

The Moral Challenge of Our Most Expensive Holiday

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Once again and as usual, I am indebted to my dear friend Rabbi Ben Skydell of Congregation Orach Chaim of Manhattan's Upper East Side. Rabbi Skydell and I have been preparing Shabbat Hagadol and Shabbat Shuva Derashot together for several years now; he always does the lion's share of the work and his incisive readings and excellent research always help refine and expand our ideas. May we go from strength to strength! I also want to acknowledge my parents, for whom this is the first time hearing me deliver a Shabbos HaGadol Derasha. I look forward to many more opportunities in the future to share Torah with you, in their presence.

Two simple words. The headstone of the great Rav Chaim Soloveitchik says nothing about his illustrious career as Rosh Yeshiva in the Volozhin Yeshiva, as the author of a remarkable work on the Rambam or as the originator of a brand new analytical system of Talmud study. Instead, his epitaph pays tribute to a man who was known as much for his personal refinement and elevated character as he was for his brilliant mind. The two words are *Rav Chessed*- a pun, as it can be translated both as "a man of great kindness" or "A Rabbi of kindness." An example of both Rav Chaim's brilliance and compassion can be found in the story of a woman who came to him before Pesach with a halachic question. Is it permissible, she asked, to use milk instead of wine for

the four cups at the Seder? Rav Chaim explained to her that it is not; it is a biblical obligation to drink four cups of wine at the Seder, interspersed at strategic intervals throughout the journey of the Haggadah. Before sending her away, however, Rav Chaim gave her a rather large sum of money. One of Rav Chaim's disciples, who was present, asked him why he gave her any money at all, let alone such a large sum.. After all, she didn't ask for money! Rav Chaim answered, "If she is entertaining the possibility of using milk for the four cups at the Seder, it means she can't afford wine *or* meat."

This story is reflective of the economic condition of Lithuanian Jewry at the time it would have taken place, and much of European Jewry in general. Isaac M. Rubinow was a Russian immigrant physician and economist whose work and writings were singularly influential in the establishment of social security, inspiring a generation of reformers such as President Theodore Roosevelt, who incorporated many of Rubinow's ideas into the platform of the Progressive Party. In 1907, Rubinow wrote a paper entitled "Economic Conditions of the Jews in Russia." In an era and an area of extreme Jewish poverty, Lithuanian Jews were the very poorest, and Pesach was the time when they were neediest. Rubinow wrote:

Then there is the Passover week, which is the only holiday to be compared in holiness to the Sabbath, and this period is a great deal more exacting than an ordinary Sabbath, so far as expenditure is concerned...Moreover, the demands of the Passover are absolutely peremptory. The religious law not only enjoins the eating of certain things during this week, but absolutely prohibits the eating

of ordinary bread... At this time the Jewish people may truly be said to be divided into givers and receivers.

...This agrees with the general observation, frequently emphasized in this article, that the Jews in Lithuania are probably lower in the economic scale than the Jews of any other part of the Pale...

Some of Rubinow's religious information seems to be inaccurate, but the economics are still valid, and these are no doubt the conditions that led Tevye the Milkman to utter his anguished pronouncement:

"Dear God, you made many, many poor people.

I realize, of course, that it's no shame to be poor.

But it's no great honor either!

So, what would have been so terrible if I had a small fortune?"

These conditions didn't just exist in scholarly monographs and shlocky musicals. In 2012, the Jewish Daily Forward published an article containing some statistics from the Metropolitan Council on Jewish Poverty. Of the five million pounds of food it distributes annually, about *half* of it is distributed around Pesach time. Of course, we don't need newspaper articles to affirm for us the expense associated with Pesach. A trip to the supermarket reminds us of that reality, as does a study of the Laws of Pesach. Rather than beginning with the laws related to chametz, checking and cleaning your house, The Shulchan Aruch's detailed enumeration of the laws of Pesach begins with another halacha:

שולחן ערוך אורח חיים הלכות פסח סימן תכט

שואלין בהלכות פסח קודם לפסח שלשים יום.

הגה: ומנהג לקנות חטים לחלקן לעניים לצורך פסח. וכל מי שדר בעיר י"ב חודש צריך ליתן לזה)...

