd.* 4:5 states that people whose fathers were charity collectors may marry into priestly families without undergoing genealogical inquiry. According to this text, being appointed as a charity collector is itself a reflection of outstanding lineage.

Even though Tannaitic texts do not name Tannaim who were communal officials, their possible engagement in this activity should not be doubted:

"יערף כמטר לקחיי", . . . מה מטר זה אי אתה רואהו עד שבא. כך הוא אומר "ויהי עד כה ועד כה והשמים התקדרו עבים ורוח" כך תלמיד חכמים אין אתה יודע מהו עד שישנה משנה הלכות והגדות או עד שיתמנה פרנס על הציבור.

"May my teaching drop like the rain" (Deut 32:2, NRSV) . . . Just as [with] this rain that you cannot see until it comes, as [Scripture] states: "Meanwhile the sky grew black with clouds and wind (1 Kings 18:45, adapted from JPS), so [too is the case of] a student of sages—you do not know what he is until he will teach Mishnah, halakhot (legal interpretations) and homiletics, or until he will be appointed as a *parnas* over the congregation. (*Sifre Deut.* 306, Finkelstein 339)

⁵⁴ The translation of this sentence is based on Jacob Neusner, *Sifra: An Analytical Translation: Volume I* (Atlanta, GA: Scholars Press, 1988), 328.

This midrash not only indicates that certain sages were appointed as *parnasim*, but this position is presented together with publicly expounding religious instruction as the fulfillment of a rabbinic student's potential.⁵⁵ Like a cloud that may or may not produce rain, so a student of Torah may or may not develop into a textual interpreter or a *parnas*. Though the term *parnas* may refer to other leadership positions, not only to charity officials, it is nevertheless clear that this text does not reject involvement of Torah scholars in professional community roles.

Overall, there is little information in Tannaitic texts about rabbinic roles in charitable administration. Despite the existence of Amoraic traditions that identify Tannaim as charity officials (as we shall see in the following section), there are no such descriptions in Tannaitic texts. It is unclear whether this lack of information in early texts reflects the character of this literature or the absence of rabbinic participation in these institutions at that time. In Tannaitic texts, however, there is no indication of any rejection of such positions on principle. Rather the texts present strong positive attitudes towards charity officials as well as several laws and discussions regarding the operation of these communal institutions. One text even indicates that becoming a *parnas* is one possible path for students to fulfill their promise as mature sages.

⁵⁵ In the Amoraic midrash *Lev. Rab. 25:1* (Margulies 568-569), being a *parnas* is presented as a positive alternative for the one who cannot study Torah. In this midrash, Torah study is the best option, while being a *parnas* ranks second. In *Sifre*, however, these two options are presented as having equal value.

Amoraic Texts

The Yerushalmi includes descriptions of several rabbis, Tannaim and Amoraim, who were involved in communal leadership and in the collection and distribution of charity. Some served as community officials, and especially as *parnasim*, while others appointed community officials. For example:

ר' יעקב בר אידי ור' יצחק בר נחמן הוון פרנסין והוון יהבין לר' חמא אבוי דר' אושעיא חד דינר והוא יהב ליה לחורנין.

Rabbi Jacob bar Idi and Rabbi Yitzhak bar Nahman were *parnasim* and they would give one dinar to Rabbi Hamma the father of Rabbi Hoshaiia and he would give it to others (poor persons). (y. *Peah* 8:9, 21b)

In context (discussed in Chapter Seven) this tradition cautions against criticizing those who accept alms that they do not personally need, since they may intend to distribute them to others. The fact that two sages who were active in the second half of the third century are *parnasim* is mentioned as incidental information.

In y. *Peah* 8:7, 21a, a number of traditions regarding the *parnasim* appear in a series:⁵⁶

- (A) ר' יוסי בשם ר' יוחנן. אין מעמידין שני אחים פרנסין.
(B) ר' יוסי עבר חד מן תרין אחין. עאל ואמ' קומיהון. לא נמצא לאיש פל' דבר עבירה אלא שאין מעמידין שני אחים פרנסין.
(C) ר' יוסי עאל לכפרה. בעא מוקמה לון פרנסין ולא קבלין עליהון. עאל ואמ' קומיהון. "בן בני על הפקיע" (שקלים ה, א) ומה אם זה שנתמנה על הפתילה זכה להימנות עם גדולי הדור. אתם שאתם מתמנין על חיי נפשות לא כל שכן.⁵⁷
(D) ר' חגי כד הוה מקים פרנסין הוה מטעין לון אוריתא. לומ' שכל שררה שניתנה מתורה ניתנה. "בי מלכים ימלוכו" "בי שרים ישורו".
(E) ר' חייא בר בא מקים ארכונין.
(F) ר' ליעזר הוה פרנס. חד זמן נחית לבייתיה. אמ' לון. מאי עבדיתון. אמ' ליה. אתא חד סיעא ואכלון ושתון וצלוון עלך. אמ' לון. ליכא אגר טב. נחת זמן תיניין אמ' לון. מאי עבדיתון. אמרו ליה. אתא חד סיעא חורי ואכלון ושתון ואקלונך. אמ' לון. כדון איכא אגר טב.

⁵⁶ Therefore, each of these traditions should not only be investigated on its own, but also in the context of the other traditions in this chain.

⁵⁷ See a parallel for this tradition in y. *Sheqal.* 5:1, 48d.

(G) ר' עקיבה בעון ממניתייה פרנס. אמ' לון נמלך גו בייתייה. הלכון בתרייה. שמעון קליה דיימר. על מנת מתקל על מנת מבזייה.

- (A) Rabbi Yose [said] in the name of Rabbi Yohanan: "It is not allowed to appoint two brothers as *parnasim* [together]."
- (B) Rabbi Yose deposed one of two brothers [who were serving as *parnasim* together]. He entered and said before them: "No sin was found [in the conduct] of this man but [he was deposed because] it is forbidden to appoint two brothers as *parnasim* [together]."
- (C) Rabbi Yose came to Kafrah. He wanted to appoint *parnasim* over them, but they [the people he wanted to appoint] did not accept [the appointment]. He came and said before them: "[It is stated in the Mishnah], 'Ben Bebai [is in charge] over the wicks.' (*m. Sheqal. 5:1*). And if this one, who was appointed over a wick, obtained the privilege to be counted [together] with the great persons of [his] generation, you who are appointed over people's lives—even more so [you would warrant being mentioned with the great men of your generation]."
- (D) When Rabbi Haggai appointed *parnasim*, he would make them lift the Torah scroll.⁵⁸ [As if] to say (teach) that any authority given [to man] is given through the Torah. "Through me kings reign . . ." (Prov 8:15, JPS). "Through me princes rule . . ." (Prov 8:16, JPS).
- (E) Rabbi Hiyya bar [A]bba appointed *archons* (governors or communal officials).
- (F) Rabbi Eliezer was a *parnas*. Once he came home. He said to [his men]: "What did you do [during my absence]?" They said to him: "One group of people came; they ate and drank, and prayed for you." He said to them: "There is no good [heavenly] reward here." He came [home] a second time. He said to [his men]: "What did you do?" They said to him: "Another group of people came and they ate and drank and disrespected [or cursed] you." He said to them: "Now there is a good reward."
- (G) They wanted to appoint Rabbi Akiba as a *parnas*. He told them: "I will consult with my⁵⁹ household."⁶⁰ They followed him. They heard his voice, saying: "In order to be belittled; in order to be put to shame." (*y. Peah 8:7, 21a*)

This chain of teachings is linked to a discussion of the minimum number of people required to operate the communal institutions that supported the poor. It opens with a statement from Rabbi Yose, in the name of Rabbi Yohanan, that two brothers cannot serve together as *parnasim* (A), followed by a story about Rabbi Yose removing one person from office who had been serving as a *parnas* with his brother (B). This tradition does not aim to underscore the authority of Rabbi Yose or his involvement in the

⁵⁸ According to *Pnei Moseh*, however, he taught them Torah rather than instructing them to lift the Torah scroll.

⁵⁹ Literally, "his households."

⁶⁰ Probably refers to his wife.

administration of communal charity, but rather to illustrate the teaching from Rabbi Yohanan. The next tradition (C) also depicts the involvement of Rabbi Yose in the appointment of *parnasim*, this time in a place called Kafrah (כפרה). At first, the local appointees are reluctant to take on this position, but the text details Rabbi Yose's technique for convincing people to volunteer for this role: he quotes Mishnah *Sheqalim*, saying that if the one who was appointed over the wick in the Temple is remembered positively in the Mishnah, so much the more so would those who accept responsibility for people's lives be remembered. Once again, we see a tradition whose purpose is to transmit Rabbi Yose's words and deeds, rather than show his authority in appointing *parnasim*. While this tradition (C) suggests that honor could accompany this position the next story (D) emphasizes humility. According to this teaching, Rabbi Haggai instructs each nominee to lift a Torah scroll to impress on them that the Torah is the source of human authority. In sections B through D, the sages involved in nominating *parnasim* or other officials are Amoraim (Rabbi Yose and Rabbi Haggai are fourth-generation Amoraim who were active circa the first half of the fourth century). Section E reports that Rabbi Hiyya bar [A]bba (a third-generation Amora who was active circa the end of the third century) appointed *archons* [governors or communal officials]. This terse statement stands out as the only tradition in this chain that lacks details and a message.⁶¹

⁶¹ For an explanation of this tradition, see, Isaiah Gafni, "Epistles of the Patriarchs in Talmudic Literature," in *Follow the Wise: Studies in Jewish History and Culture in Honor of Lee I. Levine* (ed. Zeev Weiss et al.; Winona Lake, Ind.: Eisenbrauns, 2010), 9. Gafni shows that according to the Yerushalmi, Rabbi Hiyya bar Abba went abroad on a mission for the Patriarch and was involved in appointing communal leaders there in the Patriarch's name. Thus, while the entire *sugya* discusses *parnasim*, Rabbi Hiyya bar Abba is mentioned in relation to activities in the Diaspora.

This group of traditions concludes with two stories about Tannaim who were *parnasim*. The first story (F) presents Rabbi Eliezer as a *parnas* who provides meals for the poor in his own home. This is one standard type of patron-client relationship, where the patron feeds his clients at his residence and receives their gratitude and honor in return. The story here, perhaps responding to this practice, emphasizes that when a benefactor receives honor and gratitude his heavenly reward decreases. Thus significant divine rewards for the work of charity officials are bestowed only in the absence of human honor. This story, therefore, emphasizes humility. The closing story (G) describes Rabbi Akiba who is asked to be a *parnas*, then goes to consult with his household (probably his wife). Those who secretly followed him heard that he is willing to accept this position along with the disrespect that may accompany it. This tradition, as well as the previous one (F), indicates that the position of *parnas* could be met with insolence from community members, including the poor themselves. These stories teach that humility is required for this job, whose reward is enhanced when human honor is lacking.

This chain of traditions names specific sages as being involved in the appointment of communal officials, as well as serving as officials themselves. Except for section E, which briefly mentions that Rabbi Hiyya bar Abba appointed *archons*, these teachings do not merely list rabbis and their activities as charity officials. Rather, each offers a lesson: about brothers together as *parnasim*, the Torah as the origin of the power exercised by human officials, and issues of honor and disrespect that accompany this position. Thus the goal of these traditions is not to highlight the rabbis' place in the community, their authority or their centrality in the communal institutions of charity, but rather to discuss

the issues mentioned above.⁶² Moreover the Yerushalmi does not differentiate between Tannaim and Amoraim in terms of their involvement in charitable endeavors on the communal level.

Another Amoraic story about a Tanna who appoints charity officials appears in *Leviticus Rabbah*. Here, Rabbi Shimon bar Yoḥai is described appointing *parnasim*:

ר' שמעון בן יוחי דמך ליה בלילי ריש שתא וחמא בחילמיה דבנוי דאחתייה בען מיזדמיה שית מאה דינרין. אנסינון ואקים יתהון פרנסיין. אמי ליה מן דמאן מפקתא. אמי להון הוון מפקין וכתבין ובסופא דשתא אגן מחשבין ואנא משופי לכוון.

Rabbi Shimon ben Yohai slept on the eve of the New Year and saw in a dream that the sons of his sister were fined 600 dinars. He forced them to accept appointment as *parnasim*. They told him: "From whom come the expenses?" He said to them: "Spend and write and at the end of the year we will calculate and I will reimburse you." (*Lev. Rab.* 34:12)

Though this story does not explicitly speak about charity officials, but rather uses the general term *parnasim*, its literary placement within *Leviticus Rabbah* suggests that the issue being considered is almsgiving. The inclusion of this story here illustrates the idea that a person's economic forecast for the coming year -- profits and expenses -- is determined when the New Year (*Rosh Ha-Shanah*) begins.⁶³ According to this view, the wealth of one who gives charity is not decreased because of charitable donations. This idea is not found in rabbinic texts prior to *Leviticus Rabbah*.

At its core, this narrative offers another possible source of the funding to support the poor. Here the *parnasim* contribute from their own resources, but they are reimbursed

⁶² But compare, Hezser, *The Social Structure*, 272, who writes: "All of these traditions [y. *Peah* 8:7, 21a] are indicative of the rabbinic (amoraic) claim to have control over the office of *parnas*. They cannot be taken as reliable evidence for rabbis' actual authority over such appointments." In my opinion, the aim of this chain is not to demonstrate the power of the rabbis, but rather to discuss several values that are related to the role of being *parnasim*—such as honor and humbly.

⁶³ See the same idea also in *Lev. Rab.* 30:1 and *b. Betzah* 16a.

at the end of the year. On the basis of this story, therefore, it is not clear whether the *parnas* typically supports the poor from his own assets or from communal funds. In either case, this Amoraic story portrays a Tanna who is involved in appointing charity officials on behalf of the poor.⁶⁴ Thus, at least in Amoraic texts, such a scenario provided a plausible setting for a story.

In sum, the Yerushalmi and Amoraic midrashim supply information about the rabbis' involvement in communal alms almost always when it helps them to convey a particular message.⁶⁵ These texts do not enumerate rabbis who were community officials simply to impart this technical information. Nor is this the case when describing who had the authority to appoint community officials, or who involved themselves in other aspects of communal almsgiving. Therefore we cannot know whether the rabbinic role in these areas underwent a change in the third century when compared with earlier generations. Moreover, we cannot describe with any degree of certainty what the actual role of the rabbis was in the area of communal charity. All we can safely conclude is that some rabbis were involved in these endeavors, and that both Tannaitic and Amoraic texts reflect a highly positive attitude towards this activity.⁶⁶ The fact that Amoraic texts take for granted that certain rabbis served as *parnasim* or appointed *parnasim* suggests actual

⁶⁴ It is possible that Rabbi Shimon bar Yohay was chosen as a central character for this story due to his image in rabbinic texts as a holder of special powers. And see for example, Ben Shalom, *Hassidut and Hassidim*, 393-419.

⁶⁵ Also here, the involvement of a rabbi in a *pesiqah* collection is described in a passing manner. The story about Rabbi Berekhiah organizing a *pesiqah* for a Babylonian is cited in *Lev. Rab.* 32:7 and *y. Qidd.* 3:9, 64c, only in association to the lifespan of a *mamzer*.

⁶⁶ The single tradition that may be interpreted negatively towards charity collectors who coerce people to give appears in *Lev. Rab.* 30:1 and *Pesiq. Rab Kah.* 27 (Mandelbaum 402).

involvement in these communal roles, at least during this period. Yet these texts do not describe rabbis as being solely responsible for communal efforts to support the poor, as in the Babylonian Talmud; nor do Palestinian rabbinic texts suggest that rabbis were patrons of the poor, as certain texts depict bishops.⁶⁷

Patrons of the Poor?

In contrast to the role of bishops as patrons of the poor, rabbinic texts from the land of Israel do not portray the rabbis as such, nor do they suggest that rabbis gained public authority by supporting the poor. Burton L. Visotzky draws a similar conclusion in his study of *Leviticus Rabbah* (LR): “Unlike the bishops, however, the rabbis depicted in LR seem uninterested in using charitable giving as a means to enhance their own position.”⁶⁸ In my opinion, this conclusion is valid for other Amoraic Palestinian texts as well. Even texts that describe the involvement of rabbis of the land of Israel with charitable communal institutions (as with those cited above) do not generally render them as patrons of the poor or present their support for the poor as a defining element of being rabbis. While Brown states that the “art of the good bishop, indeed, was the art of ‘governing the poor,’”⁶⁹ Palestinian rabbinic texts in no way describe the rabbis as governors of the poor. These texts do not use the language of patronage to depict the relationship between rabbis and the poor.

⁶⁷ It is also impossible to know with certainty whether the prominent role of bishops affected rabbinic involvement in charitable activity in the land of Israel.

⁶⁸ Visotzky, *Golden Bells and Pomegranates*, 128.

⁶⁹ Brown, *Poverty and Leadership*, 45.

What could explain these differences? As the sources indicate, patronage surely existed in Jewish society in the land of Israel at the time Amoraic texts were authored or compiled.⁷⁰ Nevertheless, Palestinian rabbinic texts avoid the language of patronage in their discourse on rabbinic involvement in charity. One explanation has been offered by Visotzky: "The rabbis, poor themselves, some financially, some politically, seem to eschew using the poor as stepping stones to climb the ladder of power."⁷¹ If so, it is possible that the rabbis did not present themselves as patrons of the poor because of their own economic vulnerability or political weakness. In my view, this avoidance is not merely rooted in the fact that in Palestine the rabbis lacked the power to control communal charity, particularly in contrast to their peers in Babylonia (at least according to the Bavli). Rather this literary choice seems intentional and congruent with a particular ideology: namely that the real patron of Israel is God, while human benefactors are inferior and may interfere in the relationship with the ultimate patron. Therefore, even stories that describe rabbis as *parnasim* do not present them as patrons. In narratives where patterns of patronage might surface (as in the story of Rabbi Eliezer), the narrative emphasizes values such as humility and the cost involved in receiving human honor as a result of charitable activities.

This ideology fits Susan Sorek's description of the Jewish system of benefaction that can be deduced on the basis of synagogue inscriptions:

To the Jews there was only one authority, and that was God—he was the great benefactor. The intention was that benefaction should be undertaken on his behalf.

⁷⁰ Sperber, *Roman Palestine 200-400: The Land*, 119-135.

⁷¹ Visotzky, *Golden Bells and Pomegranates*, 134

Therefore, any recognition for good deeds should be given to God not his human agent. Doing good deeds to others earned recognition of merit for the individual from God, not necessarily from the recipient(s). To usurp the role of God as benefactor would endanger the status quo, for it is upon God that everyone depended for the position they held in life, whether rich or poor.⁷²

As we shall see (in Chapter Nine), this ideology is crucial not only to how rabbinic texts describe the role of the rabbis, but also to their treatment of almsgiving overall.

At this point, it is important to note that the Yerushalmi not only avoids describing the rabbis as patrons of the poor, but it fundamentally criticizes patronage as a system for dispensing charity. This view is best exemplified in the *sugya* in *y. Ber. 9:1, 13a-b*, that reveals intimate familiarity with and consequent rejection of the Roman patron-client system as inferior to the relationship between God and humans. This text affirms God as the ultimate patron, whereas human patronage is limited and brings disappointment to the client.⁷³ Let us look at the four sections of this *sugya*,⁷⁴ which were transmitted by Rabbi Yudan in the name of Rabbi Yitzhak:

(A) בשר ודם יש לו פטרון. אמרו לו. נתפס בן ביתך. אמ' להן. אני מקיים עליו. אמרו לו. הרי יוצא לידון. אמ' להן. אני מקיים עליו. אמרו לו. הרי הוא יוצא ליתלות. היכן הוא ואיכן פטרונו. אבל הקדוש ברוך הוא הציל את משה מחרב פרעה. הדא הוא דכתי' "ויוצילני מחרב פרעה" . . .
(B) בשר ודם יש לו פטרון. אמרו לו. הרי נתפס בן ביתך. אמ'. הרי אני מתקיים עליו. אמרו לו הרי הוא יוצא לידון. אמר להן הרי אני מתקיים עליו. אמרו לו. הרי הוא מושלך למים. היכן הוא

⁷² Sorek, *Remembered for Good*, 4.

⁷³ About the word פטרון (patron) in rabbinic texts, see, Daniel Sperber, *A Dictionary of Greek and Latin Legal Terms in Rabbinic Literature* (Ramat-Gan: Bar-Ilan University Press, 1984), 139-141, who defines the term as: "1) an influential person who has undertaken the protection of another person, . . . 2) a person who has undertaken to protect the interest of a community (a country, municipality, etc.)." And see there for several additional examples.

