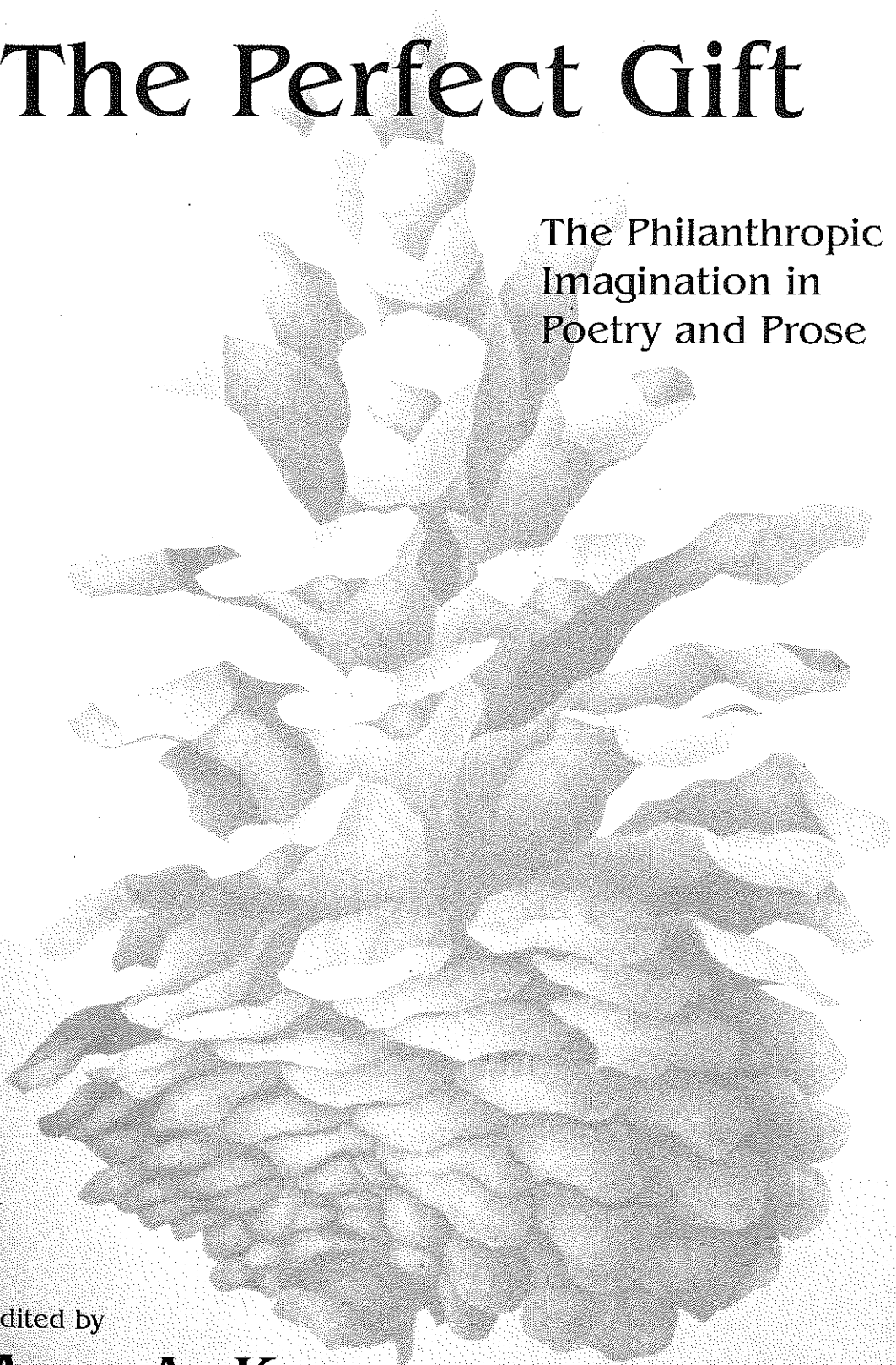


The Perfect Gift

The Philanthropic
Imagination in
Poetry and Prose

Edited by

Amy A. Kass



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INDIANA
University Press
Bloomington & Indianapolis

This book is a publication of

Indiana University Press
601 North Morton Street
Bloomington, Indiana 47404-3797 USA

<http://iupress.indiana.edu>

Telephone orders 800-842-6796

Fax orders 812-855-7931

Orders by email iuporder@indiana.edu

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Manufactured in the United States of America

Library of Congress Cataloging-in-Publication Data

The perfect gift: the philanthropic imagination in poetry and prose /
edited by Amy A. Kass.

p. cm. — (Philanthropic and Nonprofit studies)

Includes index.

ISBN 978-0-253-34131-0 (alk. paper) — ISBN 978-0-253-21542-0
(pbk. : alk. paper)

1. Generosity—Literary collections. 2. Conduct of life—Literary
collections. I. Kass, Amy A. II. Series.

PN6071.G42 P47 2002

808.8'0355—dc21

2002000410

5 6 7 8 9 13 12 11 10 09 08

II.3

Laws Concerning Gifts to the Poor: “The Book of Seeds”

Moses Maimonides

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

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

Translated from the Hebrew by Judah Mandelbaum

*“Sefer Zera'im (The Book of Seeds),” in *Laws Concerning Gifts to the Poor*, unpublished translation by Judah Mandelbaum, from chapter 10. Permission to reprint granted by Judah Mandelbaum.

*The Hebrew term *tzedakah* has the same root as *tzedek*, which means justice. In Jewish thought, acts of *tzedakah* are looked upon primarily as a rectification of social imbalance. They are thought to be fueled more by a sense of fairness or justice than by mercy, pangs of conscience, or compassion. Such deeds constitute the fulfillment, it is taught, of the obligations one incurs by virtue of having wealth or owning property. Hence, it is best to translate *tzedakah* as “righteousness” or “equity.” In Jewish thought, it should be noted, ownership is tantamount to custodianship. In biblical times, for example, farmers were required to leave crops standing in the corners of their fields for the poor, as well as any crop that fell in the course of harvesting. This arrangement provided for the needy, but it also necessitated the able-bodied poor to engage in the harvesting of the corners and the gathering of the fallen crops. This is no doubt, at least in part, why the topic of this selection appears in the tractate *The Book of Seeds*.

one who gives rightly—that is, in one of the ways suggested by Maimonides—avoid the temptation to become calculating, manipulative, or hypocritical?



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

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

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

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

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

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

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

Below this, one gives sorrowfully.