We are required, thirty days in advance of Pesach, to study the laws of Pesach, as there are many to know and the stakes are high for violating them. This is understandable as a preamble to the many actual laws of Pesach the Shulchan Aruch delineates. But the Rema writes next about the custom to buy wheat and distribute it to the poor so they could bake matzah with it. A move away from agrarian societies meant that most people no longer had wheat to give and most people were not baking their own *matzos* from scratch, so this pre Passover distribution became a charitable initiative known as *maot chittim*, or *kimcha depischa*.

The truth is, though, that the link between Pesach and poverty goes back way further than the first *siman* in the laws of Pesach. The Torah itself describes *matzah* as *Lechem Oni*, an ambiguous term whose etymology and meaning is the subject of a debate in The Talmud in Masechet Pesachim

תלמוד בבלי מסכת פסחים דף קטו עמוד ב-תלמוד בבלי מסכת פסחים דף קטז עמוד א

אמר שמואל: לחם עני (כתיב) - לחם שעונין עליו דברים. תניא נמי הכי לחם עני - לחם שעונין עליו דברים

הרבה. דבר אחר: לחם עני - עני כתיב, מה עני שדרכו בפרוסה - אף כאן

Samuel said: Bread of ['oni] [means] bread over which we recite ['onin] many words. It was taught likewise: 'Bread of ['oni]' means bread over which we recite ['onin] many words. Another interpretation: 'Bread of ['oni]': 'ani [poverty] is written: just as a beggar generally has a piece, so here too a piece [is taken]. In the latter explanation, the

Torah's very *name* for Matzah describes the poverty matzah is supposed to evoke or, given the prices of Matzah these days, the poverty it often exacerbates.

Yes, that Pesach is expensive is no *chiddush*- no earth shattering revelation. What is surprising is the far-reaching ramifications of this reality. The economics of Pesach create a serious economic challenge for those who can't afford it and cause sticker shock even in those who can, yet our sages seem to cut little slack when it comes to Pesach. In order to understand why, we need to define poverty, to understand the structures and obligations communities established to confront poverty, and we need to enter the minds of the recipients of communal charity.

Who is Poor?

Our sages offered a pithy definition for wealth in the famous Mishnah in Avos.

איזהו עשיר? השמח בחלקו

Who is wealthy? A person happy with his lot. The corollary is, of course, correct, but our sages seemed to be much more concerned about providing an accurate definition of poverty- a task that proves to be quite difficult. The Mishnah in Pesachim describes the five grains from which Matzah must be made, and adds in a wrinkle.

תלמוד בבלי מסכת פסחים דף לה עמוד א

משנה. אלו דברים שאדם יוצא בהן ידי חובתו בפסח: בחטים, בשעורים, בכוסמין, ובשיפון, ובשיבולת שועל.

ויצאין בדמאי...

MISHNAH. These are the commodities with which a person discharges his obligation on Passover: With wheat, with barley, with spelt, with rye, and with oats. And they discharge it with Demai...

Demai refers to grain (or produce) that may or may not have been tithed. Normally, consuming *Demai* is something we avoid, because of its dubious status. However, the Mishnah is clear that Matzah may be made from flour that is *Demai*. What is the basis for this leniency? The *Baalei HaTosafos* in Pesachim offer a fascinating insight.

תוספות מסכת פסחים דף לה עמוד ב

יוצאין בדמאי - אי נמי יוצאים אף לכתחלה הואיל ושרי לעניים ואכילת מצה נמי נקרא אכילת עניות.

Rabbi Isaac (of Dampierre) was uncertain if this (mishnah) meant that...or, perhaps, since Demai is permitted (even ideally) to be eaten by the poor, and Matzah is also defined as the “food of poverty, then one is permitted to eat Matzah made of Demai (even ideally).

In other words, we are lenient that poor people are allowed to consume *Demai*, and since we are all behave as poor people on the Seder night, we are allowed to engage in a similar leniency, even ideally.

Whereas the permissibility of *Demai* may serve as a paradigm for the kind of matzah we eat, our sages exhibit less latitude when it comes to the four cups of wine at the Seder. The final chapter of Masechet Pesachim begins with the Mishnah’s prohibition against eating anything on Erev Pesach close to nightfall, so as to conserve appetite and promote anticipation of the tantalizing tastes and traditions of the Seder. The Mishnah

demands that even the poorest Jews must participate in the Seder by drinking four cups of wine as they recline, even if it means partaking of the funds a community is obligated to supply for this purpose.