⁷⁴ A fuller discussion about this *sugya* has been made by Burton L. Visozky, "Goys 'Y'n't Us: Rabbinic Anti-Gentile Polemic in Yerushalmi Berachot 9:1," in *Heresy and Identity in Late Antiquity* (eds. Eduard Iricinschi and Holger M. Zellentin; Tübingen: Moer Siebeck, 2008), 299-313. Visozky contextualizes these teachings within an argument between Christians and Jews. Yet, these examples also provide information about general attitudes towards patronage, and, while the examples about the client who is sentenced to death may fit the context of argumentation between Christians and Jews, it is more difficult to explain the other examples that I cite below into that context.

והיכן פטרוננו. אבל הקדוש ברוך הוא הציל את יונה ממעי הדגה. הרי הוא אוי' ויאמי' יי' לדג ויקא את יונה.

(C) הרי בשר ודם יש לו פטרון. אמרו לו. נתפס בן ביתך. אמי' להן. הריני מתקיים תחתיו. אמרו לו. הוא יוצא לידון. אמי'. הריני מתקיים עליו. אמרו לו. הרי הוא מושלך לאש. היכן הוא והיכן פטרוננו. אבל הקדוש ברוך הוא אינו כן. הציל לחנניה מישאל ועזריה מכבשן האש. הה"ד "ענה נבוכדנצר ואמר בריך אלההון די שדרך מישך ועבד נגו" וגו'.

(D) הרי בשר ודם יש לו פטרון [כולי' עד] הרי הוא מושלך לחיות. אבל הקדוש ברוך הוא הציל את דניאל מגוב אריות. הה"ד "אלהי שלח מלאכיה וסגר פום אריותא" וגו'.

- (A) Flesh and blood has a patron. When they told [his patron]: "A member of your household (בן ביתך)⁷⁵ has been seized [by the authorities]." He said to them: "I am going to save him." They told him: "Behold, he is going out to be judged!" He said to them: "I am going to save him." They told him: "Behold, he is going out to be hanged (or crucified - ליתלות)!" Where is he and where is his patron? But the Holy One, blessed be He, saved Moses from the sword of Pharaoh. As it is written [in Scripture]: "And He delivered me from the sword of Pharaoh" (Exod 18:4, JPS) . . .
- (B) Flesh and blood has a patron. When they told [his patron]: "Behold! A member of your household (בן ביתך) has been seized [by the authorities]." He said to them: "Behold, I am going to save him." They told him: "Behold, he is going out to be judged!" He said to them: "I am going to save him." They told him: "Behold, he is being thrown into the water!" Where is he and where is his patron? But the Holy One, blessed be He, saved Jonah from the belly of the fish, since [Scripture] states: "The Lord commanded the fish, and it spewed Jonah out [upon dry land]." (Jonah 2:11, JPS).
- (C) Behold, flesh and blood has a patron, and they told [his patron]: "A member of your household (בן ביתך) has been seized [by the authorities]." He said to them: "I am going to save him." They told him: "He is going out to be judged!" He said to them: "I am going to save him." They told him: "Behold, he is being cast into the fire!" Where is he and where is his patron? But the Holy One, blessed be He, is not like that. He saved Hananiah, Mishael, and Azariah from the fiery furnace, as it is written [in Scripture]: "Nebuchadnezzar spoke up and said, "Blessed be the God of Shadrach, Meshach, and Abed-nego, [who sent His angel to save His servants . . .]" (Dan 3:28, JPS).
- (D) Behold, flesh and blood has a patron, etc. until "Behold, he is being thrown to the wild beasts!" But the Holy One, blessed be He, saved Daniel from the lions' den. As it was written [in Scripture]: "My God sent His angel, who shut the mouths of the lions [so that they did not injure me . . .]" (Dan 6:23, JPS). (y. Ber. 9:1, 13a)

These four teachings contrast the support one may receive from a human patron to divine assistance. A human patron has narrowly defined motivations and he will distance himself from his client should he (the client) face the death penalty. Abandonment of the human patron is not immediate, but rather gradual. First, when the client is caught, his

⁷⁵ The term may refer to the client since it is contrasted with the patron. See also Veyne, in *A History of Private Life*, 71.

patron promises assistance. This presumed support continues during the trial as well. In these two stages, the patron may still save his client. At the execution stage, the human patron can no longer provide help. In this text, the examples of punishment stem from the realities of the Greco-Roman legal system.

Peter Garnsey describes two sets of punishments "[each] presents a scale of penalties separate and complete in itself," one for "high-status offenders" and the other for "low-status offenders."⁷⁶ The penalties mentioned in the Yerushalmi are all related to low-status offenders, as explained by Garnsey:

The most serious penalty for offenders of low status was *summum supplicium*. This covered several aggravated forms of the death penalty, including exposure to wild beasts (*bestiis dari*), Crucifixion (*crux*), and burning alive (*vivus uri*, or *crematio*). Condemnation to live and fight as a gladiator would normally involve the death of the condemned (at some juncture).⁷⁷

At least two of the penalties in the Talmud are part of Roman entertainment spectacles, as Donald G. Kyle writes:

From the time of Augustus on, various forms of executions were performed on an increasingly spectacular basis in the arena. The victim's lasting agony and death provided a terrifying and exemplary public spectacle. Under the Empire Roman's legal system clearly sanctioned violence against the lowly or the disloyal, and more and more victims were punished in spectacularly brutal ways. Arena death became both banal and surreal, and it continued throughout the history of the Empire and even later.⁷⁸

⁷⁶ Peter Garnsey, *Social Status and Legal Privilege in the Roman Empire* (Oxford: Oxford University Press, 1970), 104.

⁷⁷ Ibid.

⁷⁸ Donald G. Kyle, *Spectacles of Death in Ancient Rome* (London and New York: Routledge, 1998), 53, 55.

The last two examples (C and D) — "burning alive" and "exposure to wild beasts" were both performed in the arena.⁷⁹ The mention in section B of the death penalty by water may refer to *naumachia* (a spectacle of naval combat), or to a sentence of drowning by being thrown into water outside the arena.⁸⁰ The death penalty described in section A is less clear, since the text mentions hanging (translated as "crucifixion" by Visotzky),⁸¹ although the verse cited refers to a sword. In any case, the Yerushalmi details the limitations of a human patron to protect his low-status client from the Roman legal system.⁸² This incapacity is compared to the power of God who has the ability to save not only during the legal process (when the client is seized or on trial), but even during torture in the arena. God, therefore, is the only truly reliable patron.

Other sections from this *sugya* criticize additional aspects of patron-client relationships between humans, such as lacking access to the patron:

ר' יודן אמ' משמיה דידיה. בשר ודם יש לו פטרו. אם באת לו עת צרה אינו נכנס אצלו פתאום. אלא בא ועמד לו על פתחו שלפטרו וקורא לעבדו או לבן ביתו והוא אוי. איש פלי עומד על פתח חצירך. שמא מכניסו ושמא מניחו. אבל הקדוש ברוך הוא אינו כן. אם באת על אדם צרה לא יצווח לא למיכאל ולא לגבריאל אלא לי יצווח ואני עונה לו מיד. הה"ד "כל אשר יקרא בשם יי ימלט."
 Rabbi Yudan said in his own name: "Flesh and blood has a patron. If a time of distress befalls him, he cannot enter the [private grounds of his patron] unexpectedly; but rather he comes and stands at his gate and calls to [the patron's] slave or to a member of his household, and that one says [to the patron]: "A certain person stands at the gate of your

⁷⁹ Kyle, *Spectacles of Death in Ancient Rome*, 170.

⁸⁰ John Laurence, *A History of Capital Punishment* (New York: The Citadel Press, 1960), 3. *Naumachia* has been described by Kyle, *Spectacles of Death in Ancient Rome*, 51: "In his triumphal spectacles of 46 BC, Julius Caesar gave the first naumachy or 'mock sea battle' at Rome. *Naumachiae* meant both the artificial sites and the spectacles—large shallow basins with banks of seats for spectators, and the 'mock' naval battles staged thereon with large numbers of victims and mass killing;"

⁸¹ Visotzky, "Goys 'A'n't Us," 304, 311.

⁸² Joseph Patrich, "The Urban Context for the Acts of the Martyrs of Caesarea," *Cathdra: For the History of Eretz Israel and Its Yishuv* 107 (2003):16, describes executions of Christians in the persecution that occurred in the early fourth century in Caesarea. Among the methods of executions were: death by sword, burning, being cast into the sea and to the beast in the arena. According to Patrich, most of these executions were held in public settings.

courtyard." Perhaps [the patron] lets him in; perhaps he leaves him [alone]. But the Holy One, blessed be He, is not like that. If trouble comes upon a man, he should cry neither to Michael nor to Gabriel, but to Me he should cry, and I will respond to him immediately. As it is written [in Scripture]: 'But everyone who invokes the name of the Lord shall escape . . .'" (Joel 3:5, JPS)" (y. *Ber.* 9:1, 13a).

In contrast to the householder who meets the poor person at his door (as described in the beginning of Mishnah and Tosefta *Shabbat*), the patron in the Yerushalmi does not open the door himself, but rather a servant, a slave or some other third party answers the door.⁸³ Moreover, there is no guarantee that the client at the gate will have direct contact with his patron. Even if such a meeting occurs, other concerns may arise:

ר' פינחס בשם ר' זעירא אמ'. בשר ודם יש לו פטרון. אם הטריח עליו ביותר הוא אוי'. אשכח פלן דקא מטרחא לי. אבל הקדוש ברוך הוא אינו כן. אלא כל מה שאת מטריח עליו הוא מקבלך. הה"ד "השלך על ה' יהבך והוא יכלכלך".

Rabbi Pinḥas in the name of Rabbi Ze'ira: "Flesh and blood has a patron. If he begs [his patron] persistently, [the patron] says: 'It turns out that this person begs me persistently!' But the Holy One, blessed be He, is not like that. As much as you beg him persistently He accepts you. As it is written [in Scripture]: 'Cast your burden on the Lord and He will sustain you . . .'" (Ps 55:23, JPS). (y. *Ber.* 9:1, 13b)

According to this text, a client who requests support too often could become a nuisance, and his patron might complain to others about this behavior. Needless to say, such a comment from one's patron would cause humiliation for the client.

This *sugya* in the Yerushalmi reveals intimate familiarity with, and rejection of, the Roman patron-client system. God is presented as the patron par excellence, while human patronage is portrayed as limited in its power, in its scope and in the willingness of the patron to support his clients. The *sugya* describes the reality of low status clients by presenting the penalties that were inflicted upon these individuals in Roman Empire.

⁸³ Sperber, *Roman Palestine 200-400: The Land*, 130, notes regarding this text that, "while the patron is expected to protect the interests of his client, he makes sure to preserve an aloof distance from him."

This *sugya* assumes the perspective of one who stands at the gate or who may need his patron to the point of bothering him. It would thus appear that patronage existed in the land of Israel and that the sages criticize this system in comparison with the ideal patronage relationship between God and human beings. Thus, it is feasible that Palestinian rabbis usually avoided the language of patronage when describing their roles in communal charitable institutions on the grounds of their ideology, which presents God as the only true patron and benefactor. As we shall see in the last chapter of this study, rabbinic descriptions of almsgiving from the land of Israel tend to minimize aspects of patronage on the whole, not only when rabbis are involved.

Conclusion

In the land of Israel, officials in communal institutions that cared for the poor were not only rabbis, nor did they operate under rabbinic supervision. This state of affairs is different from the role of the rabbis in Babylonia as described in the Babylonian Talmud. Tannaitic texts contain almost no descriptions of sages who are charity collectors or *parnasim*; however, they express strong positive attitudes towards these officials. Amoraic texts present Tannaim (most notably Rabbi Akiba), as *parnasim* who care for the poor, as well as descriptions of several Amoraim who were either *parnasim* themselves or who appointed *parnasim*. It is difficult to conclude whether rabbis became more active in these institutions in the third century, as has been argued by several scholars, or whether the silence of Tannaitic texts in this regard is related to their style of presenting information.

Furthermore, the texts analyzed here indicate that even though patronage was widespread in Palestine, the rabbis usually refrained from using the language of patronage to describe rabbinic involvement in communal almsgiving; when patterns of patronage surface, the texts use them to emphasize humility and rejection of human reward. In contrast to the ways that Brown and Finn describe the role of the bishops in caring for the poor, rabbinic texts neither present care for the poor as a primary criterion for evaluating a rabbi nor do they indicate that rabbis used communal almsgiving to gain power or to form "a bond of patronage." This avoidance seems to be intentional and related to an ideology in which God is understood to be the sole patron and benefactor of Israel. As we shall see in the next chapter, this view forms the core of Palestinian rabbinic conceptualization of almsgiving.

Chapter Nine: Rabbinic Charity in the Light of Greco-Roman Euergetism, Patronage and Food Distribution

In her book *The Hungry Are Dying: Beggars and Bishops in Roman Cappadocia*, Susan Holman claims that during the great hunger of 368 CE, Basil of Cappadocia utilized the Greco-Roman language of patronage to convince his well-to-do audience to support the hungry:

He draws heavily on the ideals of Greco-Roman patronage in outlining the criteria by which victims of famine warrant social assistance.¹

The timing of this famine and the public delivery by Basil coincided with the period when the Palestinian Talmud was being completed.² Even though the sermon was delivered in Cappadocia in Greek, whereas the Talmud was created in Palestine in Hebrew and Aramaic, it is interesting to ask whether Greco-Roman language and ideals such as those expressed in Basil's homily also appear in Palestinian rabbinic texts that deal with charity.

In the previous chapter, I analyzed the role of rabbis in Palestinian rabbinic texts in relation to Greco-Roman notions of patronage and showed that rabbis in the land of Israel were not presented as patrons of the poor in that literature; in this chapter, I ask whether Greco-Roman concepts of patronage, benefaction and food distribution influenced rabbinic notions of charity, and whether such Greco-Roman values shaped rabbinic instructions and practices regarding almsgiving. Since a comprehensive

¹ Holman, *The Hungry Are Dying*, 98; Hands, *Charities and Social Aid*, 60-61, suggests the same idea.

² c. 360-370. See, Leib Moscovitz, "The Formation and Characters of the Jerusalem Talmud," 666-667.

investigation of rabbinic charity in the light of Greco-Roman context has not previously been conducted,³ this chapter offers an in depth study of rabbinic charity within this framework. Although issues relating to this topic have been touched upon in earlier chapters, here this comparison is the primary focus.

In this investigation, I explore four aspects of charity; for each of them, I present a brief description of the relevant Greco-Roman notions and practices, followed by an analysis of how these concepts and customs might provide greater insight into rabbinic discourse on charity.⁴ First I consider the beneficiaries, that is to say, those who received gifts and food distributions. Second I discuss the donors by investigating who was expected to give, with special attention to the Greco-Roman notion of euergetism⁵ and norms regarding patronage relationships. The third theme is the role of gratitude, where I ask whether beneficiaries were required to express appreciation towards their benefactors or to give them some form of tangible return. The fourth theme that I examine is the bestowal of honors upon benefactors. After exploring these themes, I will describe

³ Several scholars have suggested an understanding of rabbinic charity in the light of Greco-Roman concepts. For example, Gafni, *The Jews of Babylonia*, 106, briefly contrasts the Jewish charity in the land of Israel to the lack of charity in the Greco-Roman world. Safrai, in his article "Financing Synagogue Construction," 77-95, briefly mentions some aspects of the differences between Jewish charity institutions and Greco-Roman public institutions. Holman, *The Hungry Are Dying*, 42, discusses rabbinic charity behaviors, claiming that, "rabbinic prescriptions for these behaviors illustrate a link similar to that found in the Greek texts between religious practice and communal or civic patronage." Holman does not further develop or support this argument. See also, Urbach, "Political and Social Tendencies," 3-5.

However, a comprehensive discussion has not yet been done, thus leaving a vast arena for future scholars to explore.

⁴ It is important to note that these themes are separated from each other only for the purpose of this investigation.

⁵ The term euergetism came from the Greek word εὐεργετέω that means "I do good things." Historians of the Greco-Roman world use this term to denote a significant donation by a person to his community or his city (or sometimes to other cities) usually followed by honors he received in return. I will discuss this term later in this chapter.

specific phenomena that reflect the influence of Greco-Roman concepts and practices of giving in rabbinic texts.

The exploration of these themes reveals a complex picture. On the one hand, a careful reading of rabbinic texts indicates that in regard to supporting the poor, the rabbis, following the Tanakh, promoted an ideology and corresponding practices which differ significantly from Greco-Roman concepts of giving and liberality. On the other hand, rabbinic texts reveal the prevalence of Roman-style patronage, munificence and euergetism within Jewish society in the land of Israel, including among the rabbis. Thus only a comparison between rabbinic texts from the land of Israel and the hegemonic Greco-Roman culture in which they were composed allows us to understand the rabbinic approach to charity in its historical context.

The Beneficiaries

Scholars have claimed that the city itself was the main beneficiary of gifts in the Greco-Roman world, as articulated by Peter Brown: “It was always the city that was, in the first instance, the recipient of gifts, or, if not the city, the civic community, the *démos* or the *populus*, of the city.”⁶ These donations were crucial for the economic and political prosperity of Greco-Roman cities. Before the rise of Christianity, Romans did not view the poor as a group that was eligible for support.⁷ This is not to say that people in the

⁶ Brown, *Poverty and Leadership*, 4-5. Brown follows Veyne, *Bread and Circuses*, 11, 35, 75.

⁷ Veyne, *Bread and Circuses*,” 30-31, 33; Parkin, “You Do Him No Service,” 60; this scholarly view was summarized by Holman, *The Hungry Are Dying*, 32: “Thus, while poverty was certainly a reality

Greco-Roman world did not contribute sporadically to the poor or that as Parkin puts it “no one ever gave to beggars before Christian charity swept the empire.”⁸ Yet there was neither systematic giving that focused on the poor, nor was there a widespread ideology advocating almsgiving to benefit the poor.

Even though food distributions by private benefactors and public authorities existed in the Greco-Roman world, economic deprivation was never a criterion for inclusion on the recipient list. Greg Woolf describes the norms of this approach:

The poor were rarely singled out to receive gifts of money or of food. In fact when, distinctions were made, it was the rich who received the lion’s share. A. R. Hands, in a general study of classical charity and philanthropy, concluded that in the ancient world, “The distribution was thus confined to those held ‘worthy of honour’ or, if spread over the whole population, was received in larger proportions by the former.”⁹

Consequently, Woolf concludes that:

Food distributions might be directed towards privileged groups: both to eminent individuals and high-status groups within the classical city, and to the inhabitants of privileged areas, such as the city of Rome, within the Empire as a whole.¹⁰

Yet, according to Brown, some of the poor also benefited from food distributions:

A large number of those who benefited from the emperor’s gifts were often undoubtedly “poor.” The *plebs* of Rome included many who were chronically undernourished and vulnerable to disease. They needed “civic” bread so as to relieve their hunger. But they

in the ancient world, the poor did not comprise a discrete social or political category, and poverty was *not* a criteria for assistance.”

⁸ Parkin, “You Do Him No Service,” 60. According to Veyne, *Bread and Circuses*,” 20, and Parkin, “You Do Him No Service,” 68-69, 73-74, the lower classes in the Greco-Roman world tended to contribute to the poor more than the upper class did.

⁹ Greg Woolf, “Food, Poverty and Patronage: The Significance of the Epigraphy of the Roman Alimentary Schemes in Early Imperial Italy,” *Papers of the British School at Rome* 58 (1990): 210-211. Woolf quotes Hands, *Charities and Social Aid*, 91 (that was also cited in Chapter Five). See also, Domonic Rathbone, “Poverty and Population in Roman Egypt,” in *Poverty in the Roman World*. (ed. Margaret Atkins and Robin Osborne; Cambridge: Cambridge University Press, 2006), 110.

¹⁰ Woolf, “Food, Poverty and Patronage,” 211.

did not receive this bread because they were “poor.” They received it because they could produce a *tessera*, a token, that proved (in the manner of a modern passport) that they were “citizens.”¹¹

In contrast to the Greco-Roman approach, which rarely provided systematic support for the poor on the basis of economic hardship, the rabbis (as well as Christian leaders) followed the instructions articulated in the Hebrew Bible and singled out the poor as eligible for gifts and support. As discussed in previous chapters, rabbinic literature indicates that the rabbis emphasized the importance of supporting the poor by developing and elaborating on the biblical requirements, and even portraying institutions that are not mentioned in the Tanakh. Furthermore the rabbis defined the minimum level of provisions that the poor should receive, as well as the eligibility criteria for determining whether a poor person qualifies as a beneficiary. In modern language, they set the poverty line in order to secure support for those who were below it. This attitude toward the poor is unique in the Greco-Roman world prior to the rise of Christianity.