תלמוד בבלי מסכת פסחים דף צט עמוד ב

משנה. ערב פסחים סמוך למנחה לא יאכל אדם עד שתחשך. אפילו עני שבישראל לא יאכל עד שיסב. ולא יפחתו לו מארבע כוסות של יין, ואפילו מן התמחוי.

MISHNAH. On the eve of Passover, adjacent to *minḥa* time, a person may not eat until dark, so that he will be able to eat *matza* that night with a hearty appetite. Even the poorest of Jews should not eat the meal on Passover night until he reclines on his left side, as free and wealthy people recline when they eat. And the distributors of charity should not give a poor person less than four cups of wine for the Festival meal of Passover night. And this *halakha* applies even if the poor person is one of the poorest members of society and receives his food from the charity plate.

Per the explanation of the Rashi, the Mishnah's statement is designed to preempt the misconception that poor people could not properly lean because they would have nothing to lean on. So how does the Talmud define who is poor for this purpose? Rashi explains that this refers to a person whose funds are insufficient to cover the cost of the purchase of two meals. Such a person is allowed to avail himself of the funds from the communal collection plate- no one else- and even such a person is obligated to lean. This is because leaning is an important part of the feeling of

freedom, the very *ida* evoked in the four cups of wine and the four languages of redemption. Rashi invokes the Mishnah in Masechet Pe'ah that offers this working definition of poverty as being a person who cannot afford two meals.

רש"י מסכת פסחים דף צט עמוד ב

ואפילו עני שבישראל לא יאכל - בלילי פסחים, עד שיסב כדרך בני חורין, זכר לחירות, במטה ועל השלחן.

ואפילו - מתפרנס מתמחוי של צדקה, דהיינו עני שבעניים, דתנן במסכת פאה (פרק שמיני משנה ז'): מי

שיש לו מזון שתי סעודות - לא יטול מן התמחוי.

It's worth noting that the word *tamchui* here is used with great care. There were several different types of support systems a community set up for passers by and for its own destitute citizens. The *tamchui*, or the communal soup kitchen, and a level above it was the *Kuppah*, or communal collection box. In what is actually a series of Mishnayos, the Mishnah is attempting to establish a quantifiable and scaled definition of poverty. If your funds are below a certain amount, you are allowed to partake of one level of communal assistance. If you have slightly more, there is a different level and so on. Rabbi Yaakov ben Asher, in his work *Arba'ah Turim*, in his delineation of the laws of charity, addresses an implicit question. How do we measure poverty, and how do we measure eligibility for communal funds, in communities that don't have these same support structures?

טור יורה דעה הלכות צדקה סימן רנג

וי"א שכל אלו השיעורים לא נאמרו אלא בימיהם שהיה להם קופה ותמחוי והיו מחלקין מעשר עני בכל שנה

והיו נוטלין לקט שכחה ופאה לפיכך שיערו שמי שיש לו ר' זוז לא יטול לפי שיכול לעבור בהן שנה ולשנה

הבאה יהיה לו במה שיהיה אבל האידנא שאין כל זה יכול ליטול עד שיהיה לו קרן כדי להתפרנס מן הריוח

תדע לך שהרי יש חילוק בין אם נושא ונותן שאז אפי' אם יש לו נ' זוז לא יטול שאפשר לו להתפרנס מן
הריוח אלמא הכל לפי הענין ואפשר כי בימיהם היתה ההוצאה מעוטה ואפשר להתפרנס בריוח של נ' זוז
אבל האידינא א"א והכל לפי המקום והשעה

...And some say that all these definitions were only applicable in their days when they had a *kuppa* and *tamhui* and they would distribute the poor tithe each year, and they would take the gleanings, forgotten sheaves and the corner of the field. Hence, they determine that someone with 200 *zuz* would not take any of these, for he could get along during the year [with that amount], and the following year will have something to live on. However, nowadays when these gifts no longer exist, he may take [charity] ***until he has a principal amount with which he can make a livelihood from the profits...***

Professor Moshe Hellinger, of Bar Ilan University, explains that the Tur expands the definition of poverty, removing it from the realm concrete figures and instead formulating broad guidelines for the disbursement of communal assistance. The new definition of poverty, according to the Tur, refers to anyone who did not have sufficient principal from which to make a living from the profits.

“The Emerging Definiton of the Poverty Line in Jewish Law” by Michael Hellinger in Jewish Law Association studies. XIV pg. 133

According to the Tur, one should not determine the poverty line with rigid sums of money. His new definition of the poverty line was : Anyone who did not possess a principal amount with which to make a living from the profits was permitted to take charity. Anyone who lacked such an amount, from which

profits could be derived, was considered a poor person and could take charity. This was a flexible criterion that took into account adjustments in needs according to the shifting standard of living. From this formulation, one concludes that the poverty line must be updated according to economic changes, according to modifications in the standard of living and variations in prices and services included in the term "livelihood."

While the Mishnah outlines the sliding scale of financial need and how much one is eligible to take, the Mishnah is aware that there are welfare cheats who are ineligible for assistance yet partake of it anyway, and those who are eminently eligible for it yet are too proud to do so. In November of 2015, YouTube sensation Coby Persin, known for the videos in which he performs social experiments, taped 50 \$1 bills to a jacket, and walked around Union Square in Manhattan. He held a sign that read, "TAKE WHAT YOU NEED." Many of the people who took money removed large amounts, like the man in a well tailored suit who took money because "It's free. Who wouldn't take it?" People took even when their motives were questioned, like the woman who continued taking even when Persin asked her, "That bag's a Givenchy. Do you really need the money?" Ironically, the only person who didn't make much was a homeless man, who just took \$2. Persin was so impressed that he gave the man another \$60. For those who take and don't need, the Mishna has particularly harsh words.

משנה מסכת פאה פרק ח

משנה ט:...וכל מי שאינו צריך ליטול ונוטל אינו נפטר מן העולם עד שיצטרך לבריות וכל מי שצריך ליטול ואינו נוטל אינו מת מן הזקנה עד שיפרנס אחרים משלו ועליו הכתוב אומר (ירמיהו יז) ברוך הגבר אשר יבטח בה' והיה ה' מבטחו

...And anyone who does not need to take, but takes anyway, will not depart from the world until he will become dependent on others. And all who need to take, yet do not take, will not die from old age until he will [be enabled to] provide for others from his portion. Regarding this, scripture states, "Blessed is the man that relies on G-d, and G-d will be his security" (Jeremiah 17:7.)

Obligations of and to the Poor

Until now, we have spoken about the entitlements of the poor from the community, and what funds they are *allowed* to access should they be in need. What about their obligations? And what if anything, are the obligations of a *community* to the poor on Pesach?

We mentioned the Mishnah in Pesachim above, in the context of Rashi's definition of poverty, as it speaks of the poor person who cannot afford wine for the four cups.

תלמוד בבלי מסכת פסחים דף צט עמוד ב

אפילו עני שבישראל לא יאכל עד שיסיב. ולא יפחתו לו מארבע כוסות של יין, ואפילו מן התמחוי.

MISHNAH. Even the poorest of Jews should not eat the meal on Passover night until he reclines on his left side, as free and wealthy people recline when they eat. And the distributors of charity should not give a poor person less than four cups of wine for the Festival meal of Passover night. And this *halakha* applies even if the poor person is one of the poorest members of society and receives his food from the charity plate.

We spoke of this Mishnah above in the context of Rashi's definition of poverty. What is striking, though, is that this Mishnah, at least at face value, does not define poverty itself- merely the ramifications of it. The Rashbam, Rashi's grandson, says that the Mishnah's directives refer both to the poor person and to the community in which he lives. The distributors of charity must ensure that poor people have enough funds to purchase wine for four cups at the Seder, while the poor must do whatever it takes to obtain such funds, whether their source is communal or private. There is no preferential treatment; in the words of the Baalei HaTosfos, even the poorest Jews are still obligated to recline while partaking of the wine, and even they have to wait until nightfall to do so, even if they have not eaten in days. To what degree should their efforts be expended?