The Donors

Scholars have used the term “euergetism” to explain the place of donors in Greco-Roman cities. Brown, after Veyne, describes this framework as follows:

The cities were dependent . . . for their economic and political success, on their ability to draw on a seemingly unlimited willingness to give on the part of their richer and more powerful inhabitants . . . As a result, *euergesia*, the urge to “do good” by public benefaction; the wish to be a *euergetés*, a “doer of good,” to be a public benefactor; and the desire to be a *philotimos*, to stand out among one’s fellows for the extent of one’s

¹¹ Brown, *Poverty and Leadership*, 5. See also Robert J. Rowland, “The ‘Very Poor’ and the Grain Dole at Rome and Oxyrhynchus,” *ZPE* 21(1976): 69-72.

public generosity: these Greek words became associated with actions that were especially prized by the elites of the classical world and by their inferiors in every city.¹²

Veyne dedicates a large portion of his book, *Bread and Circuses: Historical Sociology and Political Pluralism*, to portraying these donors:

The *euergetai*, who were notables, were the natural leaders of the city's population, and this explains why the primary theme of their euergetism is voluntary patronage. Whether Roman senator, Emperor or mere local notable, a *euergetés* was a man who helped the community out of his own pocket, a patron of public life.¹³

Thus Greco-Roman culture encouraged its wealthy inhabitants to contribute to their city and to be honored in return.¹⁴ These contributions to public life included providing food at times of crisis, sponsoring public edifices (often bearing the donor's name), and supporting religious feasts or gladiatorial games. The donor would contribute to fulfill his (honorable) duty, to compete with his peers, and to become immortalized.¹⁵ Those who benefited from these gifts were expected to praise and express gratitude to the donor.¹⁶

In addition to being patrons of public life within the civic framework of euergetism, donors also gave food (and other gifts) as part of a patron-client relationship. According to Woolf, in the Roman context, "food gifts symbolized the patron's role as

¹² Brown, *Poverty and Leadership*, 3-4.

¹³ Veyne, *Bread and Circuses*, 11, 34.

¹⁴ Veyne, *Bread and Circuses*, 39, articulates this view: "It was in their city that the *euergetai* shone by their munificence, it was their city that they wanted to render more brilliant than its neighbors, by erecting finer monuments 'in competition with another city.'"

¹⁵ Veyne, *Bread and Circuses*, 113- 117: "Here we see people establishing a foundation for the sole purpose of perpetuating their memory."

¹⁶ Holman, *The Hungry Are Dying*, 32. I will further discuss this gratitude in the next section.

provider for his clients.”¹⁷ This food distribution demonstrated the superiority and prestige of the benefactor:

Roman aristocrats traditionally invited their clients to eat with them. Feasting was one form of conspicuous consumption, expressing the size of an aristocrat’s *clientela* and so his prestige.¹⁸

On the whole, the position of donors in the Greco-Roman world was framed by euergetism, a value system where the wealthy were expected to demonstrate their liberality. The provision of gifts and food was a normative component in a patronage relationship. Through such actions the patron demonstrated his generosity as well as his superiority toward his clients.

At this point, I would like to use the euergetism and patronage frameworks to investigate the role of donors in rabbinic discourse, asking whether rabbinic charity can be explained in the light of these socio-cultural expectations. In this analysis, I will claim that the language of euergetism and patronage does not hold a dominant position in Palestinian rabbinic discourse on charity. Rather, the rabbis usually engage different concepts, terminology and values in their presentation of the act of giving and the role of the donor. Therefore, the rabbinic approach to charity provides an alternative value system to the prevalent Greco-Roman view.

In contrast to the Greco-Roman norm, with its expectation that the wealthy would provide significant donations to reinforce their elevated status, rabbinic law instructs each person to support the poor according to their ability. By way of illustrating the

¹⁷ Woolf, "Food, Poverty and Patronage," 212.

¹⁸ Ibid.

implications of these different philosophical positions, I will discuss two categories of giving - gifts of agricultural produce and communal charitable institutions (namely the *qupah* and the *tamḥuy*) - suggesting that they cannot be explained within the Greco-Roman context of euergetism or patronage.

Produce Gifts

As explained earlier in this study, most produce gifts were collected by the poor during or after the harvest. According to rabbinic law, any farmer who cultivates a plot in the land of Israel is required to let the poor take their share. Therefore the Mishnah determines that even a poor tenant farmer is expected to allocate gifts to the poor. These blanket requirements originate in the biblical understanding that the land of Israel belongs to God:

וְהָאָרֶץ לֹא תִמְכַּר לְצַמְחָתָהּ כִּי־לִי הָאָרֶץ בְּיַגְרִים וְתוֹשְׁבֵי־אֲתָם עַמְדֵי

But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with me (Lev 25:23, JPS).¹⁹

Roger Brooks has claimed that the Mishnah describes the farmer in the land of Israel as a tenant on God's land:

God owns the entire Land of Israel and, because of this ownership, a portion of each crop must be paid to him as a sort of sacred tax (see Lev. 27:30-33). According to Mishnah's

¹⁹ According to John E. Hartley, *World Biblical Commentary: Volume 4: Leviticus* (Dallas, Texas: World Books, 1992), 418, the translation is: "The land shall not be sold in perpetuity because the land is mine and you are resident aliens and tenants with me." Hartley explains this verse as follows: "Undergirding the principle of each family's right to occupy their inheritance stands the theology that God himself hold title to the land. The people then are גרים 'resident aliens,' or תושבים, 'tenants,' with God. The phrase 'with me' may carry the meaning 'under my protection'"

farmers, God claims that which is owed him and then gives it to those under his special care, the poor and the priests.²⁰

Thus the instruction that each farmer should designate produce gifts to the poor is intrinsically linked to the land itself, regardless of the economic situation of the person raising the crops. The rabbis seem to have been aware of the burden that these laws imposed on poor farmers since they allowed that:

שניים שקבלו את השדה באריסות : זה נותן לזה חלקו מעשר עני וזה נותן לזה חלקו מעשר עני
If two [poor persons] received a field for sharecropping— this one gives the other his share of the poor man's tithe, and that one gives the other his share of the poor man's tithe. (*m. Peah* 5:5)²¹

This leniency was granted in the specific case of two poor persons who were leasing a field as sharecroppers. According to commentaries on this mishnah, in such an instance, each of the tenants has proprietary control over his section of the field alone; thus, each tenant is allowed to receive gifts from the other's yield.²² Not only might the one who designates produce gifts himself may be poor, but also in most cases, produce gifts had to be distributed to the poor without distinguishing among the recipients, meaning that the donor could not exercise preferences by selecting the beneficiaries.²³ This lack of control

²⁰ Brooks, *Support for the Poor*, 18.

²¹ The translation was adapted from Edward Levin's in Kehati, *Mishnah: Peah*, 64.

²² Commentators have suggested that this law also applies to other produce gifts. Thus, in the case of two poor tenants, each of them may collect gifts from the other's leased field. Yet, other poor persons could also take gifts from these fields. See for example, Kehati, *Mishnah Peah*, 65.

²³ See also *t. Peah* 2:13; *b. Hul.* 131a-131b. In contrast to most of the produce gifts that were given to all poor persons, in the case of the poor man's tithe (which according to the rabbis was given in the third and sixth years of the sabbatical cycle), the farmer had more control over the distribution of this gift, since he was allowed to keep part of it for his poor relatives and friends, after other poor persons had received a certain amount each. See, *m. Peah* 5:5; 8:5-6; *t. Peah* 4:2; *Sifre Deuteronomy* 303; *y. Peah* 8:6, 21a; see also the story in *y. Peah* 8:8 21a, about Rabbi Judah the patriarch who used to give his poor man's tithe to one of his students. However, there is no consensus regarding this practice: for example, according to *m. Ned.* 7:4 and the Erfurt manuscript of the Tosfta, there is no favor (טובה) in relation to the poor man's tithe,

contradicts the normative system of patronage relationships and the practical expressions of euergetism as a central value in the Greco-Roman world.

In sum, rabbinic texts describe produce gifts as the obligation of any person who cultivates a field in the land of Israel, not only by the wealthy. These gifts are presented as a form of religious-social taxation that applies to the land, therefore precluding them from systems of euergetism and patronage.²⁴

The Communal Charitable Institutions

The contributors and recipients involved with communal institutions for the support of the poor were discussed in Chapter Six. Let us now briefly review the topic of donors again, starting with a key text from the Tosefta:

עני שנתן פרוטה לקופה ופרוטה לתמחוי מקבלין אותו ממנו.
אם לא נתן אין מחייבין אותו ליתן.
נתנו לו חדשים והחזיר להן שחקין מקבלין אותו ממנו.
אם לא נתן, אין מחייבין אותו ליתן.

[In the case of] a poor person who gave a small coin (פרוטה) for the *qupah* (communal charity fund) and a piece of bread for the *tamḥuy* (soup kitchen) — they (the charity collectors) accept them (these contributions) from him.

If he did not give—they do not force him to give.

If they give him new (clothes) and he gives them worn out clothes in return— they accept it (the clothing) from him.

If he did not give—they do not force him to give. (*t. Peah* 4:10)

In this law that provides guidance to charity collectors, the Tosefta shows sensitivity toward the poor person's plight and the possibility that one may lack anything to

and therefore, a person cannot control the recipients of his tithe. See Lieberman, *Tosefta Ki-Fshutah*, 1: 152-153.

²⁴ For an explanation of the differences between *euergetism* and taxation, see Veyne, *Bread and Circuses*, 100-101.

contribute. On the other hand, charity collectors are required to accept a poor person's voluntary gift, irrespective of its quality. These instructions may come from the idea that the ability to give a donation, however modest, contributes to each person's feeling of belonging to the community. Moreover, a charity collector's refusal to accept the poor person's contribution might harm the potential donor's sense of dignity and even humiliate him.

From my reading, *y. Peah* 1:1, 15d (cited in Chapter Six) releases one who lacks the material ability from the obligation to feed the poor and the hungry. In the Babylonian Talmud, however, Mar Zutra articulates a different opinion:

... אמר מר זוטרא : אפילו עני המתפרנס מן הצדקה יעשה צדקה.
Mar Zutra said: Even a poor person who is provided with charity should give charity. (*b. Git.* 7b)

This teaching resembles a Christian Syriac description that appears in the Syrian version of the “The Man of God” parable: “If by chance he would receive more, he would immediately give it to someone else, and from alms he would make alms.”²⁵ However, in contrast to Mar Zutra's opinion, Palestinian texts do not require the poor to give.

It is clear from this selection of texts that supporting communal institutions of charity was not the responsibility of the wealthy alone, rather it was understood as the obligation of any member of the community who is able to give.²⁶ For this reason, the

²⁵ See in Doran, *Stewards of the Poor*, 20.

²⁶ There is, however, a story in *Leviticus Rabbah* (cited in the previous chapter), which describes Rabbi Shimon bar Yohay appointing the sons of his sister as *parnasim* who themselves have given a large

rabbinic representation of donors to charitable institutions cannot be understood within the framework of euergetism or patronage relationships, since such contributions are neither presented as ways to demonstrate superiority nor as a means to receive honors. I do not claim that such patterns of patronage and euergetism were absent from contemporaneous Jewish communities in Palestine, but rather that the main stream of rabbinic texts about support for these institutions present a collective effort to support the poor.

The view that not only wealthy members of the community are responsible for supporting the poor is not limited to the two categories discussed above (produce gifts and communal charitable institutions). Teachings about giving to beggars, for example, do not typically concentrate on the sheer difference in status between donor and beneficiary. Though we have little data about donors, texts do not generally focus on just a few wealthy individuals as sole benefactors. In this respect, it is interesting to consider representations of donors in synagogue inscriptions, as Susan Sorek writes:

Unlike the Diaspora communities who often relied upon a single patron, adopting the Greco-Roman euergetistic ideology, the Jewish communities in Palestine appear to have many. The hypothesis proposed is that some communities may have had fewer wealthy members than others; as such, a greater number of (smaller) contributions was needed in order to meet the building costs associated with the local synagogue. There is, however, a danger of making generalizations when it comes to ascertaining who the donors were. There is not usually enough evidence to say with any certainty whether the donors were leading figures of the community, wealthy members of the community, or ordinary individuals.²⁷

sum to charity and are portrayed as wealthy. And see also the story that depicts Rabbi Eliezer as a *parnas* who feeds the poor in his home.

²⁷ Sorek, *Remembered for Good*, 153.

On the whole, the majority of rabbinic texts dealing with poverty, as well as inscriptions record donors for synagogue constructions (at least according to Sorek), reflect an image in which many community members are responsible to give, not only select patrons. It is not clear whether this picture stems from a reality in which many contributed or whether this ethos was confined to texts and inscriptions. Of course, these two options are not mutually exclusive.

Expectations from Beneficiaries: the Role of Gratitude

The expectation of gratitude (or a different type of return) from beneficiaries is of great consequence when exploring the meaning of almsgiving and other forms of charity. For example, the role of gratitude may help us to explore the extent to which giving is understood as taxation versus a freewill gift which demonstrates the generosity and power of the benefactor. According to Arthur Hands, in the Greco-Roman world there was an expectation that each act of giving would yield a return (except in the case of occasional gifts to the complete destitute).²⁸ Among peers, an exchange of gifts or favors was a way to establish a friendship or covenant. Between persons with different levels of stature, the wealthy could provide the poor with material support and sometimes with protection.

What could the poor (though perhaps not the completely indigent) give in return? In such a relationship, the wealthy received honor, respect, and political and social

²⁸ Hands, *Charities and Social Aid*, 26-48.

loyalty that became important in the city-state. In Roman patronage relationships, however, the social prestige of the patron was actually dependent upon the size of his clientele.²⁹ In a relationship with a steep gap between the social standing of the patron and the client, the return to the benefactor would take the form of gratitude and honor, sometimes an in-kind repayment in the form of a service and, in certain cases, political loyalty in assemblies or other political venues.³⁰

On the whole, in the Greco-Roman world, beneficiaries were expected to express gratitude toward their benefactors and to honor them for their liberality in the framework of euergetism and the patronage system alike. The expectation for recipients to express gratitude and confer honor on their supporters reflect universally recognized hierarchy between the giver and the recipient.³¹

In contrast to these Greco-Roman norms, gratitude from the indigent toward one who offers support is not mentioned in the Tanakh. Neither are expressions of appreciation included among the reasons for designating produce gifts. Whoever has resources is expected to contribute, but neither reciprocal words nor actions are expected from the beneficiaries.³² This asymmetry may come from the view that a portion of each person's crops really belong to the poor, the Levite and the priest according to God's

²⁹ Woolf, "Food, Poverty and Patronage," 212. According to Hands, *Charities and Social Aid*, 48: "In fact political patronage had not so much disappeared at Rome as came to be monopolized by one man, the *Princeps*; and the emperor's supremacy still depended to some extent on the loyalty, if not on the votes, of the populace—a loyalty arising out of gratitude for benefits received or anticipated. Moreover, throughout the remainder of the upper class the client-patron relationship remained as important as ever in terms of social prestige."

³⁰ Hands, *Charities and Social Aid*, 35-36; Holman, *The Hungry Are Dying*, 32.

³¹ Veyne, *Bread and Circuses*, 112, 146.

³² For example, Lev 19: 9-10, 23:22; Deut 14: 28-29, 24: 19-22.

order. Therefore, these obligatory gifts resemble taxation more closely than a personally chosen contribution.

Before exploring the rabbinic approach to expressions of gratitude, an analysis of Josephus's description of the biblical laws regarding produce gifts is illuminating. His approach to explaining these instructions to his Greco-Roman audience may provide an additional perspective on the rabbinic treatment of giving, especially with respect to produce gifts:

When reaping and gathering in the crops ye shall not glean, but shall even leave some of the sheaves for the destitute, to come as a godsend for their sustenance; likewise at the vintage leave the little bunches for the poor, and pass over somewhat of the fruit of the olive-yards to be gathered by those who have none of their own whereof to partake. For that minute care in garnering will not bring the owners wealth so great as the gratitude (Χάρις)³³ which would so come to them from the needy; the Deity, too, will render the earth more eager to foster its fruits for those who look not only to their own interests but also have regard to the support of others (*Ant.* 4.231-232, Thackeray, LCL).

Despite the Torah's silence with regard to feelings of gratitude on the part of poor beneficiaries and of expressions of gratitude from the poor as reasons to practice these laws, Josephus included thankfulness from the poor as a basis for these laws: "For that minute care in garnering will not bring the owners wealth so great as the gratitude (Χάρις) which would so come to them from the needy." Zeba A. Cook writes that recent studies show "the relationship between Χάρις, patronage and benefaction."³⁴ According to Cook, this Greek term for gratitude often denoted appreciation as expressed in return

³³ According to Liddell and Scott, *A Greek-English Lexicon*, one of the meanings of Χάρις is "on the part of the receiver," as a "sense of favour received, thankfulness, thanks, gratitude."

³⁴ Zeba A. Cook, *Reconceptualising Conversion: Patronage, Loyalty, and Conversion in the Religions of the Ancient Mediterranean* (Berlin and New York: Walter de Gruyter, 2004), 132.

for benefaction.³⁵ Thus Josephus's use of the word Χάρις in this context may indicate that he described produce gifts within the framework of patronage and benefaction.³⁶ In such cases, gratitude from the poor would indicate that these gifts established a patron-client relationship.

Josephus also presents expressions of gratitude from the poor as an underlying reason for the prohibition of usury:

. . . For it is not just to draw a revenue from the misfortunes of a fellow-countryman. Rather, in succouring his distress, ye should reckon as gain the gratitude (ευχαριστία)³⁷ of such persons and the recompense which God has in store for an act of generosity (*Ant.* 4.266, Thackeray, LCL).

These examples from his writings indicate that Josephus integrated Greco-Roman concepts of gratitude into his descriptions of the biblical laws of produce gifts and usury. This suggests that for Josephus, such gratitude was a basic component of hierarchical relationships. By including gratitude as a reason for these laws, he emphasized the liberality of the donor who contributed to the poor from his own possessions.

In contrast to Josephus's claims and to Greco-Roman notions of gratitude, the rabbis following the Tanakh by rejecting any expectation of gratitude from the poor. Rabbinic texts place no requirements on the beneficiary with respect to expressing gratitude or providing any other type of return. Thus, stories about giving charity rarely

³⁵ Ibid. 136.

³⁶ In this framework, as Richard P. Saller, *Personal Patronage under the Early Empire* (Cambridge: Cambridge University Press, 1982), 10, writes: "One of the duties of a recipient of a favor was to publicize the favor and his gratitude for it."

³⁷ The meaning of ευχαριστία according to Liddell and Scott, *A Greek-English Lexicon* is "thankfulness, gratitude" or "giving of thanks."

include expressions of gratitude. Moreover, the Tosefta contains an explicit rejection of the poor providing a favor (*tovah*) in return for produce gifts:

כל אילו אין בהם משם טובה אפי' עניי שבישראל מוציאהו אותו מידו
None of these [gifts] are [given] as a favor (טובה), Even a poor Israelite³⁸ they take [these gifts] from his hand [if they are given to him by a householder, so that all the poor will have equal access to these gifts]. (t. *Peah* 2:13)

In their discussions of produce gifts, the rabbis not only object to any expressions of gratitude or returning of favors from the poor, but they also define one who impedes the poor from collecting these gifts as a thief who has stolen something that doesn't belong to him. In addition, farmers were forbidden from designating produce gifts (with the possible exception of the poor man's tithe) to specific poor persons; rather, they were required to give them to any poor individuals who came to their fields:

מי שאינו מניח את העניים ללקט, או שהוא מניח את האחד, ואת האחד לא, או שהוא מסייע את אחד מהם – הרי זה גוזל את העניים, על זה נאמר: 'על תסג גבול עולים' (משלי כב 28).
The one who does not allow the poor to glean, or who allows one [poor person] and not another, or who aids one of them robs the poor; of such a person it is stated, "Remove not the landmark of those who come up (עולים)." ³⁹ (Prov 22:28).⁴⁰ (m. *Peah* 5:6)

This prohibition against designating produce gifts to specific poor persons helps to prevent the development of expectations of return gestures and gratitude since, according to this model, the poor were not dependent on cultivating a special relationship with any specific farmer to receive support. Such restrictions thus reduced the possibility of establishing patronage relationships and aimed to secure gifts for all poor people.