רשב"ם מסכת פסחים דף צט עמוד ב

ולא יפחתו לו. גבאי צדקה המפרנסין את העניים כדתנן (פאה פ"ח מ"ז) אין פוחתין לעני העובר ממקום כו' אלמא לישנא דלא יפחתו אגבאי צדקה קאי והוא הדין נמי אם לא יתנו לו שצריך שיחזור בכל כחו אחריו אלא אורחא דמילתא נקט שרגילין ליתן לו ארבע כוסות וסדרן מפורש לפנינו.

*Distributors of charity who support the poor, as per the Mishnah in Peah (8:7)-
“We give to the poor who pass from one place to another etc.”- we see that the
language “they shall not decrease” refers to the distributors of charity. The
corollary is true as well- if the distributors do not fund the poor person, he
should exert every effort to find funds, but commonly the distributors usually
disburse enough funds to purchase sufficient wine for the four cups in the
order we discussed.*

The Rashbam says that they must be willing to sell their clothes or hire themselves out as laborers to purchase enough wine for four cups.

ואפילו. הוא מתפרנס מתמחוי של צדקה דהיינו עניי שבעניים דתנן במסכת פאה [פ"ח מ"ז] מי שיש לו מזון שתי סעודות
לא יטול מן התמחוי אפילו הכי אם לא נתנו לו גבאי צדקה ימכור את מלבושו או ילוה או ישכיר את עצמו בשביל
יין לארבע כוסות:

*Even if he is one of the poorest citizens, such that he doesn't even have
sufficient funds to purchase food for two meals, he must sell his clothes,
borrow money or hire himself out if he cannot secure funds from communal
charity in order to purchase enough wine for the four cups of wine.*

The problem with all this is that in asserting that a poor person still has to obtain wine for the four cups and so on, it assumes that we would think otherwise, and that there might be a different level of obligation in the observance of *mitzvos* between a poor and a wealthy person. This supposition is of course, manifestly incorrect. A poor man is equally obligated to don Tefillin as a wealthy man, and a poor woman is equally

obligated to immerse in the mikvah as a wealthy woman. Why, then, does the Mishnah single out the poor?

חידושי הריטב"א מסכת פסחים דף צט עמוד ב

ולא יפחתו לו מארבע כוסות. פירש רשב"ם אפי' עני המתפרנס מן התמחוי דהיינו עני שבעניים דתנן (פאה פ"ח מ"ז) מי שיש לו מזון ב' סעודות לא יטול מן התמחוי לא יפחתו לו גבאי צדקה, והרב ר' יחיאל מפרי"ש הקשה עליו דהא פשיטא דאפי' עני שבעניים חייב במצות כמו עשיר, ופירש דהא לא יפחתו לו אעני קאי, וה"ק אם אין לו אלא מזון שתי סעודות ימכרם ויקח מהם ארבע כוסות ואף על פי שיצטרך אח"כ ליטול מן התמחוי.

Rav Yom Tov ben Avraham Ashvil, the Ritva, raises this challenge in the name of the Tosafist Rabbi Yechiel of Paris, and reads this passage in a novel way as referring to the impoverished themselves. Even if they only have food for two meals, they should sell *that food* to obtain wine for the four cups, even if that will *render them eligible for collection from public charitable funds*.

What this means, effectively, is that the poor have the same level of *obligation* when it comes to the performance of *mitzvos*, but there is a steeper level of *sacrifice* demanded from those who are impoverished and cannot as easily afford to do so.

Why, though, must the poor go to such lengths? Why would we encourage reliance upon charity? There is a passage in the Talmud in Pesachim 112b that addresses this very question, one that was implicitly asked by Rabbi Akiva.

תלמוד בבלי מסכת פסחים דף קיב עמוד א

ואפילו מן התמחוי וכו'. פשיטא! - לא נצרכא אלא אפילו לרבי עקיבא, דאמר: עשה שבתך חול ואל תצטרך לבריות - הכא משום פרסומי ניסא (מודי) + מסורת הש"ס: [מודה] + .

AND EVEN [IF HE RECEIVES RELIEF] FROM THE CHARITY PLATE ETC. That is obvious? – It is necessary only even according to R. Akiba who said: Treat your Sabbath like a weekday rather than be dependent on man;

Addressing Rabbi Akiva's harsh self reliant directive, the Talmud explains that there is no contradiction between his statement and the Talmud's universal requirement to participate in the four cups of wine. *Pirsumei nissa*, or publicizing the miracle, is such an important value that even Rabbi Akiva would agree that one should take on financial encumbrances to fulfill our religious obligations.