³⁸ Or perhaps "the poorest man in Israel."

³⁹ The meaning of "those who come up" is according to one opinion in y. *Peah* 5:6, 19a, a euphemism for those who came down and lost their property.

⁴⁰ The translation was adapted from Edward Levin's in Kehati, *Mishnah Peah*, 66.

The core concept in rabbinic texts teaches that produce gifts do not belong to the farmer, but to the poor. Thus, the one who contributes these gifts to the poor does not give something that he actually owns, despite the fact that the produce grew in his field, orchard or vineyard. This view is explicitly articulated in the Tosefta:

המקדיש את כרמו, לא יקדיש את העוללות, שאין אדם מקדיש דבר שאינו שלו
One who dedicates [the produce of] his vineyard [to the Temple] does not dedicate the small imperfect clusters (עוללות), since a person may not dedicate something that does not belong to him. (*t. Peah* 3:13)

The Torah (Lev 19:10) requires the farmer to leave the small incomplete clusters (עוללות) for the poor.⁴¹ According to the rabbinic law, even a farmer who wishes to dedicate the complete yield of his vineyard to the Temple cannot include the incomplete clusters because they actually belong to the poor.⁴²

The view that produce gifts do not belong to the owners of the field may stem from the notion that the land of Israel actually belongs to God and not its human inhabitants. Thus, according to the rabbinic concept, God directly (in the Torah) gives instructions on how to divide the produce, making clear that the poor are the real owners of certain parts of the produce, not the farmer.

Consequently, farmers may not control the distribution of most produce gifts.⁴³ Indeed, the Palestinian rabbis tried to limit the natural inclination to supply produce gifts

⁴¹ The rabbis defined the meaning of עוללות in *m. Peah* 7:4, *t. Peah* 3:11, and *Sifre Deuteronomy* 285, defining עוללות as small imperfect clusters. According to Jastrow, *A Dictionary*, 1051-1052, the meaning of עוללות is “small single bunches.”

⁴² *m. Peah* 7:5, 8, also suggest the view that the farmer is not the owner of the portions that are allocated to the poor.

⁴³ According to *t. Peah* 2:13 (cited in Chapter Six) a landowner cannot reserve annual gifts from his yield for poor relatives and friends; see also Lieberman, *The Tosefta*, 1: 48; compare Lieberman, *Tosefta*

to poor relatives and friends. For example, the Tosefta categorizes giving the *peah* portion of one's yield to relatives over the general poor population as robbery:

אמ' ר' שמעון מפני ארבע דברים לא יתן אדם פאה אלא בסוף: מפני גזל העניים ומפני בטול העניים ומפני מראית העין ומפני הרמאין. מפני גזל העניים כיצד שלא יראה שעה שאין שם אדם ויאמר לעני מודעתו בוא וטול לך פאה זו. . .

Rabbi Shimon said: "On account of four things [reasons] a person should give *peah* at the end [of the harvesting time or in the end of the field]⁴⁴—because of robbing the poor, because of the idleness of the poor, and because of avoiding the semblance of wrongdoing, and because of deceivers. "Because of the robbery of the poor" — In what respect? So that he [the owner of the field] will not see, at a time when no person is there [in the field], and he will say to his poor relative (or friend):⁴⁵ "Come and take this *peah* for yourself." (*t. Peah* 1:6, Lieberman 42-43)

According to this passage, the Tosefta suggests giving *peah* at the "end" -- of the harvest or at the edge of the field (the meaning of the "end" is not clear here) -- to prevent farmers from designating this portion of the yield to friends or relatives, since such allocations of *peah* are considered "robbery of the poor."

A similar concern appears in the Yerushalmi, in a section that deals with *peah* from fruits trees:

בעל הבית יחלק בידו שלא יראה לעני מודעתו וישליך לפניו
A householder distributes [the produce] by hand, so he may not see his poor acquaintance and throw [the produce] in front of him. (*y. Peah* 4:1, 18a)

According to *m. Peah* 4:1, the farmer is required to collect fruit designated as *peah* by climbing the tree, picking and distributing their portion to the poor. This special requirement is presented as a safety precaution on behalf of the poor. The Yerushalmi

Ki-Fshutah, 1: 152. In the case of the poor man's tithe, however, it is less clear whether recipients may be predetermined.

⁴⁴ See Lieberman, *Tosefta Ki-Fshutah* 1:127-129.

⁴⁵ *Ibid.*, 1:131.

notes that in this instance, the householder should distribute the produce directly into the hands of the poor rather than throw it, lest he favor his poor acquaintance. Despite the different distribution methods of *peah*—in the field, the poor should harvest or glean for themselves, whereas *peah* from the tree is distributed by the farmer—these two examples show that the rabbis intentionally sought to avoid the transfer of produce gifts to friends and relatives, thus differentiating this system from food and gifts distributed by a patron to his clients.

Even though gratitude is usually absent from rabbinic descriptions of produce gifts and of communal charitable institutions, in a story from the Yerushalmi (discussed in Chapter Six), gratitude is articulated in the form of a short spontaneous prayer by a poor recipient of support.⁴⁶ In this narrative, two of Rabbi Hanina’s students go out to cut wood and encounter an old man who seeks their help. After the students share their loaf of bread with the old man, he prays for them: “May your lives be preserved today, just as you preserved my life today.” This prayer articulates the idea of “measure for measure.” No words of appreciation are directed toward the students, but rather God is addressed as the one who should repay the benefactors. This story fits the category of giving to a beggar without the qualities of patronage, since the encounter between the old man and the students is random and they lack the difference in status required in patronage relationships. This story is exceptional, since most Palestinian rabbinic texts about private

⁴⁶ There are only two Amoraic examples for prayers by the poor in response to their benefactors, the story mentioned above and the story of Rabbi Eliezer and the poor who ate in his home.

charity or giving to beggars make no mention of expressions of gratitude or prayers on behalf of the benefactor.⁴⁷

All in all, rabbis in the land of Israel founded their teachings on the biblical avoidance of expressions gratitude in return for produce gifts or from support provided by communal charitable institutions.⁴⁸ The poor are presented as being entitled to these gifts by biblical standards. Thus in the case of produce gifts, a farmer who inhibits the poor from participating in this system is defined as a robber by the rabbis. Moreover, the rabbis tried to limit the ability of farmers to designate agricultural gifts (except for the poor man's tithe) to their relatives and friends. These characteristics of rabbinic charity contradict Greco-Roman concepts of patronage relationship in which a patron's control of the distribution of his possession is essential, as well as a client's gratitude.

I am not claiming that patronage relationships and euergetism, which will be discussed in the next section, did not exist in the land of Israel during the rabbinic period,

⁴⁷ Gray, "Redemptive Almsgivings," emphasizes the importance of prayers said by the poor in Amoraic Palestinian texts. For example, on the basis of the story cited above, Gray claims that the Yerushalmi supports "the notion that the prayers of the grateful poor" "[...] save from death," (p. 162). Regarding the Bavli, she writes: "Even in Babylonian sources that are supportive of redemptive almsgiving, the poor do not pray for their benefactors as they do in Palestinian Amoraic sources," (167). A subtitle for section heading in this article reads, "The Poor Do Not Pray for Their Benefactions in Babylonian Sources," (p. 168). See also *ibid.*, 156, 170. However, in Palestinian Amoraic texts, there are only two examples of poor people who pray in response to receiving alms, both are in the Yerushalmi. One of these examples is the story about Rabbi Eliezer, where the prayer from the poor decreases the donor's divine reward. The second story depicts two of Rabbi Hanina's students, cited above. Most other Amoraic stories and teachings about almsgiving lack any mention of prayers or expressions of gratitude from the poor. If expressions of gratitude were commonly practiced in the land of Israel, the Amoraic texts offer little evidence to that effect. I claim that this silence is noteworthy and intentional, and therefore required explanation, especially when, as Gray claims "prayers on behalf of donors required by Christian redemptive almsgiving texts" (p. 156).

⁴⁸ Gratitude and prayers on behalf of benefactors are also absent from most of teachings about giving to beggars.

but rather that the main rabbinic discourse of charity towards the poor operates from a different conceptual framework.

Honoring Benefactors

Most Greco-Roman cities depended on their wealthy residents' motivation and generosity for contributions. The wealthy would provide gifts to the city and in return they received public honors that acknowledged their liberality and expressed the public's gratitude. The wish to acquire honor and glory was viewed as a positive attribute that could lead a man to great achievements (only if these desires are ruled by reason).⁴⁹ The Greco-Roman city conferred a variety of honors upon its benefactors to express gratitude and to encourage further giving. Their contributions were publicized via inscriptions on edicts, erecting statues of benefactors, and naming public edifices after major donors.⁵⁰ Honor was sometimes conferred after the death of the donor in the form of a memorial banquet.⁵¹

In contrast to the positive attitude toward honor and glory in the Greco-Roman world, the rabbis advocated giving in secret as an ideal, often by quoting a verse from Proverbs, "A gift in secret subdues anger" (Prov 21:14, JPS, מִתֵּן בְּסֵתֶר יִכַּפֶּה-אַף). Scholars have suggested that in the Tanakh this verse articulates the idea that bribery effectively

⁴⁹ Hands, *Charities and Social Aid*, 43.

⁵⁰ Ibid., 42-45, 49-61; Veyne, *Bread and Circuses*, 122-133.

⁵¹ Hands, *Charities and Social Aid*, 55, explains this phenomenon: "For it is a remainder that the honours commonly sought by donors and benefactors were not simply those which might be enjoyed in life: they also sought honours which would continue after death and so gain them a measure of immortality." See also, Veyne, *Bread and Circuses*, 113- 117.

calms the anger of the powerful, since it ends with the word “bribery.”⁵² The rabbis, however, read the phrase “a gift in secret” (מתן בסתר) to mean “distributing charity in secret.” The following story from the Yerushalmi provides an example:

ר' חנינא בר פפא הוה מפליג מצוה⁵³ בליליא. חד זמן פגע ביה רבהון דרוחיא. אמ' ליה. לא כך אולפן ר'.
 "אל תסג גבול רעד".⁵⁴ אמ' ליה. ולא כן כתי' "מתן בסתר יכפה אף". והוה מתכפי⁵⁵ מיניה וערק מן
 קמוי.

Rabbi Hinena bar Papa distributed alms at night. Once the chief of the spirits met him. [The spirit] said to him: "Didn't the rabbi teach us: 'You shall not move your countryman's landmark' (Deut 19:14, JPS)?"⁵⁶ [The rabbi] said to him: "Isn't it written: 'A gift in secret subdues anger.' (Prov 21:14, JPS)?" And [the spirit] was rebuffed by him and fled from him. (y. *Peah* 8:9, 21b; y. *Sheqal.* 5:6, 49b)

According to this teaching, despite the fact that spirits rule the night, Rabbi Hinena bar Papa dared to distribute alms at night, thus trespassing in the spirits' dominion.⁵⁷

Delivering charity at night prevents embarrassment for the recipients and preserves the anonymity of the donor, who is therefore able to avoid receiving expressions of gratitude or honor in return for his contribution. The act of giving alms in secret is thus so powerful that it provides protection against the chief of the spirits, who complains that Rabbi

⁵² The entire verse is: "מתן בסתר יכפה אף ושחד בִּחֶק חֲמָה עֲזָה" ("A gift in secret averts anger; and a concealed bribe in the bosom, strong wrath" NRSV). See, Roland E. Murphy, *World Biblical Commentary: Volume 22: Proverbs* (Nashville: Thomas Nelson, 1998), 160; according to Crawford H. Toy, *A Critical and Exegetical Commentary on the Book of Proverbs* (The International Critical Commentary; New York: Charles Scribner's Sons, 1916), 404, "The power of a bribe is here noted simply as a fact."

⁵³ In y. *Peah* 8:9, 21b the version is "מיניה" (from him), whereas the version in y. *Sheqal.* 5:6, 49b is "מצוה" (charity).

⁵⁴ In y. *Peah* 8:9, 21b the version is "אל תסג גבול רעד" whereas the version in y. *Sheqal.* 5:6, 49b is "לא תשיג גבול רעד," and the MT version is "לא תסיג גבול רעד."

⁵⁵ In y. *Peah* the version is "מתכפי" versus "מיסתפי" in y. *Sheqal.*, however, Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 266, prefers the version in *peah*, since it contains an echo of Prov 21:14.

⁵⁶ According to Jacob Neusner, trans., *The Talmud of the Land of Israel: A Preliminary Translation Explanation: Volume 15: Sheqalim*, Chicago Studies in the History of Judaism (Chicago and London: The University of Chicago Press, 1991), 111, the meaning of the demon's argument is, "you should not be out by night, over which I rule."

⁵⁷ Another text, *t. Ter.* 1:3, defines one who goes out alone at night as a madman or an insane (שוטה) individual.

Hinena bar Papa has wrongfully crossed into his domain. The chief of the spirits also used a biblical verse (Deut 19:14) in his argument with the rabbi. However, when Rabbi Hinena bar Papa mentioned the verse, “A gift in secret subdues anger,” the chief of the spirits fled. Giving in secret is so powerful that it enables Rabbi Hinena bar Papa to operate in the spirits’ realm and emerge unharmed. Moreover, it caused the chief of the spirits to flee. However this story, which discusses one renowned rabbi and his unique action, does not prescribe giving in secret as a general practice, but simply praises this type of giving.

The Babylonian Talmud further develops the Palestinian idea of the importance of giving charity in secret:

אמר רבי אלעזר : גדול העושה צדקה בסתר יותר ממשה רבינו, דאילו במשה רבינו כתיב "כי יגורתי מפני האף והחמה" ואילו בעושה צדקה (בסתר) כתיב "מתן בסתר יכפה אף."
 Rabbi Elazar said: “One who gives charity in secret is greater than our teacher Moses. Since regarding Moses, our teacher, it is written: “For I was in dread of the anger and the wrath,” (Deut 9:19);⁵⁸ whereas regarding one who gives alms (in secret)⁵⁹ it is written: “A gift in secret subdues anger.” (Prov 21:14, JPS). (*b. B. Bat.* 9b)

According to another Babylonian teaching, it is better not to contribute at all than to give in public and embarrass a poor person:

מאי "אם טוב ואם רע"? אמרי דבי ר' ינאי זה הנותן צדקה לעני בפרהסיא. כי הא דר' ינאי חזייה לההוא גברא דקא יהיב צדקה לעני בפרהסיא א"ל מוטב כי לא יהבת ליה מהשתא דיהבת ליה וכסיפתייה
 What is the meaning of “be it good or bad” (Eccl 12:14, JPS)? Those from the school of Rabbi Yannai said: “This [verse is about the] one who gives alms to a poor person in public. As this (story) that Rabbi Yannai saw a certain man who gave a poor man alms in public. He said to him: ‘It would have been better had you not given [alms to] him, for now that you gave [alms to] him, [you have] embarrassed him.’” (*b. Hagigah* 5a)

⁵⁸ In this verse, Moses discusses his fear of God’s anger after the people of Israel made the Golden Calf.

⁵⁹ The word ,בסתר which means “in secrecy,” appears in some manuscripts, but not in others.

Here the Babylonian Talmud explores the meaning of Eccl 12:14, “God will call every creature to account for everything unknown, be it good or bad.” The Talmud raises the question of why a creature should give an accounting of his good deeds. This text goes on to explain that although giving charity is indeed a positive action, when it takes place in public, it becomes a sin since it brings shame upon the poor recipient.⁶⁰ Thus one who gives to the poor in public has ignored the recipient’s feelings and, because of this lack of consideration, his ostensibly good deed is counted as a sin. In this passage, the Babylonian Talmud focuses solely on the feelings of the poor; the Palestinian tradition, however, also concerns itself with the honors that were usually conferred on donors.

Such concerns appear also in a section of the New Testament that emphasizes the importance of giving alms in secret:

Beware of practicing your piety before others in order to be seen by them; for then you have no reward from your father in heaven. So whenever you give alms, do not sound a trumpet before you, as the hypocrites do in the synagogues and in the streets, so that they may be praised by others. Truly I tell you, they have received their reward. But when you give alms, do not let your left hand know what your right hand is doing, so that your alms may be done in secret; and your Father who sees in secret will reward you (Matthew 6:1-4 NRSV)

In this text, one can find ideas that also occur in rabbinic texts, namely that God rewards those who give alms and that honors bestowed by humans eliminate or diminish heavenly reward. In contrast to this teaching from Matthew, which prescribes giving in secret as the norm, the Palestinian rabbinic texts cited above (the story about Rabbi Hinena bar Papa in the Yerushalmi, and the sin-fearing of the Chamber in Secret of the Mishnah in

⁶⁰ On shame in the Bavli, see Rubenstein, *The Culture of The Babylonian Talmud*, 67-79.

Chapter Four, Five and Six) suggest that giving alms in secret may only be expected from the most pious members of the community.

Indeed, the fact that the rabbis (and Matthew) advocated for charity in secret as the ideal does not preclude the possibility that honors were conferred upon donors in the land of Israel. The Yerushalmi, which was familiar with the custom of honoring donors, advocated that almsgiving that brings scorn rather than honor is the ideal, as this story (discussed in Chapter Eight) indicates:

ר' ליעזר הוה פרנס. חד זמן נחית לבייתה. אמ' לון. מאי עבדיתון. אמ' ליה. אתא חד סיעא ואכלון ושתון וצלון עלך. אמ' לון. ליכא אגר טב. נחת זמן תיניין אמ' לון. מאי עבדיתון. אמרו ליה. אתא חד סיעא חורי ואכלון ושתון ואקלנדך. אמ' לון. כדון איכא אגר טב.

Rabbi Eliezer was a *parnas*. Once he came home. He said to [his men]: "What did you do [during my absence]?" They said to him: "One group of people came; they ate and drank, and prayed for you." He said to them: "There is no good [heavenly] reward here." He came [home] a second time. He said to [his men]: "What did you do?" They said to him: "Another group of people came and they ate and drank and disrespected [or cursed] you." He said to them: "Now there is a good reward." (y. *Peah* 8:7, 21a)

This story is more easily understood if one assumes a social-cultural expectation among the Jews that beneficiaries of charity would thank or pray for their benefactors (or the official who acted on their behalf) in return for assistance. If indeed that was the norm, the Yerushalmi uses this story to create a contrast between the expectations of its audience (of readers or listeners) that the poor will express gratitude toward the supporters and pray for them, and Rabbi Eliezer's assertion that human gratitude nullifies a benefactor's heavenly reward.

The ultimate act of giving takes place when the benefactor is scorned by beneficiaries, since the gesture could not have been motivated by the pursuit of honor. That is not to say that the rabbis in the land of Israel rejected charity that was given with honors or in public, but rather that they advocated charity without return of honor as the

ideal, which would secure the greatest power and heavenly reward for the giver. This distilled view of giving obviously presents a counterweight to the prevailing Greco-Roman social norms.⁶¹

The Pesiqah Collection

Up to this point, our discussion of the rabbinic ideology of charity has indicated that the rabbis usually present charity models in a language which differs from the Greco-Roman language of euergetism or patronage. However, careful reading of Palestinian rabbinic texts reveals another practice of raising money for the poor (and other causes): the *pesiqah* (פסיקה), a charity collection for a specific purpose. The *pesiqah* itself was the act of pledging to give. This category of giving was discussed in Chapter Six as a rabbinic practice; here, I explore this method of fundraising in order to highlight its affinity to Greco-Roman practices. One defining feature of the *pesiqah* is the time lag between the public pledge and making the contribution. For example, according to *t. Meg. 2:15*, the person who pledged to give charity but had not yet given the money to communal officials was permitted to change his mind regarding the purpose of his donation. More important, some people pledged to give without ultimately fulfilling their promises. An Aramaic inscription from a Byzantine synagogue mosaic found in Husifah

⁶¹ Sorek, *Remembered for Good*, 153, who discusses the Jewish system of benefaction as reflected in synagogue inscriptions, notes that donation inscriptions in which "the donor remains anonymous" have been found in synagogues in the land of Israel: "There could be no reason for anonymity other than piety, the belief that God knows what the donor has done, and it is God who will reward the donor, not the community."