A statement that seems to reflect the Talmud Bavli's interpretation of Rabbi Akiva's dictum can be found in the Jerusalem Talmud, Pesachim chapter 10. The Talmud acknowledges the compromised personal pride that results from being on the receiving end of communal largesse. Yet the Talmud mandates that even with the recognition of the discomfort on the part of the recipient, it is obligatory to partake of these funds if that is the only way to perform the mitzvah.

תלמוד ירושלמי (וילנא) מסכת פסחים פרק י
א"ר ר' חיייה בר אדא לפי שאין ערב לאדם לוכל מן הקופה וכאן אפילו מן התמחוי.

Rebbe Chiyah bar Adda said: For it is unpleasant for a person to (denigrate himself and) eat from the charity box. Nevertheless, here (a person is obligated to take) even from the *tamhui* (in order to fulfill the mitzvah of the four cups)...

What is the Talmud Yerushalmi coming to add to, and how does it differ from the statement of the Talmud Bavli?

Rav Chaim Kanievsky of Bnei Brak is one of today's foremost Talmudic scholars, a halachic decisor sought out for his rulings and blessings and revered for the depth and breadth of his Torah knowledge. Each Erev Pesach, he makes a siyum on all the foundational texts that represent the vast breadth and scope of the Torah. He completes the entire Talmud Bavli, Talmud Yerushalmi, Tosefta, Sifri, all six orders of Mishnah, all four sections of the *Shulchan Aruch*, the entire Mishneh Torah of the Rambam, and several other segments of Torah. In his discourses on the Jerusalem Talmud, Rav Kanievsky explains that this line comes to counteract a similar assumption that we might have about the nature of the observance of the four cups. If the purpose of the four cups of wine at the Seder is to evoke and instill a feeling of freedom, it can't be freeing to a person to partake of communal funds- or go into debt to avoid doing so- in order to fulfill this mitzvah. One might think that such a person is exempt from this commandment, yet *Pirsumei nissa* is such an important value and such a critical concept that this supposition is not correct, and instead, we demand sacrifice in order to fulfill it. Rav Chaim Kanievsky's father in law, the great decisor Rav Yosef Sholom Elyashiv of blessed memory, limits the scope of this application. In his commentary on tractate Pesachim, he noted that we don't find any requirement to go into debt for the performance of other commandments, whether shofar, lulav or even food for Yom Tov in general. Partaking of communal funds for the purpose of

publicizing miracles *is limited exclusively to food related observances*, specifically the four cups of wine.

I'd like to share with you another remarkable and slightly different explanation, though- that of Rav Yissachar Tamar, a great and virtually unknown Talmudic scholar who lived in Tel Aviv. In his work *Alei Tamar* on the Talmud Yerushalmi, he explains that this passage is not just about the kind of financial outlay expected in order to observe an important commandment. It is also about the mindset of a person on the receiving end. The Talmud is validating the wounded pride, the feelings of second class citizenship, the distaste at the potential debt incurred, and understand that four cups of wine taken under these circumstances may feel like four cups of slavery, rather than four cups of freedom. Nevertheless, we must persist, making this expenditure regardless.

Other Areas

The reticence to participate in communal distributions, and the compulsion to do so if that is the only way to perform a mitzvah- informs the way we have to observe Pesach. What about other situations? Is it *forbidden* to rely on communal charity to enable the performance of a different mitzvah?

This is the background behind a tragic question posed to Rav Chaim David HaLevi, Chief Sephardic Rabbi of Tel Aviv until his death in 1998 and winner of the Israel Prize in 1997 for Rabbinic literature , in his responsa *Asei Lecha Rav*.

... מקרוב הכירו לי בתורה בת ת"ח... אך חסרת כל. וכיון שגם אני חסר כל איני רואה כל דרך להתקשר בקשר אירוסין. חברי בישיבה מציעים לי לעשות כדרך שהם עשו, וכמקובל... לקבל המלצה מראש הישיבה... ולפנות לנדיבים בעם... שיעזרו למצות הכנסת כלה. אני מתנגד לדרך זאת וחושב שהיא פסולה, ואילו חברי טוענים שאם כן לא היו ראשי הישיבות ורבנים הרבה (רבים) נותנים המלצות לחתנים, ומכאן שהדבר מותר. הרגשתי אינה טובה... ולכן הנני פונה אל כב' לפסוק לי הלכה למעשה אם אמנם מותר לפנות לעזרה לצורך נישואין... ואם לאו מה אעשה...