(today the village of 'Isfia on Mount Carmel) blesses the residents of the town who made a pledge (דפ[סק]) and gave their donations (פסקתון).⁶²

Rabbinic texts indicate that the rabbis were concerned about people who pledged in public but did not give the money; thus, they tried to encourage donors to fulfill their promises. For example, according to the Tosefta, householders are punished for renegeing on their pledges:⁶³

מפני ארבעה דברים בעלי בתי ישראל נמסרין למלכות מפני כובשין שטרות פרועין ומפני מלוה בריבית ומפני שפוסקים צדקה ברבים ואין נותנין ושספק בידן למחות ואינן מוחין.
Because of four things Jewish householders are handed over to the government: holding on to writs of indebtedness which have already been paid; lending with interest; pledging [to give] charity in public without giving; and having the power to protest but not protesting.⁶⁴ (t. *Sukkah* 2:5)

Such a tradition may have been used to pressure people to fulfill their pledges.

According to the Yerushalmi, the sin of making a pledge and failing to keep that commitment is one possible cause for drought:

אמ' דוד. בעון ארבעה דברים הגשמים נעצרים. בעון עובדי ע"ז וגילוי עריות ושפיכות דמים ופוסקין צדקה ברבים ואינן נותנין. . . .
. . . בעון פוסקי צדקה ברבים ואינן נותנין מניין. "נשיאים וגשם איין איש מתהלל במתת שקר (משלי כה 14)"⁶⁵

(King) David said: "As punishment for four things the rains are withheld. As a punishment for: idolatry, forbidden sexual acts, shedding of blood, and pledging charity in public without giving it. . . .

⁶² Joseph Naveh, *On Stone and Mosaic: The Aramaic and Hebrew Inscriptions from Ancient Synagogue* (Tel Aviv: Maariv, 1978), no. 39. According to Michael Avi-Yonah, "Husifah," *The New Encyclopedia of Archaeological Excavation in the Holy Land*, 2:637-638: "The synagogue is [. . .] dated to early sixth century C.E." Avi-Yonah describes and translates the inscription as follow: "An inscription in three lines, 2.8 m long (of which 1.3 m is preserved) and 0.27 m wide, which reads "[. . .] and blessed be [all the mem]bers of the city, the elder[s and the young . . . who pro]missed and gave their donation. [They] shall be [blessed . . .] Honored be the memory. Honored be the memory of Josiah who gave [. . .]."

⁶³ This tradition also appears in *b. Sukkah* 29a-b.

⁶⁴ The translation was adapted from Jacob Neusner, *The Tosefta: Translated from the Hebrew with a New Introduction: Volume I*, (Peabody, Massachusetts: Hendrickson Publishers, 2002), 571.

⁶⁵ A similar tradition also appears in *y. Sanh.* 6:4, 23d. However, in tractate *Sanhedrin*, the three most severe prohibitions are listed as a group, and, only then as an addition, does the sin of making a pledge in public and failing to fulfill it appear.

. . . Regarding punishment for pledging charity in public and not giving, whence is it proven? 'Like clouds, wind—but no rain—is one who boasts of gifts not given.' (Prov 25:14, JPS)." (y. Qidd.4:1, 65b)

It is noteworthy that the other three sins mentioned here as causes of drought are listed elsewhere in rabbinic texts as a group of the most severe sins.⁶⁶ The juxtaposition of these three sins to failure to fulfill a pledge during *pesiqah* fundraising suggests the severity which the rabbis attributed to this sin.⁶⁷ In addition, to prove the link between failure to pay a *pesiqah* pledge and drought, the rabbis use a biblical verse that compares one who boasts of his generosity without actually giving to a thunder storm that yields no rain. Thunder, like a *pesiqah* pledge, is heard by all.

It seems that the problem of renegeing on pledges continued into the fifth- and sixth centuries, since *Leviticus Rabbah* (as well as later midrashim) also explains failure to fulfill a pledge as a sin:⁶⁸

"אל תתן את פיד לחטיא את בשרך" (קהלת ה, ה). ר' יהושע בן לוי פתר קריה באילו שפוסקין ברבים ואינן נותנין.⁶⁹ "אל תתן את פיד לחטיא את בשרך", אל תתן רשות לאחד מאיברך להחטיא את כל אבריך, פיד מחטיא את כל גופך, "ואל תאמר לפני המלאך" (שם), זה חזן הכנסת. "כי שגגה היא" (שם) פסקית ולא פסקית. "למה יקצף האלהים על קולך" (שם) על אותו הקול שפסק ולא נתן. "וחבל את מעשה ידיך" (שם), אפילו מעט נכסים שיש בידך אתה מכניס בהן ערבוביה.⁷⁰

"Do not allow your mouth to bring your flesh into sin" (Eccl 5:5).⁷¹ Rabbi Yehoshua ben Levi explained [that] this verse refers to those who pledge in public but do not give. "Do

⁶⁶ According to y. *Shevi.* 4:1 35a, a Jew may transgress any law in the Torah to avoid being killed, with the exception of these three prohibitions. See also y. *Sanh.* 9:4, 21b; b. *Sanh.* 74a.

⁶⁷ The fact that failing to pay a *pesiqah* pledge was grouped with these severe sins may also indicate that collecting pledges posed a serious problem.

⁶⁸ This tradition also appears in *Qoh. Rab.* 5:1.

⁶⁹ Here the word charity (צדקה) is not mentioned. Its absence may be a mistake, or it may suggest that these *pesiqah* fundraising efforts were also used to collect money for other purposes.

⁷⁰ The context of the verse which is used in this midrash may help to better understand its meaning: When you make a vow to God, do not delay to fulfill it. For He has no pleasure in fools; what you vow, fulfill. It is better not to vow at all than to vow and not fulfill. Don't let your mouth bring you into disfavor, and don't plead before the messenger that it was an error, else God may be angered by your talk and destroy your possessions. (Eccl 5:3-5, JPS).

⁷¹ The translation of the verse is based on Roland E. Murphy, *World Biblical Commentary: Volume 23A: Ecclesiastes* (Dallas, Texas: World Books, 1992), 44.

not allow your mouth to bring your flesh into sin" (ibid.). Do not allow one of your limbs to cause all of your limbs to sin: your mouth causes your entire body to sin. "And do not say before the representative" (ibid.).⁷² This is the superintendent of the synagogue.⁷³ "It was a mistake" (ibid.). I pledged, and I did not pledge. "Why should God be angry at your voice" (ibid.). At that voice that pledged but did not give. "And destroy the work of your hands" (ibid.). Even the little property that you possess, you will bring into disarray. (*Lev. Rab.* 16:5)

According to Yerushalmi *Horayot*, some rabbis took an active role in initiating and operating such *pesiqah* collections, not just for the poor, but also for Torah study:

- (A) ר' חייה בר בא עביד פסיק' בהין בית מדרשא דטיבריא. והוון תמן מן אילין דבר סילני. ופסק חדא ליט' דהב. נטלו ר' חייה רבה והושיבו אצלו וקרא עליו הפסוק הזה "מתן אדם ירחיב לו" וגומ'.
- (B) ר' שמעון בן לקיש עאל לבוצרה והוה תמן חד רבהון רמייא. חס ליה דלא הוה רמאי אלא שהיה מרמה במצוות. והוה חמי כמה דציבורא פסק והוא פסיק לקבליה. נטלו ר' שמעון בן לקיש והושיבו אצלו. וקרא עליו הפסוק הזה "מתן אדם ירחיב לו" וגו'.
- (A) Rabbi Hiyya bar (the son of) [A]bba was conducting a charitable collection (פסיקה) in the study hall in Tiberias. And one from the household of Silini was there, and he pledged one pound of gold. Rabbi Hiyya the Great took him and seated him next to himself and recited this verse upon him: "A man's gift eases his way and gives him access to the great." (*Prov* 18: 16, JPS).
- (B) Rabbi Shimon bar (the son of) Laqish went to Bosra.⁷⁴ And one of their leaders, the "deceiver," was there. Far be it from him to (actually) be a deceiver, but he used to "deceive" in charitable matters. He saw how much the congregation pledged, and he pledged [an amount] equal to it. Rabbi Shimon bar Laqish took him and seated him next to himself and recited this verse upon him: "A man's gifts ease his way and gives him access to the great." (*Prov* 18: 16, JPS). (*y. Hor.* 48a, 3:6)

This text indicates that certain rabbis were active in *pesiqah* fund drives.⁷⁵ According to *t.*

Shabbat 16:22, the existence of *pesiqah* collections can be traced to the time of the

Schools of Shammai and Hillel, which known to be active in the first century CE.

⁷² According to Murphy, *Ecclesiastes*, 46, in this biblical context the representative is "one of the temple personnel, such as a priest."

⁷³ This person may be also the superintendent of the assembly or the gathering. The exact meaning of this position (הזון הכנסת) is not completely clear. Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 192, suggests translating this phrase as "a sexton in a synagogue." In this midrash, this figure takes part in this fundraising event as the one who collects money from those who have made pledges.

⁷⁴ In present-day Syria.

⁷⁵ See also the story in *y. Qidd.* 3:12, 64c; *Lev. Rab.* 32:7; Moshe Beer, *The Sages of the Mishnah and the Talmud*, 430-431.

However, the earliest rabbinically initiated *pesiqah* fund drive is attributed to Rabbi Hiyya bar Abba, who was active in the second half of the third century.⁷⁶ The two rabbis discussed in these stories, Rabbi Hiyya bar Abba and Rabbi Shimon bar Laqish, were both from the milieu of Rabbi Yohanan.⁷⁷ These descriptions of rabbinic involvement in *pesiqah* fundraising may corroborate the scholarly claim of a greater number of rabbis serving as communal officials at that time. According to Reuven Kimelman, Rabbi Yohanan made a special effort to engage rabbis as communal officials.⁷⁸ In addition, these traditions from the Yerushalmi indicate that these fundraising campaigns were held in public gatherings, where prominent donors were honored after having made their pledges.

However, according to Ze'ev Safrai, participation in *pesiqah* collections in the land of Israel was not only for the very wealthy, rather it was a communal fundraising tool in which all community members took part according to their will and ability to give.⁷⁹ Safrai argues that in contrast to the Greco-Roman city, where the wealthy

⁷⁶ There is another tradition (y. *Shevi.* 3:1, 34c) that describes the relationship between Rabbi Hiyya bar Abba and Silini. In addition, it is interesting to note that in this chain of stories occurs also the story (cited in Chapter Four) that portrays fundraising for the rabbinic school which was conducted by Rabbi Eliezer, Rabbi Yehoshua and Rabbi Akiba around the late first century CE. In this tradition, the fundraising is not presented as a *pesiqah*. Thus, these rabbinic sources may suggest that even though *pesiqah* fundraisings were held within the Jewish community prior to the third century, only from that time onward is there explicit evidence that rabbis organized such fundraisings.

⁷⁷ Aaron Hyman, *Sefer Toldot Tanna'im ve-Amora'im* (Jerusalem: Kiryah ne'emanah: 1964), 434-439, 1193-1203.

⁷⁸ Kimelman, "Rabbi Yohanan and the Professionalization of the Rabbinate," 329-358. But see my discussion in Chapter Eight regarding rabbinic evidence of the increase in rabbinic activity within the community in this period.

⁷⁹ According to Safrai, "The Communal Functions of the Synagogue," 191-192, *pesiqah* fundraising is presented as a tax that was imposed on the community. However, in another article, Safrai, "Financing Synagogue Construction," 82, he distinguishes between taxation and *pesiqah* fundraising, emphasizing the social pressure which was inherent in this type of collection. Indeed, *pesiqah* fundraising was different

sponsored all community services, contributions in Palestinian Jewish towns came from the general population.⁸⁰ Indeed, the stories cited here from the Yerushalmi about important donors and the honors conferred upon them were located in big cities, such as Tiberias and Bosra.

This examination of rabbinic traditions about *pesiqah* collections suggests several distinct features of this fundraising approach: 1) a public setting—it always took place in public gatherings; 2) honoring donors—honors were regularly conferred upon major donors; 3) partial fulfillment of pledges—a potentially problematic gap arose between the time of a public pledge and the actual fulfillment of this commitment. These characteristics resemble Veyne’s description of the Hellenistic *epidoseis* and their psychological dynamics:

In the Hellenistic epoch, many *euergesiai* were preceded by an announcement or solemn promise to perform them, given in the Assembly or the Council . . . These declarations of intent became a rather theatrical kind of rite, carried out even when the *euergesia* was to take place immediately. Under the name of *pollicitatio*, this institution was later adopted by Roman euergetism. . . .

When one was under the eyes of the whole people, how could one refuse, if not to give money there and then (for naturally the man would not have the sum on him, and perhaps would have to dig out some treasure or sell some land in order to obtain it), at least to promise to pay it? This ‘Assembly’ strategy also had a great future before it. The number of *euergesiai* that were to be extracted by such ‘crowd effects’ is beyond counting. But it is understandable, too, that more than one pollicitor, when on his own again, wished only to forget his promise.⁸¹

from taxes since people were not obliged to give, but could publicly express their liberality by participating.

⁸⁰ Safrai, “Financing Synagogue Construction,” 92.

⁸¹ Veyne, *Bread and Circuses*, 89-90, 136-138.

All in all, the various rabbinic traditions about *pesiqah* collections each present this method of raising money as a well-established practice in the Jewish community in the land of Israel. Moreover, certain rabbis (at least from the third century onward) were involved in initiating such collections. Exploring the Greco-Roman modes of raising money surely adds to our understanding of the *pesiqah* collection and its origins. Even if this practice is rooted in the culture of the Greco-Roman city, where the wealthy donated for the most part, according to Safrai, in the Palestinian Jewish town, giving was more widespread among residents and inclusive of moderate sums.

This practice of charitable collection seems to belie rabbinic praise of giving charity in secret. In fact, these conflicting values show that despite the central ideology of charity presented in rabbinic discourse about almsgiving, certain Greco-Roman concepts and practices of raising money (even when the goal was different) had gained currency in Jewish and rabbinic practices. Urbach, who briefly discussed the *pesiqah* collection, has claimed that for the rabbis, the ideal charitable contribution was given in secret, yet they did not reject the merit of those who made charitable pledges in public.⁸² Such an approach fits the view that rabbinic laws offer several levels for performing religious duties: an intangible minimum standard for fulfilling religious commitments; if one performs beneath that mark, the law has been trespassed, but there are many levels above that base line to which one can ascend.⁸³ Thus, the rabbis preferred confidential giving

⁸² Urbach, "Political and Social Tendencies," 14.

⁸³ Ben Shalom, *Hassidut and Hassidim*, 15, note 1.

over *pesiqah* collections, yet they did not reject these public pledges as a fundraising tool (even though they do not mention it in their main discourse on charity).⁸⁴

Rabbinic Criticism of Rabbis who Donated Edifices following Roman Euergetic Patterns

While rabbinic literature does not criticize *pesiqah* collections per se, disapproval of contributing money toward buildings rather than prioritizing other goals appears in the Yerushalmi. An exploration of the role of sponsoring edifices in the Greco-Roman context sheds light on this rabbinic criticism.

As stated above, in the Greco-Roman world, the wealthy often sponsored buildings as gifts to their city. Veyne claims that: “Embellishing the city was the notables’ duty and their exclusive right.” In addition, he writes that: “A family of notables had to set a mark on the face of the city which was proportionate to its rank in local society. Throughout the city monuments had to bear its name . . .”⁸⁵

This Greco-Roman context is essential for understanding the following stories from the Yerushalmi:

ר' חמא בר חנינא ור' הושעיה הוון מטיילין באילין כנישתא דלוד. אמי ר' חמא בר חנינא לר' הושעיה.
כמה ממון שיקעו אבותיי כאן. אמי ליה. כמה נפשות שיקעו אבותיך כאן. לא הוה אית בני נש דלעיין
באוריתא .

Rabbi Hamma bar (the son of) Hanina and Rabbi Hoshaiia were walking in these synagogues of Lod. Rabbi Hamma bar Hanina said to Rabbi Hoshaiia: “How much money did my ancestors put down here [to build these synagogues]?!” [Rabbi Hoshaiia] said to him: “How many souls did your ancestors put down here! Were there no people studying

⁸⁴ The lack of attention to the *pesiqah* in the main discourse on charity may stem from the fact that this practice was used to raise money for many purposes, and not only for the poor.

⁸⁵ Veyne, *Bread and Circuses*, 26-27, 147-148.

Torah [on whom that money might have been spent]?” (y. *Peah* 8:9, 21b; y. *Sheqal.* 5:6, 49b)

This story opposes the investment of money in public edifices, even if they are synagogues, by exposing the pride of Rabbi Hamma, the son of Hanina, in his family’s benefaction. The voice of Rabbi Hoshai is used to articulate the rabbinic rebuke of such sponsorship. Therefore, this story expresses the view that supporting students of Torah should be the prioritized over investing in buildings.

In Yerushalmi *Sheqalim*, another story appears with the previous story about Lod:

ר' אבון עבד אילין תרעייה דסדרא רבא. אתא ר' מנא לגביה. אמ' ליה. חמי מה עבדית. אמ' ליה. "וישכח יש' את עושהו ויבן היכלות". לא הוה בני נש דילעון באוריתא.

Rabbi Abun had the gates made for the great study hall. Rabbi Mana came to him. [Rabbi Abun] said to him: “See what I have made.” [Rabbi Mana] said to him: “Israel has ignored his maker and built temples.” (Hos 8:14 JPS). Were there no people studying Torah [on whom that money might have been spent]? (y. *Sheqal.* 5:6, 49b)

Here Rabbi Abun is proud of his efforts to improve and adorn the great study hall by making a contribution for its gates. However, the story uses Rabbi Mana’s voice to condemn his deed. Rabbi Mana quotes a verse from Hosea that depicts the sins of the people of Israel who forgot God by dedicating themselves to building edifices instead. Even though Rabbi Abun contributed to the main center of Torah study in the land of Israel (the central study hall in Tiberias), his investment in a building, rather than in Torah students, is considered a sin.

This criticism in the Yerushalmi can be better understood in the context of the role of benefaction and the associated honors that were conferred on wealthy families who contributed buildings in the Greco-Roman city. These stories indicate that such Greco-Roman norms had penetrated rabbinic consciousness and action in the land of

Israel. Accordingly, certain rabbis and their families donated money for Jewish monumental structures and were proud of their benefaction. On the other hand, the Yerushalmi condemns this phenomenon, suggesting preferable uses for this money.

Interestingly, a similar stance can be found among Christian leaders from the fourth century onward, as Christians increasingly contributed to the construction of churches.⁸⁶ Scholars have extensively discussed criticism from certain bishops regarding investments in erecting and embellishing churches rather than dedicating funds to support the poor and for other purposes.⁸⁷ In this respect, the rabbinic criticism here seems quite similar the views of select Christian bishops.

Conclusion

This chapter explores rabbinic concepts and practices regarding charity in light of Greco-Roman cultural hegemony. This investigation has yielded a complicated reality. On the one hand, the dominant rabbinic discourse of charity suggests an ideological

⁸⁶ As Veyne *Bread and Circuses*,” 26, writes:
"In the fourth century the aristocrats of Rome and the notable of the municipalities continued to be *euergetai*. 'They vie with one another in exhausting their patrimony in order to embellish their city,' wrote the pagan Symmachus. Municipal life changed so little, indeed that the Fathers of the Greek Church are among our richest sources for the history of *euergetism*. The Christian notable did not lag behind those who had remained pagan, for the same obligation, formal or moral, were binding on both sets— with some differences, however. A Christian *euergetēs* could not be expected to build a temple. . . . The Christian notables were charitable and built churches."

Together with these contributions there is also Christian criticism that suggests differing priorities for the use of this money.

⁸⁷ See, for example, Veyne, *Bread and Circuses*,” 26; Lucy Grig, “Throwing Parties for the Poor: Poverty and Splendour in the Late Antique Church” in *Poverty in the Roman World* (eds. Margaret Atkins and Robin Osborne; Cambridge: Cambridge University Press, 2006), 145-161.

alternative to the prevailing Greco-Roman concept of benefaction. On the other, careful reading of rabbinic texts reveals the presence of Roman patronage and euergetism throughout Jewish society in the land of Israel, including among the rabbis. In the closing sections of this chapter, I will summarize the mosaic of values and practices that have been exposed in this chapter.

An Alternative Ideology

The rabbis and the bishops, following the Tanakh, identified the poor as being entitled to support because of their economic plight. Rabbinic attention to the poor as a group of beneficiaries is unique in the Greco-Roman world, where the poor were rarely singled out as a group deserving help. Moreover, the rabbis developed and elaborated on biblical laws to make them more readily applicable.

In the Greco-Roman world, the wealthy were expected to contribute to their city and to receive honor and gratitude in return. Such donations have been explained by scholars through the prism of euergetism. In addition, patrons gave gifts and food to the clients with whom they created patronage relationships. Rabbinic law, however, required almost every member of the community to give, presenting such contributions to the poor as a duty, akin to a tax, and not as a free-will gift. Therefore, in most cases, the rabbis rejected expressions of gratitude from the poor. The absence of customary responses of gratitude from the poor typifies rabbinic discussions of all charitable categories: communal institutions, produce gifts, and giving to beggars as well as to family and fellows in need.

In this context, Josephus's description of produce gifts offers a noteworthy contrast. Even though gratitude from the beneficiary is not mentioned in the Tanakh, Josephus's writings demonstrate that a Jewish explanation of these biblical instructions could encompass expressions of gratitude. Alternatively, in their descriptions of these laws, the rabbis not only reject any expectations of gratitude from the poor, but they define a farmer who prevents the poor from taking their share of his crops as a thief. Furthermore the rabbis tried to limit the ability of a farmer to bestow produce gifts to friends and family members. As stated before, these features of the rabbinic laws of charity gainsay Greco-Roman concepts of the patronage relationship in which a patron's control in distributing his possessions is essential, as are clients' expressions of gratitude and even loyalty.

The rabbis also advocated giving charity in secret as their ideal, since such conditions would shelter the poor from embarrassment and the benefactor from receiving honors. In this context, the Yerushalmi suggests that if charitable giving is accompanied by praise, it cannot convey a good (heavenly) reward. In fact, divine recompense is best achieved when a benefactor receives scorn from the needy, since such a donor cannot be acting to inflate his own sense of honor.

Therefore, this discussion of rabbinic approaches to charity indicates that the main contours of rabbinic discourse articulate a paradigm which differs significantly from Greco-Roman notions of euergetism or Roman patronage.

The Prevalence of Roman-style Patronage and Euergetism in Jewish Society

Nonetheless, a careful reading of rabbinic texts suggests that Greco-Roman practices of raising money were widespread in the land of Israel. Their prevalence indicates that certain elements of euergetism and patronage were common among Jews: *Pesiqah* fundraising took place in public gatherings and, at least in the big cities, honors were conferred upon important donors. Textual evidence indicates that rabbis were involved in such *pesiqah* fund drives. In addition, certain rabbis and their families donated large sums for the construction of synagogues and a great study hall. Whereas no rabbinic criticism is directed at the *pesiqah* fundraising practice, rabbinic texts do articulate rebukes against the pride that can accompany investing money in edifices.

An Overview

When considering this complex picture, it is important to bear in mind that these rabbinic notions—including praise for giving in secret, rejection of expressions of gratitude from the poor and understanding support as the right of the poor (rather than a favor) — were created and developed in a society where the wealthy were often honored for their donations, which were acknowledged and even pledged in public. Thus, the uniqueness of the main rabbinic discourse about charity is best understood within the dominant context of Greco-Roman practices and concepts of euergetism and patronage.

Chapter Ten: Conclusion

This study has explored the ways in which rabbis in the land of Israel explained, understood and responded to poverty, and the images of the poor that appear in the literature that they produced. I suggest several factors that shaped Palestinian rabbinic approaches to this material, including: the biblical heritage, the Greco-Roman and Byzantine environments, the diverse socio-economic status of the rabbis, and their adherence to "measure for measure" as a key hermeneutic principle. The relevant elements and examples for describing rabbinic notions of poverty and charity have been discussed throughout the preceding chapters, and here I attempt to synthesize them in a brief overview. In this chapter, if not otherwise noted, the word "rabbis" refer only to Palestinian rabbis and the term "rabbinic" relates to notions and texts that were produced in the land of Israel up to the end of the fifth century.

Thinking about Poverty

The rabbis, following Deut 15:11, understood poverty as a phenomenon that always accompanies human society. Only in the world to come will life without poverty exist, at least among Jews.¹ In the meantime, poverty was common in Roman and Byzantine Palestine, even among the rabbis and their students. Accordingly, in Palestinian rabbinic texts poverty was almost never considered an ideal, but rather as an

¹ See, Appendix B.

unfortunate reality. While the fall from wealth to poverty was usually attributed to some form of misconduct in the realm of almsgiving and evaluated according to the principle of "measure for measure" in rabbinic texts from the land of Israel, explanations for ordinary poverty among individuals were seldom provided. This pattern follows the main stream of biblical thinking, where the ordinary poor are rarely considered sinners who bear responsibility for their abject situation. According to one opinion in the Yerushalmi, no one (not even rabbis), or at least no family, can avoid poverty. This view implies that neither actions nor piety can avert poverty.

A comparison of Babylonian and Palestinian sources that provide potential causes for individual poverty reveals the limited scope of Palestinian textual explanations. While in the Babylonian Talmud poverty is associated with filth, death and arrogance, Palestinian texts do not make any such link. The differences in attitudes towards poverty and wealth communicated in the literature from these two rabbinic centers are consistent, at least in Amoraic texts. Thus in contrast to certain teachings in the Bavli, Palestinian texts and especially the Yerushalmi do not present wealth as a requirement for prophecy or for receiving the *Shekhinah*—the Divine Presence. Rather wealth is presented as a human category without value before God, despite acknowledgment in these same rabbinic sources that poverty does affect one's standing in human society. By arguing that one's financial means have little or no special status before God, the Palestinian rabbis allowed full inclusion of the poor within the community.

Supporting the Poor: Rabbinic Charity

Following lead of the Tanakh, the rabbis singled out the poor as being eligible for support and care. The biblical command to provide for the poor, as well as the biblical presentation of God as the ultimate patron and benefactor of Israel, shaped rabbinic thinking on these matters. Moreover, this study delineates the rabbinic expansion of a discrete set of biblical verses that introduce produce gifts into a detailed system of poverty relief. The rabbis also describe communal institutions, namely the *qupah* and the *tamḥuy*, that are not mentioned in the Tanakh and whose origins are not explained. Rabbinic teachings about support for the poor reveal not only provisions for basic needs such as food, clothing and shelter but also attention to the dignity and the feelings of the poor, as well as their physical safety and the value of their time. These texts encourage giving charity directly to individuals, with a special focus on beggars. It is also noteworthy that the Tannaitic and Amoraic texts that advocate contributions to the poor generally shy away from applying scrutiny towards those who seek assistance.

The rabbinic charitable system evolved as an expansion of the biblical framework that responded in some respects to interactions with Greco-Roman notions and practices. This unique system for supporting the poor shows evidence of both the adoption of Greco-Roman customs and views, as well as the rejection of those hegemonic patterns. We have seen that the main charitable model in the Mishnah is articulated without using the language of patronage. Rather, produce gifts are defined as the poor's rightful share of the harvest, as instructed in the Torah, and communal charity institutions are presented as a collective effort to support the poor. In contrast to Greco-Roman food distributions,

where higher status was often correlated with greater benefit, gifts in the Mishnah are allocated according to economic need: those with less should receive more.

The rabbis are not highlighted as patrons of the poor, but instead the entire community is described as responsible for their sustenance. Even in Palestinian Amoraic texts that depict rabbis as communal charity officials or present them with responsibility for appointing such officials, the rabbis are not generally portrayed as patrons of the poor. I have suggested that this rhetorical choice implies a rejection of human patronage in favor of presenting God as the ultimate patron, while human benefactors are inferior and may interfere with the bond of divine patronage.

Indeed, when patronage patterns (such as prayers of gratitude by the beneficiaries) surface in the story about Rabbi Eliezer in the Yerushalmi (y. *Peah* 8:7, 21a), these actions are rejected. This is one among numerous traditions that signal a rejection of the basic components of patronage, such as: articulations of gratitude by the poor towards their benefactors; expectations of some form of return by beneficiaries; and, the inability of donors to assign their contributions to specific recipients, especially in the context of produce gifts and communal charitable institutions. The Palestinian rabbinic traditions discussed above indicate intimate acquaintance with Greco-Roman patronage and a rejection of this institution where almsgiving is concerned.

Tannaitic and Amoraic texts from the land of Israel include the notion that supporting the poor is a way to imitate God. In these traditions, donating to the poor is a means for honoring God, who then responds (whether in this world or in the world to come) by rewarding those who give and punishing those who do not. The concept that

those who provide for the indigent also benefit from such transactions is articulated in the popular phrase used when the poor approached potential donors: "Gain merit through me." In rabbinic texts dating from the fifth century onward, interdependence between the wealthy and the poor appears as concept and as an explanation for God having created the world with these two groups.

In addition to produce gifts, communal charitable institutions (*qupah* and *tamḥuy*) and direct giving (to beggars, family and friends) as categories of support for the poor, another practice, the *pesiqah* (ad hoc communal fundraising) is also mentioned in this literature. This method of raising funds, however, is not found in the main discussions of almsgiving in Palestinian rabbinic texts. The marginal placement of passages on *pesiqah* fundraising may stem from the use of this practice to achieve other communal goals, such as constructing synagogues. Another possible explanation for the absence of the *pesiqah* from the central discourse on almsgiving is the fact that honors were often conferred upon major donors. In Palestinian rabbinic texts, giving alms in secret was respected over contributions that were tied to public recognition. Nonetheless Palestinian rabbinic texts (as well as synagogue inscriptions) indicate the widespread use of *pesiqah* as a method of raising funds. Therefore, while Amoraic texts praise giving in secret, the *pesiqah* was practiced and even implemented by rabbis, at least from the third century onward. In this study, I suggest that this type of fundraising originated in the Greek city, but there it was not used on behalf of the poor.

Another Roman theme that is evidenced in rabbinic care for the poor is a high level of sensitivity towards the need for adequate clothing. In Roman culture, personal

attire indicated status and rank. A lack of appropriate clothing would publicly expose diminished status. Thus, several Palestinian rabbinic texts reveal consideration for this social factor by instructing for the poor to be provided with garments that matched their former status. Even in texts that limit other types of generous giving towards the poor from wealthy backgrounds, clothing that was appropriate to their prior rank is maintained. We can conclude, therefore, that the modes of Palestinian rabbinic charity were shaped by biblical influences along with the Greco-Roman and Byzantine (Christian) environments.

The Image of the Poor

Since no Palestinian rabbinic texts aim to portray the image of the poor as their primary intention, I did not dedicate specific portions of this study to discuss representations of the poor per se. Yet, such depictions emerge throughout this investigation. We have seen that rabbinic texts present various descriptions of poverty via the behaviors or the social circumstances of those who seek assistance, including: begging from door to door or at public sites; lacking anything to eat for the next day; possessing less than 200 *zuzim*; feigning poverty for one's own benefit; and, accepting alms for distribution to others in need. The poor are also described in relation to their current or past status: rabbis and students of Torah, the ordinary poor, the poor who came from wealthy backgrounds and from well known families, and those who were poor only relative to their prior status. While specific texts try to define the poor according to

their eligibility for particular gifts, other categories of impoverishment are not necessarily discussed in consistently. Let us therefore look at a few examples.

In Greco-Roman writings, one can find sources which pay particular attention to the wealthy who have lost their property and who may be poor only in comparison to their prior standing, and have therefore been called the "relative poor" for the sake of this discussion. Special attention towards this group is also found in several Tannaitic and Amoraic texts that recommend support for the poor from noble families according to their former status, especially with regard to clothing. These texts also assume that the formerly wealthy who fall into poverty will experience greater levels of embarrassment, which prevent them from seeking, and therefore receiving, support. Palestinian rabbinic literature suggests several strategies for supporting these poor without augmenting their discomfort. Yet, this study shows that rabbinic texts also give attention to the shame that the ordinary poor experience and offer ways to prevent it. Moreover, while the obligation to support the absolute poor extensively and clearly emerges throughout these texts, the requirement to maintain the relative poor according to their former status is limited to select references. In contrast to the obligation to support the absolute poor, which is conveyed without reservation, setting boundaries on the provisions required for the relative poor is part of the discourse. Thus, in rabbinic texts from the land of Israel, the ordinary poor are at the heart of its considerations.

Several texts that were analyzed in this study indicate that, for the rabbis, the poor were not necessarily outsiders. This conclusion stems not only from evidence of poverty within rabbinic circles, but also from the fact that in several traditions the perspectives of

the poor or the less affluent classes come to the fore. For example: The Tosefta presents a ruling for a beggar who wishes to tithe the modest gift he received. The Mishnah describes a situation where a manual laborer suspects that his employer does not designate tithes from the food being provided for him (the laborer). The Yerushalmi rules that one should recite the benediction for new items not only when purchasing new clothing, but also when acquiring a previously owned garment, even as a gift, thus including the poor among those who recite this blessing. In addition, the Yerushalmi conveys the viewpoint of the poor in several instances: when a client stands at the gate of his patron, without having direct access to him; when one who depends on support from the communal soup kitchen or from the communal fund experiences diminished pleasure, regardless of what is being received; when rabbis and students cry over owning only one garment, thus being rendered unable to change their clothing for Shabbat. I am not claiming that Palestinian rabbinic texts primarily articulate the perspectives of the ordinary poor, but rather that for such ideas to surface at all is significant, since Roman literature from this period often communicates the perspectives of the well-to-do.

It is also noteworthy that in certain cases these texts attest that the economic gap between the giver and the recipient of alms was not always steep. Hence, while a patron in the Yerushalmi does not answer his own door, the householder who appears in the opening section of tractates Shabbat in the Mishnah and the Tosefta opens his door to the poor himself. An impoverished tenant farmer may designate produce gifts to other poor people and collect from other farmers' crops for himself. The Yerushalmi reveals that

certain householders are eligible to receive produce gifts. The Tosefta instructs charity collectors to accept donations from a poor person who is willing to give.

Another notable figure presented in this literature is the deceitful poor person, i.e., one who pretends to be impoverished in order to receive support. I have claimed that rabbinic teachings about the deceitful poor place responsibility for honest conduct on beneficiaries rather than donors. Moreover, these traditions appear as part of a rabbinic effort to advocate in favor of supporting the poor even if some donations might go into the hands of an ineligible recipient. The deceitful poor are presented in contexts that encourage giving and that even cast them in a positive light for potential benefactors—such charlatans save lives when intended supporters delay their contributions.

Overall, in both Tannaitic and Amoraic texts, rather than being presented as passive recipients of gifts and support, the poor are portrayed as independent agents who are responsible for their conduct. It is therefore incumbent on the poor to avoid cheating, to gather produce gifts in the field (unless there is safety concern) rather than passively receiving their share of the harvest, and to tithe the produce from other gifts. The possibility that some of the poor might be willing to donate to communal charitable institutions even though they are not obliged to do so is also presented in these sources. And the impoverished could be rabbis, students and their families.

Texts and Reality

Though there is little evidence of Jewish concepts of poverty and charity during this period other than what is found in rabbinic sources, on the basis of contextualizing data, I

suggest that at least some of the notions and practices discussed above were not limited to the rabbis. The importance of caring for the poor is fundamental to biblical thinking and emerges from several Jewish writings from the Second Temple period, such as Ben Sira and Tobit. This theme is also prominent in the New Testament (especially Matthew and Luke). Thus it is quite likely that the primacy of the value of assisting the poor was not limited to the rabbis. Likewise, the biblical notion that one who supports the poor is rewarded by God (or punished for refusing to give) is indicated in Jewish writings from the Second Temple period, and centuries later, as the Amoraic collection, *Leviticus Rabbah*, attests to the (presumably continued) popularity of this view when quoting the phrase which beggars used to approach potential donors. It is therefore reasonable to infer that the notion that whoever gave to the poor would be rewarded by God was widespread in the Jewish community of that time. Although it can be assumed that not everyone gave readily upon request, even among the rabbis, I would assert that these notions were well established.

I posit that some forms of charitable communal institutions (*qupah*, *tamḥuy* and other communal endeavors that combined their functions) operated in Jewish communities during this period in the land of Israel, though we lack the data needed to provide a detailed description. These institutions do not appear in the Tanakh and therefore their descriptions in rabbinic texts are not driven by a need for biblical commentary. Neither are these poverty relief efforts described as having developed or been supervised by the rabbis, but rather they are presented as a collective enterprise. Their exact function may well have varied among different localities. Another category

of giving that seems to have been common among Jewish communities in the land of Israel is *pesiqah* fundraising.

Several rabbinic texts present the biblical view that supporting the poor should not form a bond of patronage, since God is the ultimate patron and benefactor of Israel. Human patronage is described as inferior by comparison. Interestingly, these ideas fit Susan Sorek's explanation regarding inscriptions that record donations to synagogues: "[I]n the Jewish system dependency upon a benefactor is *not* a desirable element. The egalitarian nature, a prime feature of the system, renders such dependency undesirable."² I do not claim an absence of patronage relationships in the land of Israel, but the fact that certain core biblical notions regarding support for the poor (and other communal goals) have been identified in and beyond rabbinic texts may suggest that the practices and notions discussed in this study may have been relevant not only for the rabbis, but for the general Palestinian Jewish societies of this time.

² Sorek, *Remembered for Good*, 261-262.

Appendix A: Almsgiving and the Synagogue: Rabbinic Evidence from the Land of Israel

During recent decades, the synagogue has been the focus of quite a few studies,¹ with particular attention to the emergence of the synagogue as a Jewish communal institution in the land of Israel. In this context, the question of whether Jewish almsgiving was associated with the synagogue is significant. By way of comparison, churches were often centers for support of the poor during the first centuries of the Common Era.² Indeed several texts portray the poor gathering by church entrances, hoping to receive small coins from those arriving for prayer services.³ In some Roman texts, the synagogue is also described as attracting beggars:⁴ for example, according to Stern, in the second half of the second century CE, Artemidorus described the synagogue as a center for beggars and as a place where they received support.⁵ What, then, do rabbinic sources tell us about the role of the synagogue in Jewish almsgiving?

From the five categories of almsgiving presented in rabbinic texts from the land of Israel (see Chapter Six), only one is explicitly linked to the synagogue, namely *pesiqah* fundraising (as detailed in Chapter Nine) - which necessitated a communal assembly - was often held in the synagogue.⁶ What about the other categories of giving? According

¹ For example, Levine, *The Ancient Synagogue*.

² Finn, *Almsgiving in the Later Roman Empire*, 81: “the church complex of the basilica with its surrounding store rooms and apartments was the normal centre of distribution . . .”

³ Ibid., 99. See in Doran, *Stewards of the Poor*, 12.

⁴ See examples in Levy, *Studies in Jewish Hellenism*, 197-203.

⁵ M. Stern, *Greek and Latin Authors on Jews and Judaism*, II n. 395.

⁶ Safrai, “The communal Functions of the Synagogue,” 316-317; Levine, *The Ancient Synagogue*, 372, writes that “Charity was pledged and then given within the synagogue setting.” However, we only

to the descriptions (and instructions) in rabbinic texts, produce gifts are collected or distributed in the owner's or tenant farmer's field, vineyard or orchard, thus having no association with the synagogue. Private charity, which included support for family and friends as well as beggars, occurred at the door or within one's own home, or in a public encounter on the street or in the marketplace. In contrast to Artemidorus's testimony, if beggars gathered in the vicinity of synagogues, rabbinic texts from the land of Israel make no mention of this custom.

We are left, therefore, to consider the social setting of the communal institutions such as the *qupah* (communal fund) and the *tamhuy* (community soup kitchen), and the place of where communal responsibility to provide lodging for poor travelers was located. In the next pages, therefore, I examine whether rabbinic texts locate these communal means of providing for the poor in the synagogue.

Lodging for Poor Travelers

Before focusing on the question of whether poor travelers were lodged in synagogues, it is important to ask whether synagogues functioned as hostels in general in the land of Israel. Levine discusses some of the evidence with respect to synagogues functioning as hostels:

have evidence for pledging within the synagogue setting. Collection the pledges may have occurred in other settings.