I was recently introduced to the daughter of a Torah scholar, who has no money whatsoever. As I, too, have nothing, I see no way that I can get engaged to her. My friends in Yeshiva are advising me to do as they did, and as is common...to receive a letter of reference from a Rosh Yeshiva and to turn to wealthy donors who will fund the mitzvah of paying for an impoverished bride's wedding. I am opposed to this path and think it is forbidden, while my friends claim that if this were the case, various Rabbis and Roshei Yeshiva would not write such letters to grooms, thus implying that this practice is permitted. My feeling about this is not good...and therefore I turn to his honor to render a practical ruling in this matter as to whether it is permitted to turn to charitable sources for the purpose of marriage...and if not, what should I do?

I will refrain from any social commentary on the value, or lack thereof, of a system that allows and even encourages such a thing to happen, and the truth is I don't need to offer any. So troubling was the matter to Rav HaLevi that he initially thought it best to refrain from offering any kind of unequivocal answer. However, he realized how commonplace it had become for him to receive such letters, and he felt the issue was

one which he could no longer avoid and for which his sense of personal integrity would not permit an equivocal, noncommittal response.

After a lengthy introduction, Rav Halevi points out a statement in the Semag, the Sefer Mitzvot Gadol of Rabbi Moshe of Coucy, one of the first to enumerate the 613 *mitzvos*. The Semag talks about extreme scenarios in which it is not only *permitted* to partake of charity, but where it is *obligatory*- to the degree that one who does not is considered cruel. The Semag lists two such cases:

1. A person who is elderly or ill, and does not have sufficient funds without communal assistance to shoulder the burden of his healthcare.
2. A person of limited means with many daughters to marry off.

At first glance, these seem like different categories, and indeed, the second one is not mentioned by many of the sources that quote the first. However, Rav Halevi points out that when a person is blessed with *many* daughters and limited means (think Tevye), it stops mattering at a certain point how many jobs he works. To pridefully avoid taking charity and preclude a daughter's marriage prospects because of the inability to pay for a wedding is a cruel thing to do, so a person in this situation is therefore permitted to accept charitable funds. Rav Halevi points out two factors that may mitigate against this line of reasoning in the case he was dealing with. First, this is about the *father* taking charity, and not the groom. This logic was not compelling to Rav HaLevi, because we can view the groom as the emissary of the father to collect funds for the wedding. There is, however, another concern- a meta-halachic one that Rav Halevi

describes as part of his visceral negative reaction to this request. The choice to collect funds to pay for a wedding provoked such a distasteful reaction because it reinforces the image of a *Ben Torah*, a young Torah scholar, as someone who is perpetually on the dole, whose hand is constantly outstretched for assistance and who is incapable of functioning without the generosity of others. This image is injurious to the dignity and honor due to the Torah, and the respect that should be accorded to its students. Rav Halevi's proposed a solution was a wise one but one that is sadly Pollyannaish to anyone who knows anything about the way Israeli Yeshivot function. He suggests that every Yeshiva have an attached business at which the students will work several hours a day, and that the money they earn will be deposited in a sealed escrow account only to be unfrozen in time for their wedding. For the person who asked the question, he permitted collecting charity to pay for the wedding.

Applications

Pesach brings into stark relief the tension between competing, if not mutually exclusive considerations. The need for self sufficiency and the unsavory nature of relying on the public for sustenance is placed in stark contrast with the universal requirement to observe the laws of the holiday necessitates, regardless of the cost, and with the public's requirement to make certain that the poor have enough to partake of the four cups of wine at minimum. *Pirsumei Nissa* overrides self sufficiency, yet the need to feel free seems to run directly counter to the requirement to go into debt to purchase the wine that is symbolic of freedom.

These are certainly mixed messages coming from the sages, especially in an era of a precarious middle class who are one catastrophe away from living below the poverty line, and when Jewish life is already perilously expensive. I believe, though, in these contradictions, there there are several important points we can learn.