Although sources in this regard are limited, those that do exist suggest a well-known practice. The earliest evidence, noted above, is the first-century Theodotos inscription from Jerusalem, which explicitly states that synagogue served as a hostel for visitors from abroad. Rabbinic literature is likewise unambiguous. The Bavli [*Pesahim* 100b-101a] speaks of “people who eat, drink, and sleep in the synagogue” on Sabbath and holidays, and thus the need arose to recite the *Kiddush* (blessing over wine) at the conclusion of the evening synagogue service, a practice which continues in Diaspora synagogues to this day. Several third-century traditions refer to visitors who, upon arriving in Tiberias, first went to the synagogue, perhaps to seek lodging [y. *Megillah* 3:3, 74a].⁷

The sources cited by Levine are limited indeed. The first example refers to lodging in Jerusalem for pilgrims from the Diaspora during the Second Temple period. According to Safrai, in this case “the hostel is presented as a structure found attached to the synagogue but not within it, for it says: ‘He built the synagogue . . . and the hostel and the rooms and the water installations.’”⁸ Yet, this inscription may indicate a tradition of synagogues being used as hostels (even if the sleeping quarters were housed in a room adjacent to the primary structure). The second example indicates the situation in Babylonia.⁹

Let us now look at other texts from the land of Israel that mention sleeping in synagogues. Tosefta *Megillah* explicitly forbids this practice:

בתי כנסיות אין נוהגין בהן קלות ראש לא יכנס בהן בחמה מפני החמה ובצנה מפני הצנה ובגשמים מפני הגשמים ואין אוכלין בהן ואין שותין בהן ואין ישנין בהן ואין מטיילין בהן ואין ניהותין בהן אבל קורין ושונין ודורשין בהן הספד של רבים יוספד בהן . . .

Synagogues—one may not behave frivolously in them. One may not enter them on a hot day because of the heat, or on a cold day because of the cold, or on a rainy day because of the rain. And one may not eat in them, and [one may not] drink in them, and [one may not] sleep in them, and [one may not] walk around in them, and [one may not] enjoy (ניאותין) in them.¹⁰ But they may read (study Scripture) and repeat (study Mishnah) and

⁷ Levine, *The Ancient Synagogue*, 381-382.

⁸ Safrai, “The communal Functions of the Synagogue,” 191.

⁹ Rappel, “The Charity in Israel,” 246, claims that poor travelers could find a place to sleep in the synagogue. However, his evidence is from the Babylonian Talmud.

¹⁰ This phrase was translated by Jacob Neusner as: “nor do they derive benefit from them.” However, the meaning is not so clear. This part of the *baraita* does not appear in its parallel in y. *Megillah* 3:3, 74a. Regarding b. *Meg.* 28b, Rashi explains that this phrase conveys a prohibition against adorning oneself in a synagogue.

lecture in them, and a eulogy in a case of public mourning [for a public figure] may take place in them.¹¹ (*t. Meg.* 2:18, Lieberman 353)

According to this tosefta, sleeping in synagogues is strictly prohibited since it is considered as קלות ראש, translated by Jastrow as "frivolity" or "irreverence." This *baraita* also appears in *y. Meg.* 3:3, 74a and in *b. Meg.* 28a-b. However, in slightly different version of this *baraita* appears in the Babylonian Talmud, where the prohibition against sleeping in the synagogue does not appear in the list of excluded practices.¹²

In the Yerushalmi and Amoraic midrashim, several texts suggest that people actually did sleep in synagogues. Even though the Yerushalmi quotes the tosefta quoted above - with its proscription against sleeping in the synagogue - in the context of the *sugya* it is implied that synagogues were in fact used for functions prohibited by the Tosefta, perhaps including sleeping. From the selection in the Yerushalmi cited by Levine above (*y. Megillah* 3:3, 74a), it seems that, according to certain rabbis,¹³ the option of staying overnight as lodgers in a synagogue was primarily intended for the rabbis, their students, and others who are close to Torah learners. Another paragraph in the Yerushalmi (*Bikkurim* 3:2, 65c, which is not mentioned by Levine) raises the question of why pilgrims who brought offerings of first fruits to the Temple did not sleep in synagogues en route. Rabbi Halafta replies that concerns regarding ritual purity prevented pilgrims from sleeping in synagogues. According to this text, therefore, it seems obvious

¹¹ Part of this English translation was adapted from the translation in Jacob Neusner, *The Tosefta: Translated from the Hebrew: Second Division Moed* (New York: Ktav: 1981), 288.

¹² See, Lieberman, *Tosefta Ki-Fshutah*, 5:1163.

¹³ Rabbi Yehoshua Ben Levi and Rabbi Ami.

that ordinary travelers could sleep in synagogues on their journeys. Zeev Safrai discusses a story in *Genesis Rabbah* that offers additional evidence for this practice.¹⁴

The synagogue's role as a hostelry also appears in an account about R. Meir who lodged at an inn "in the south." The innkeeper (conspiring with a band of bandits operating in the area) tried to persuade him to start out at night. R. Meir objected, claiming that he had a friend sleeping at the synagogue. In the end, it turned out that R. Meir had outwitted the innkeeper. This city had an inn near it and a synagogue which included a hostel. Presumably, the synagogue provided hospitality for the poor, while the wealthier slept at the inn.¹⁵

In conclusion, despite the Tosefta's prohibition against sleeping in synagogues, Amoraic texts from the land of Israel offer evidence that synagogues were indeed used for lodging. What about poor travelers, or other poor persons who lacked shelter? As mentioned in Chapter Six, the Theodotos inscription from Jerusalem (from the first century CE) indicates that a synagogue in Jerusalem included lodging for pilgrims within its complex. Another inscription from the Galilee (dated to the third century CE) offers possible evidence for the donation of a guesthouse.¹⁶ If the reading of this inscription is correct, it seems to indicate a community with a lodging facility that might have served the poor. Mishnah and Tosefta *Peah* require the community to provide lodging for poor travelers, without specifying how this requirement should be implemented. It seems logical that some poor travelers would have slept in synagogues, while others would have been lodged in inns; yet, rabbinic texts from the land of Israel do not explicitly prescribe or discuss these arrangements.

¹⁴ *Gen. Rab.* 92:43, 1-3, Theodor-Albeck Albeck 1144.

¹⁵ Safrai, "The communal Functions of the Synagogue," 191.

¹⁶ Ben Zevi, "A Third Century Aramaic Inscription in Er-Rama," 94-96; Frey, *Corpus Inscriptionum Iudaeae*: Vol. II, n. 972.

The Communal Soup Kitchen and the Synagogue

As we discussed in Chapter Six, the Mishnah, the Tosefta, and the Yerushalmi mention the *tamḥuy*, the communal soup kitchen, as the institution by which sustenance was provided to those who lacked food for the next day. Scholars have suggested that an inscription from a third-century CE synagogue located in Aphrodisias (western Turkey) indicates that a communal soup kitchen was located there.¹⁷ Furthermore in a synagogue in Ostia (the harbor city of Rome), a kitchen “consist[ing] of [an] oven and a marble-topped table”¹⁸ has been found. These findings raise the question whether the *tamḥuy*, as described in the rabbinic texts mentioned above, was associated with the synagogue by the authors of these sources. However these texts offer no evidence of such a connection; instead, the two main methods of food collection and distribution outlined are: 1) collecting food from members of the community and then distributing it, as can be inferred from *t. Peah* 4:10, without identification with specifying the locale; and, 2) the depiction of a community official hosting the poor for a meal in his home, as in *y. Peah* 8:7, 21a.¹⁹ This latter practice is not described with the name *tamḥuy*, but it may have served a similar purpose. Thus rabbinic texts from the land of Israel lack any association between the *tamḥuy* and the synagogue.

¹⁷ Reynolds and Tannenbaum, *Jews and God-Fearers at Aphrodisias*, 27, 79-80; Levine, *The Ancient Synagogue*, 350, 373. See Holman, *The Hungry Are Dying*, 45-47, for the scholarly debate on dating this inscription. See more details in Chapter Six.

¹⁸ Levine, *The Ancient Synagogue*, 256-257, 295.

¹⁹ The story about Rabbi Eliezer is discussed in both Chapter Eight and Chapter Nine.

Charity Collection and Distribution

Were synagogues one locus for collecting and distributing coins and produce for the benefit of the poor? Several texts indicate that in Christian communities actual collections for the poor (not only pledging) were part of the worship service. As Susan R. Holman writes:

According to Justin Martyr, a collection for the poor was taken as part of the weekly worship service and the funds enabled the leader of the congregation to care for orphans, widows, the sick, the prisoners, strangers, and “all those in need.” The Didache also advocated a regular collection of food as part of worship . . .²⁰

Rabbinic texts offer no indication that collecting money was included in worship; however, pledging (during a *pesiqah* collection) is mentioned in association with the synagogue in several rabbinic writings. Tannaitic and Amoraic texts do not mention the synagogue as the site of actual collection and distribution of alms, but rather they indicate that collectors and distributors of alms went from house to house or into the markets and streets to perform their mission.²¹ For example, Tosefta *Demai* presents charity collectors walking from door to door:²²

גבאי קופה אין גובין (ביום טוב) ומכריזין ביום טוב כדרך שגובין ומכריזין בחול אבל בצנעה גובין בתוך חיקן ומחלקין על כל שכונה ושכונה
גבאי צדקה בשביעית מדלגין על פתחיהן של אוכלי שביעית . . .
Qupah (communal fund) officials²³ may not collect (on a holy day) or announce on a holy day as they collect and announce on a weekday. But privately they gather into their bosom²⁴ and they distribute in each neighborhood.

²⁰ Holman, *The Hungry Are Dying*, 50.

²¹ Compare Hamel, *Poverty and Charity*, 218, who links the communal institutions for the poor to the synagogue: "In connection with the synagogue, there were two funds from which the poor and strangers could obtain relief. . . . The collection was made in the synagogues by at least two officers for the money chest."

²² See also y. *Demai* 3:1, 23b.

²³ Literally, "collectors."

²⁴ Lieberman, *The Tosefta*, 1:77, explains that charity collectors usually received contributions in a container, while on holy days this practice would have differed.

In the seventh year (the sabbatical year), charity collectors skip the doors of those who eat [produce] of the seventh [year] . . . (t. *Demai* 3:16-17, Lieberman 77)

This passage from the Tosefta portrays charity collectors and distributors in the neighborhood, not in the synagogue. Tosefta *Peah* also describes charity collectors going from door to door:

גבאי צדקה אין רשאיין לפרוש זה מזה אפי' נתן לו חבירו מעות שהוא חייב לו אפי' מצא מעות בדרך אינו רשיי ליטלן שני והייתם נקיים מה' ומישראל אבל פורשין זה מזה לתוך חצר או לתוך חנות וגובין
Charity collectors are not allowed to depart from each other [while they are collecting]. Even if his friend [of the collector] gave him money that he owes him, even if he found money in the street—he is not allowed to take it, since it is stated in Scripture: “You shall be clear before the Lord and before Israel.” (Num 32:22, JPS). But they may depart from each other into a yard or a shop [in order to] collect [in those places].²⁵ (t. *Peah* 4:15, Lieberman 59)

In *Leviticus Rabbah*, charity collectors are depicted walking through the marketplace, seeking out people who were willing to contribute:

עובדה הוה בחד גבר דהוה ליה תרין בנין חד הוה עביד מצוין סגין וחרנה לא הוה עביד כל עיקר. דין דהוה עביד מצוין סגין זבין ביתיה וכל מה דהוה ליה בגין מצוותא. חד זמן ביום הושענא יהבת ליה איתתיה עשרה פורין אמרה ליה פוק זבון לבניך כלום מן שוקא. כיון דנפק מן שוקא פגעון ביה גבאי צדקה אמרי הא מרי מצוותא אתא ליה. אמרי ליה הב חולקיך בהדין מצוותא דאנן בעיין מיזבון קלוב להדה יתמתא, נסב הלוך פורייא ויהב להון. . . .

There is a story of a man who had two sons. One performed many charitable deeds (מצוין), while the other did not perform [charity] at all. The one who performed many charitable deeds (מצוין) sold his house and all he owned for charity (מצוותא). Once, on the day of *Hoshanah*²⁶ his wife gave him ten *follarions* (coins). She told him: "Go and buy your sons something [to eat] from the market." As soon as he went out to the market, charity collectors encountered him. They said: "Here comes the Master of Charity"! They told him: "Give your share in this charity: we wish to buy a tunic for this orphan." He took those *follarions* and gave them to them. (*Lev. Rab.* 37:2)

²⁵ See Lieberman, *Tosefta Ki-Fshutah*, 1:188, and versions of this text which may change its meaning. See also Saul Lieberman, *Tosefta Rishonim: A Commentary: Based on Manuscripts of the Tosefta and Works of the Rishonim and Midrashim in Manuscripts and Rare Editions* (Jerusalem: Bamberger & Wahrmann, 1937), 1:39-40.

²⁶ The term *Hoshanah* refers to the seventh day of the festival of Sukkot (Tabernacles).

These selections indicate that rabbinic texts from the land of Israel do not mention the synagogue as the address for charity collection and distribution.²⁷ Not only do these texts lack any association between the synagogue and communal charitable institutions, but the few texts which provide a location for charitable activity mention homes, courtyards, streets and markets as their settings.

These descriptions of alms collection and distribution outside the synagogue seem to contradict the presence of collection boxes in excavations from ancient Palestinian synagogues, in some cases a box was discovered “with coins with it,” at sites including Beth Alpha, Ma’on and En-Gedi.²⁸ At the synagogue of Gush Halav, the “hoard” may have been a *qupah*:

The hoard of small coins found in a ceramic vessel unearthed adjacent to the northwest entrance to the synagogue building. This hoard does not appear to be concealed treasure, given the findspot of the pot and the value of the coins within. . . . The hoard consists of coins of the lowest possible value. . . . The function of the hoard was more likely that of a petty cash box than a concealed treasure. It perhaps served as a depository for charity or operating monies.²⁹

Levine explains that “communal funds were, in many—if not most—cases, kept on synagogue premises. In a number of excavations, large caches of coins were recovered, which were probably designated, at least in part, for such [charitable] purposes.”³⁰ When

²⁷ See also Safrai, *The Jewish Community*, 66-67. Several scholars describe the synagogue as being central to charity collection and distribution. For example, Levine, *The Ancient Synagogue*, 373-374, writes: “At times, charity officials did not limit their activity to synagogue premises, and we learn that on one occasion charity officials solicited a potential contributor in the marketplace for a donation to help an orphan.” Yet we have no direct rabbinic evidence for this practice.

²⁸ Safrai, “The communal Functions of the Synagogue,” 198-199.

²⁹ Joyce Raynor “Numismatic” in *Meiron Excavation Project: Volume V: Excavations at the Ancient Synagogue of Gush Halav* (Eric M. Meyers and Carol L. Meyers with James Strange; Winona Lake, Indiana: Eisenbrauns, 1990), 243-245

³⁰ Levine, *The Ancient Synagogue*, 372.

caches of low-value coins are discovered in unconcealed locations in ancient synagogue sites, those finds may in fact be collection boxes.³¹ While these archaeological findings suggest that funds for the *qupah* may have been collected and stored in the synagogue, rabbinic texts do not provide substantiating evidence for this practice. Nevertheless, this may have been the practice, despite the absence of rabbinic testimony.

Conclusion

The *pesiqah* fund drive, which required an assembly, represents the only category of charity that was explicitly associated with the synagogue (though that was not its exclusive location). Amoraic texts from the land of Israel attest to the practice of lodging in the synagogue, without discussion of sleeping arrangements for the poor, other than the explicit requirement that the community should provide their lodging. It is feasible that other activities, such as collecting money for the poor, operating a soup kitchen, or storing communal funds for the poor were located in synagogues in the land of Israel despite the lack of evidence provided in rabbinic texts. Yet the absence of textual evidence for such practices is noteworthy.

³¹ A list of synagogues in which such hoards were found appears in Zvi Ilan and Emmanuel Demati, *Meroth: The Ancient Jewish Village: The Excavation at the Synagogue and Bet-Midrash* (Tel-Aviv: Society for the Protection of Nature in Israel: 1987), 71 note 35; 121-122.

Appendix B: The Eligibility of Poor Gentiles for Jewish Support

On the issue of Christians giving alms to non-Christians, Richard Finn writes:

Paul's Letter to the Galatians had urged the churches in Galatia to 'do good to all, but especially to those who belong to the household of faith' (6:10). This was interpreted by Christian writers in the fourth century to mean that Christians had a greater responsibility to give alms to fellow Christians than to others, although they were not to limit their almsgiving only to church members. Ambrose in *De officiis* alluded to the text from Galatians in asserting that fellow Christians had a prior call on the Church's charity. Jerome explained to Helvidius that it was not forbidden for a Christian to give alms to Jews or pagans, but they were to give preferential treatment to fellow Christians.¹

The question of supporting the poor who are outsiders to one's religious community is relevant not only to Christianity, but also to Judaism. Did Jews provide alms to gentiles?² Did the rabbis support such giving? In other words, who is included when eligibility for support is being discussed in rabbinic literature?

Rabbinic texts from the land of Israel present two main approaches towards providing almsgiving to gentiles. While some Tannaitic midrashim reject giving alms to poor gentiles, the Mishnah, Tosefta and Yerushalmi approve of this practice "because of the ways of peace" (מפני דרכי שלום), a phrase that is usually translated into English as "in the interests of peace" or "for the sake of peace." As mentioned earlier in this study, the idea that underlies allocating produce gifts to the poor is that these portions of the yield - similar to the measures designated for the priests - actually belong to the poor members

¹ Finn, *Almsgiving in the Later Roman Empire*, 67-68.

² See the article by Adam H. Becker, "Anti-Judaism and Care for the Poor in Aphrahat's Demonstration 20," *Journal of Early Christian Studies* 10 (2002): 305-327, regarding Christians who were supported by Jews in Persia.

of the people of Israel who would otherwise have no share in the fruits of land of Israel. In practice, however, the Mishnah, the Tosefta and the Yerushalmi all agree that poor gentiles, although not originally included in this system of distribution, may be beneficiaries of certain gifts. For example, according to the Mishnah, Jewish landowners should allow poor gentiles to collect gifts intended for the poor:

. . . אין ממחים ביד עניי גוים בלקט ובשכחה ובפאה מפני דרכי שלום.

They may not prevent poor gentiles [from] gleaning [or from collecting] forgotten sheaves and *peah* because of “the ways of peace.” (*m. Git. 5:8*)

The reason provided here for permitting poor gentiles to collect from the fields is “the ways of peace,” which means maintaining good neighborly relationships. This mishnah specifically mentions the gifts that the poor themselves are responsible for gathering.

A different law applies in the case of the poor man’s tithe that house-owners distribute to the poor.³ According to the Tosefta, one should not give to a poor gentile from the produce designated as a poor man’s tithe. Yet landowners should give produce from a different part of their crops to poor gentiles, though with the expectation of receiving something in return in the future:

. . . אין נותנין מעשר עני לעניי גוים אבל נותנין להן חולין מתוקנין לשם טובה . . .

[Landowners] may not give the poor man’s tithe to poor gentiles. But as a favor (טובה), [they] may give them ordinary produce that was legally fixed (tithed). (*t. Peah 3:1*)

In the context of produce gifts and the laws of the Sabbatical year, the word טובה (*tovah*) denotes a favor that entails an expectation of a return. It may not be immediate, but this condition adds an element of obligation to the relationship. We see that even though,

³ See Lieberman, *Tosefta Ki-Fshutah*, 1:158.

according to this tosefta, poor gentiles cannot receive the poor man's tithe, in practice, they receive produce albeit under somewhat different conditions.

In Tosefta *Gittin*, “the ways of peace” justifies the participation of gentiles in communal institutions that provide for the poor and in other types of mutual support:

... עיר שיש בה ישראל וגוים הפרנסין גובין מישראל ומגוים מפני דרכי שלום מפרנסין עניי גוים עם עניי ישראל מפני דרכי שלום מספידין וקוברין מיתי גוים מפני דרכי שלום מנחמין אבילי גוים מפני דרכי שלום

[In] a town in which there are Jews and gentiles [residents] — the communal administrators [*parnasim*] collect [money or produce] from Jews and gentiles because of “the ways of peace.” They provide for the poor gentiles [together] with the poor of Israel because of “the ways of peace.” [They] lament and bury deceased gentiles because of “the ways of peace.” [They] comfort gentile mourners because of “the ways of peace.” (*t. Git.* 3:13-14)

According to this text, in a town with a mixed population of Jews and gentiles, communal officials should collect contributions from gentiles and Jews to provide alms for the poor from both groups. Mutual support concerning burial and mourning is also mentioned, representing efforts that do not specifically concern the poor.

In Yerushalmi *Gittin*, which discusses *m. Git.* 5:8 (cited above), there is a *baraita* which reads like a slightly amended version of *t. Git.* 3:13-14:

תני. עיר שיש בה גוים ויש. מעמידין גבאי גוים וגבאי יש. וגובין משלגוים ומשלישי. ומפרנסין עניי גוים ועניי יש. ומבקרין חולי גוים וחולי יש. וקוברין מיתי גוים ומיתי יש. ומנחמין אבילי גוים ואבילי ישראל. ומכבסין כלי גוים וכלי יש. מפני דרכי שלום.

It is stated in a Tannaitic tradition: “[In] a town in which there are gentiles and Israel [residents] — they appoint collectors for the gentiles and collectors for Israel (or perhaps gentile collectors and Jewish collectors). And they collect from the [assets of the] gentiles and from the [assets of] Israel. And [they] provide for the poor of the gentiles and for the poor of Israel. And [they] visit the sick gentiles and the sick of Israel. And [they] bury the deceased gentiles and the dead of Israel. And [they] comfort the gentile mourners and the mourners of Israel. And [they] wash the clothing of the gentiles and the clothing of Israel [all these practices are] “because of the ways of peace” (for the sake of peace). (*y. Git.* 5:8 47c)

According to this text, the town officials who collect for the poor are both Jews and gentiles.⁴ Similar to the Tosefta, this *baraita* mentions other forms of mutual support that are unrelated to economic status, among them visiting of the sick, ensuring burial, and comforting mourners. Both Jews and gentiles participated in each of these mutual support practices, and the stated reason for including gentile neighbors is “because of the ways of peace.”

The significance of the last sentence of this passage from the Yerushalmi, which concerns laundry, is less clear. A version of this *baraita* appears in *y. Avod. Zar.* 1:3, 39c: “And they bring in the utensils of the gentiles and the utensils of the Jews [so they will not be lost]” (ומכניסין כלי גוים וכלי ישראל),⁵ an instruction to protect tools that could be damaged or stolen if they were not brought indoors. Here the opening phrase of the *baraita* varies slightly from the version above:

עיר שיש בה גוים ויש' אם נותנין הגוים לגבאין גובין מהן ומיש'. ומפרנסין עניי גוים ועניי ישראל.
[In] a town in which there are gentiles and Israel [residents]—if the gentiles give to the collectors, [then they] collect from them (the gentiles) and from Israel. And they provide for the poor of the gentiles and for the poor of Israel. (*y. Avod. Zar.* 1:3, 39c)

In this case, poor gentiles only receive alms if gentiles in the community have given donations to the local charity collectors.

These texts describe a scenario where gentiles and Jews reside in the same town. The passages cited here do not specify Christians, but rather gentiles in general. Several scholars have discussed the extent to which Jews lived in the same settlements with gentiles. While it is clear that mixed communities existed in large cities, scholars assess

⁴ About this law, see, Safrai, *The Jewish Community*, 281.

⁵ And also in *y. Demai* 4:4, 24a.

of the situation in smaller towns and rural areas with differing views. For example, Ze'ev

Safrai writes:

Until the Bar-Kochba revolt, all towns were Jewish. There were no mixed or non-Jewish towns. Mixed settlements were either in the periphery or in those regions that were not completely part of Palestine. As is well known, the Jewish population suffered reversal in the wake of the Bar-Kochba revolt. Many towns were now settled by non-Jews, and Talmudic literature began to describe the new reality of mixed settlements even though most of the information in Talmudic literature regarding non-Jews pertains to the *polis*.⁶

Mordechai Aviam describes differences between rural and urban settings with regard to mixed settlements:

Determination of the boundaries between Jews and gentiles is important as it reveals that no mixed communities existed in the rural areas. Unlike cities, where a diversity of beliefs and faith was very common, small villages were closed societies, especially during periods when deep antagonism existed. Although there are at least two instances of the existence of Christian families in Jewish villages, and Jewish families in Christian villages, there are no mixed communities in which each group had its own sacred public building (a public space).⁷

Although the two Jewish cities of the Galilee, Sepphoris and Tiberias, were mainly inhabited by Jews, there is both literary and archaeological evidence for the presence of pagans and their temples in the cities, as the façades of pagan temples are depicted on some of the coins minted in these cities.⁸

While Aviam especially bases his position on archaeological findings, Benjamin Isaac examines "the *Onomasticon* of biblical place-names" by Eusebius. Isaac concludes that circa 300 CE:

The overwhelming majority of villages had a mixed population: pagan, Jewish, Christian, and Samaritan. Eusebius would have considered this the norm and found it worth mentioning only if a settlement was purely Jewish, Christian, or Samaritan; purely pagan settlements would have been of no interest to him. This, if true, is important. Jews and gentiles would have lived side by side both in cities and in the countryside.⁹

⁶ Safrai, *The Economy of Roman Palestine*, 40.

⁷ Aviam, *Jews, Pagans and Christians in the Galilee*, 20.

⁸ *Ibid.*, 17, 39-61.

⁹ Isaac, "Jews, Christians and others in Palestine," 73.

Isaac also notes that: "Synagogues clearly provide evidence of a prosperous Jewish presence in villages where they are found, but they do not prove the absence of gentiles in such communities."¹⁰

Though a review of the entire body of evidence and research on mixed religious communities in the land of Israel exceeds the bounds of this study, it is clear that the rabbinic selections (Tannaitic texts and *baraitot* in the Yerushalmi) cited above reinforce the image of Jews and gentiles living together not only in large cities, such as Sepphoris and Tiberias, but also in smaller towns. Safrai defines the “town” (עיר) in rabbinic texts as including "all of those settlements somewhere in between the 'village' and the gentile *polis*."¹¹ The texts cited in this appendix refer to the “town,” but not to the “small village” (כפר) that probably lacked communal institutions for supporting the poor.¹² However, since the term "town" may refer to a range of settlements—from one that resembles a village to one that verges on being a big city—the exact setting of this instruction is not clear, especially given that rabbinic texts are not always consistent in their use of this term. The texts do not assert that mixed communities were pervasive, but they do affirm their existence and select rabbinic teachings that encouraged collaboration and mutual support between Jews and gentiles in those places.

In most of the texts mentioned above, "because of the ways of peace" is the stated reason for supporting poor gentiles. Thus, even though these texts agree that *de jure* the

¹⁰ Ibid., 74.

¹¹ Safrai, *The Economy of Roman Palestine*, 17.

¹² It is often problematic to define “village,” “town” and “city;” see a discussion in Hezser, *The Social Structure*, 157-158; and Safrai, *The Economy of Roman Palestine*, 17.

biblical command to support the poor refers to Israel, without including gentiles, *de facto* poor gentiles receive produce gifts as well as other forms of support. In contrast to the Mishnah, the Tosefta, and the Yerushalmi, which emphasize the “ways of peace” or perhaps the *de facto* approach, some Tannaitic midrashim present another approach that rejects giving alms to gentiles. According to these texts, which stress the *de jure* position, poor gentiles are ineligible. Let us now look at some of these examples. The first is a midrash that interprets the instruction in Lev 19:10 for leaving parts of the yield from the vineyard for the poor and the resident alien:

וְכַרְמְךָ לֹא תְעוּלֵל וּפְרֹט כְּרַמְךָ לֹא תִלְקֹט לְעֵנִי וְלִגְרֵךְ תִּעְזֹב אֹתָם אֲנִי יְהוָה אֱלֹהֵיכֶם:

You shall not strip your vineyard bare, or gather the fallen grapes of your vineyard; you shall leave them for the poor and the alien: I am the Lord your God (Lev 19:10, NRSV).

The *Sifra* analyzes who is eligible to receive these gifts, aiming to define “the poor” and “the alien” intended by the Torah:

“לעניי” יכול לעני מאחירים תל[מוד] לו[מר] “לגר”, או “לגר” יכול לגר תושב, תל[מוד] לו[מר] “ללוי” מה לוי בן ברית אף גר בן ברית. (ה) או “ללוי ולגר” יכול בין מחוסרין בין שאינן מחוסרין תל[מוד] לו[מר] “לעניי” מה עני מחוסר ובן ברית אף כולם מחוסרים ובני ברית.

“For the poor” (Lev 19:10) – Is it feasible that [these gifts should be given] to a poor person from [the] others? [Therefore] Scripture says: “for the *ger*.” Or [when Scripture says:] “for the *ger*” – Is it feasible that [these gifts should be given to] the resident alien? [Therefore] Scripture says: “for the Levite” (Deut 14:29) [to teach that] just as the Levite is a son of the covenant, so also “the *ger*” [who is eligible to receive these gifts] is a son of the covenant. Or [when Scripture says:] “For the Levite and the *ger* (Deut 26:13) – Is it feasible that [these gifts should be given to the Levite and the *ger*] whether they are in need or not in need? [Therefore] Scripture says: “for the poor man” (Lev 19:10) [to teach that] just as the poor man is in need and a son of the covenant, so all of those [who are eligible to receive these gifts] are in need and sons of the covenant. (*Sifra* Kedoshim 1:4, *parasha* 198, 88b)

This text is one of several examples in Tannaitic midrashim where the word “others” (אחרים) denotes gentiles who, in this case, should not receive gifts from the vineyard.¹³ To reach this interpretation, the midrash uses Deut 26:12-13 to clarify the meaning of Lev 19:10. While Leviticus mentions the poor and the *ger*, Deuteronomy lists the Levite, the *ger*, the orphan, and the widow. By taking the terminology from Deuteronomy to expound on the verse from Leviticus, the midrash rules that gentiles are not eligible for the gifts even though the Torah specifically mentions the *ger*, which refers to the resident alien in the biblical context. According to this midrash, therefore, the eligible *ger* is one who has converted to Judaism, emphasizing the rabbinic definition of this term over its biblical meaning.¹⁴

A similar midrash also appears in *Sifre Deuteronomy*. The first part of this midrash (A) was presented in the Chapter Two and Six, and here I present the full version:

(A) “והגר והיתום והאלמנה אשר בשעריך”, יכול בין חסירין ובין שאין חסירין. אל תתמה שהרי הוא אומר (דברים כד יז) “ולא תחבול בגד אלמנה” בין ענייה ובין עשירה. תלמוד לומר (ויקרא יט ו) “עניי” מה עני חסיר אף כולן חסירין.

(B) יכול בין בני ברית ובין שאינם בני ברית תלמוד לומר “לוי” מה לוי בן ברית אף כולם בני ברית.

(A) “. . . and the *ger*, the fatherless, and the widow in your settlements” (Deut 14:29, based on JPS). Is it feasible that [the poor man’s tithe should be given to the *ger*, the fatherless, and the widow] whether they are in need or not in need? Do not wonder [about this possibility] since Scripture says: “You shall not take a widow’s garment in pawn” (Deut 24:17, JPS), whether she is wealthy or poor. [Therefore] Scripture says: “A poor person” (Lev 19:10) [to teach that] just as a poor person is in need so all of those [who are eligible to receive poor man’s tithe] are in need.

(B) Is it feasible that [the poor man’s tithe should be given to the *ger*, the fatherless, and the widow] whether they are children of the covenant or they are not children of the

¹³ See, Menahem I. Kahana, "The Attitudes towards Gentiles in the Period of Tannaim and Amoraim" *Et Hada'at* 3 (1999): *Et Hada'at*, 3 (1999), 24.

¹⁴ See the discussion in Chapter One. See also Novak "Gentiles in Rabbinic Thought," 658, 659, 660.

covenant? [Therefore] Scripture says: “the Levite” (Deut 14:29) [to teach that] just as the Levite is a son of the covenant so all those [who are eligible to receive poor man’s tithe] are children of the covenant. (*Sifre Deuteronomy* 110, Finkelstein 171)

In this text, eligibility for produce gifts is not only based on one’s economic circumstances, but it is also determined by belonging to the Jewish people.

It is interesting to note the differences in terminology used to discuss the eligibility of gentiles, correlated to their positions in this material. The texts that include poor gentiles as qualified for support, even if only “because of the ways of peace,” use the phrases “poor gentiles” (עניי גויים) and the “poor of Israel” (עניי ישראל). In the texts that exclude gentiles from receiving produce gifts, the term “others” (אחרים) denotes the gentiles, while “the sons of the covenant” (בני ברית) denotes the Jews. I suggest that this choice of vocabulary is not coincidental. While the contrast “gentiles” (גויים) versus “Israel” (ישראל) is relatively neutral and appears in a variety of contexts, the terms “the sons of the covenant (בני ברית) and “others” (אחרים) describes these groups according to their relationship with God.¹⁵

Indeed, the term “others” often occurs in a context where gentiles are excluded and where the contrast between Jews and gentiles is being emphasized. A midrash that

¹⁵ Sacha Stern, *Jewish Identity in Early Rabbinic Writings* (Leiden and New York: Brill, 1994), 7-9, presents the different terminology that denotes gentiles in rabbinic texts. In his list, the words *goy* and *aher* appear (p. 7). However, Stern argues that the "terms referring to non-Jews do not appear to be chosen according to context; indeed, they are generally interchangeable. Variability among editions is often due, however, to censorial interference which occurred in the medieval and early modern period," (p. 9). This picture is generally true. Yet, in contrast to Stern, I claim that in the case of the word “others” (אחרים) in Tannaitic midrashim that discuss gentile eligibility for the produce gifts for the poor, there is a reason for choosing this word. In addition, this term occurs in all manuscripts of the texts that I discuss above, indicating that in this case no "censorial interference" can be traced.

appears in both *Sifre Deuteronomy* and *Mekilta De-Rabbi Ishmael* articulates the defining characteristic of these “others”:

“ועבדתם אלהים אחרים”, וכי אלהים הם והלא כבר נאמר (ישעיה לו יט) “ונתון את אלהיהם באש כי לא אלהים כמה” ולמה נקרא שמם אלהים אחרים? שמאחרים את הטובה מלבא בעולם. דבר אחר אלהים אחרים שעושים את עובדיהם אחרים. דבר אחר אלהים אחרים שאחרים קורים אותם אלוהות.

“[Take care not to be lured away] to serve other gods” (Deut 11:16, JPS). Are they [really] gods? Has it not been said [in Scripture]: “And have committed their gods to the flames and have destroyed them, for they are not gods” (Isa 37:19). And why are they called “other gods” (אלהים אחרים)? For they delay (שמאחרים) goodness from coming into the world. Another interpretation: “other gods” (אלהים אחרים) – for they turn their worshipers into “others” (אחרים). Another interpretation: “other gods” (אלהים אחרים) – for others (שאחרים) call them gods. (*Sifre Deuteronomy* 43, Finkelstein 96; *Mekhilta De-Rabbi Ishmael*, tractate Bahodesh, Parashah 6, Lauterbach 319-320)

This midrash indicates that when denoting gentiles, the term “others” emphasizes their idolatry.

Other midrashim refer to gentiles as “others” when presenting contrasts between gentiles and Jews. For example, according to *Sifre Deuteronomy* 114 and 118, when Israel carries out God’s will, there will be no poverty among them. Even in such ideal circumstances, poverty will continue to exist among the gentiles:

“כי לא יחדל אביון מקרב הארץ”, ולהלן הוא אומר (דברים טו ד) “אפס כי לא יהיה בך אביון” כיצד נתקיימו שני כתובים הללו בזמן שאתם עושים רצונו של מקום אביונים באחרים וכשאינ אתם עושים רצונו של מקום אביונים בכם.

[It is stated in Scripture:] “For there will never cease to be needy ones in your land . . .” (Deut 15:11, JPS), [but] above Scripture states: “There shall be no needy among you,” (Deut 15:4, JPS). How can these two verses coexist? When you carry out the will of God (מקום), there are poor among others (באחרים); when you do not carry out the will of God (*Maqom*), there are poor among you. (*Sifre Deuteronomy* 114 and 118, Finkelstein 174 and 177)

This midrash resolves an apparent contradiction between two verses: while Deut 15:4 promises that “there shall be no needy among you,” Deut 15:11 states that “there will

never cease to be needy ones in your land . . .” Thus poverty exists among Israel only when they disobey God, but poverty is always present among the gentiles.¹⁶ The same idea, albeit linked to different verses, is attributed to Rabbi Shimon bar Yohay in *Sifre Deuteronomy 42*:

... אלא כשישראל עושים רצונו של מקום מלאכתם נעשית על ידי אחרים שנאמר (ישעיה סא ה) "ועמדו זרים ורעו צאנכם" וגו' וכשאינם עושים רצון המקום מלאכתם נעשית על ידי עצמם ולא עוד אלא שמלאכת אחרים נעשה על ידם שנאמר (דברים כח מח) "ועבדת את אויביך" וגו'.
... But when Israel carries out the will of God (*Maqom*), their work is carried out by others (אחרים). Since it is stated [in Scripture]: "Strangers (זרים) shall stand and pasture your flocks, [aliens (בני נכר) shall be your plowman and vine-trimmers,]" (Isa 61:5, JPS). And when they do not carry out the will of God (*Maqom*), their work is carried out by them, and not only that, but the work of others (אחרים) is [also] carried out by them. Since it is stated [in Scripture]: "Therefore you shall serve your enemies (אויביך) [whom the Lord will send against you, in hunger and thirst, in nakedness and lack of everything]" (Deut 28:48, NRSV). (*Sifre Deuteronomy 42*, Finkelstein 90)

In this text, in addition to “others,” the gentiles are referred to as “strangers” and “your enemies.”

Although a comprehensive discussion of the rabbinic attitudes towards the gentiles is beyond the scope of this study, a brief overview is pertinent here.¹⁷ Menahem I. Kahana has already shown that rabbinic texts lack uniformity in their approach to gentiles.¹⁸ Neither can a chronological trajectory in attitudes be discerned, such as a rejection of supporting gentiles in early traditions (perhaps from the time of the revolts) and greater approval in later writings. It could be argued, on the one hand, that the tension between these two approaches to providing alms from gentiles is quite mild, since

¹⁶ The understanding that when Israel does not observe God's commandments poverty arises among them, also appears in the *Neofiti* and *Pseudo-Jonathan Targums* for Deut 15:11.

¹⁷ See, Stern, *Jewish Identity in Early Rabbinic Writings*. About the difficulties involved in studying this topic, see Kahana, "The Attitudes Towards Gentiles," 22-27.

¹⁸ Ibid, 25-26; Menahem I. Kahana, "Pages of the Deuteronomy *Mekhila* on *Ha'azinu* and *Wezot Ha-berakha*," *Tarbiz* 57 (1988): 180-186, 200-201; Kahana, "The Halakhic Midrashim," 51-52.

even the approving opinion is supported as “the way of peace” rather than being founded on a principle of supporting poor gentiles for its own sake or for the sake of heaven. On the other hand, the contrasting tone and terminology used in reference gentiles in addition to the practical dissimilarity is striking. These midrashim are, therefore, very different from the Mishnah, the Tosefta, and the Yerushalmi, which discuss support for poor gentiles, portraying Jews and gentiles living peacefully side by side.¹⁹

¹⁹ About the rabbinic view regarding giving charity to poor gentiles, Moore, *Judaism*, 170, writes: "The Gentile and the foreigner have a place in Jewish charity, but the fellow Israelite has a prior claim." Some scholars claim that in reality Jews supported their impoverished gentile neighbors. For example, Goodman, *State and Society*, writes: "In the distribution of poor tithes once every seven years, the provision of small quantities at a time is recommended to avoid a rush. On such occasions the poor became an undifferentiated mass and it mattered little whether the beneficiary was a Jew or a gentile" (p. 39); "In a town with a gentile minority they [the *parnasim*] are urged to include the gentiles in both the collection and the distribution of charity to preserve the peace," (p. 121). Sorek, *Remembered for Good*, 230, writes: "Acts of charity encompass the poor, not only the Jewish poor but all poor people and every facet of their needs."

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Biography

Yael Wilfand Ben Shalom was born in 1973 in Rehovot, Israel. She completed her Bachelor and Master degrees in ancient Jewish History at the Hebrew University in Jerusalem (1998: B.A. Magna Cum Laude; 2003: M. A. Magna Cum Laude). Recently (2005-2011), she was a PhD candidate at Duke University focusing on Jewish History. During her studies at Duke Yael published: "Did the Rabbis Reject the Roman Public Latrine?" *BABESCH Annual Papers on Mediterranean Archaeology* 84 (2009): 183 – 196; "Aramaic Tombstones from Zoar and Jewish Conceptions of the Afterlife." *Journal for the Study of Judaism* 40 (2009): 510-539, and "Charity and Philanthropy." Pages 293-310 in *On the Economy and on the Sustenance: Judaism, Society and Economics*, edited by Itamar Brenner and Aharon Ariel Levi. Jerusalem: Mass, 2008 [in Hebrew]. At Hebrew University she received, the Stern Prize for outstanding graduate student of Jewish history; the Luxembourg Foundation graduate scholarship; and the Rivlin Award for outstanding graduate student in Judaic Studies. At Duke she received, the Nathan J. Perilman Fellowship in Judaic Studies and a Graduate School Summer Research Fellowship. Yael is married and has three sons.