Feelings vs. Obligations

The first point is that while it seems that the identical requirement for a poor person to participate in the expensive seder seems cruel, it may be liberating. As Rav Yissachar Tamar put it, *What it actually teaches us is that a person should elevate himself above his natural feelings and be suffused with the feeling of the mitzvah, and then he will feel free like any other Jewish person.*

This is the greatest challenge and the most serious *avodah* of the Seder night- to remove the shackles that encumber us every other night of the year and to feel free, when we may see ourselves as anything but. Freedom is a decision, not a condition, and that is why Chazal mandated that *everyone* has to participate in the tableau of freedom that is the Seder experience. God does not privilege four cups of wine poured from the most expensive bottles, served in fancy hotels and decanted into cut crystal goblets over simple wine that is the product of hard work and serious financial obligation, and he is not a reverse snob who only privileges the wine obtained by those for whom it is more difficult. Our feeling of freedom and self worth must be internal, and should not be defined by our finances.

The second point raised by this blanket requirement is that we must engage in mitzvah observance even if we don't necessarily feel like it, or even if we are not connecting to the spirit behind it. Rav Yissachar Tamar acknowledged and validated these feelings; How can we feel free when we have to go into debt to finance our freedom? Yet the value of a religious framework and the test of its seriousness is to participate in religious life even if we aren't "feeling it." Keeping kosher is not "part time," reserved for certain times and places, Shabbos is not part time, taking place until certain times of day on Saturday and davening is not something you do when we feel like it, showing up on shul for a few minutes until the kitchen opens or someone or something more interesting comes along. In our professional lives, we can't expect to advance or be taken seriously if we take off work when we just aren't connecting to our job or if we don't feel like going. *As avdei Hashem*, we work for God and are obligated to show up for service- and services-even if we aren't necessarily connecting to what the service is about or feeling inspired by it at that very moment.

These messages are from the perspective of the poor person him or herself, though they are relevant to all of us. But there is another set of messages Chazal wanted us to learn, these coming from the perspective of those supporting the poor. Above all else, when it came to Pesach, Chazal strive mightily to prevent social exclusion and segregation. This is an especially important issue for us, one which deserves a more extensive treatment. I have been hearing many reports from parents, and even from children, of their experience in this community as a place where they encounter

socially exclusionary behavior. I hear it from adults who sometimes have a hard time breaking into our social circles, or who are those who decide who is in and who is out. I hear it feel their children are shunned or excluded from activities of other children, and that our shul is the locus of this exclusionary behavior. This kind of heartbreaking report is *exactly* what Chazal were trying to prevent, particularly social exclusion and segregation along the economic fault lines that Pesach brings into stark relief. They therefore engineered the Pesach requirements such that it would be impossible for the benefactors and beneficiaries to avoid one another. Professor Gregg Gardner of the University of British Columbia points out that in early Rabbinic literature, the word *tamchui* did not refer to a communal collection format. It was actually much simpler than that: it was a plate passed around a table (a concept that may be foreign to us in Dallas, where most people seem to serve their food buffet style). Read in this historical context, a fascinating meaning emerges for the Mishna in Pesachim. When the Mishnah talks about the poor being permitted or mandated to take from the *tamchui*, it means that the poor man is literally allowed to take from the food passed around someone else's table, and that the wealthy person is obligated to have such a plate at his table from which the poor person can partake, and a seat for the poor person to occupy. The communal obligation to ensure that a poor person has no fewer than four cups of wine at the Seder might mean that our obligation is not just a financial one, but also a functional one- to make certain that the care we extend to the poor takes place at our tables. Inviting the poor to our table is the subject of every single thought said about *Ha Lachma Anya*, the Aramaic prayer said at the beginning of the Seder that

invites all who are needy to come join us. What many of us don't realize is that this is not just a homiletical interpretation we might have learned in fourth grade, but that it is the actual historical context of the Mishnah.

This may seem simple, overstated or even trite. But I believe there is another deeper and less comfortable message to be learned here. Maybe we don't have impoverished, needy or lonely people at our Seder table, but in mandating that the poor have a seat at and equal or even special access to our *tamchui*, our sages are teaching us an important lesson about the way our institutional life should relate to people who are not on the giving end. For four decades, until his retirement and aliyah in 1991, Rabbi Dr. Emmanuel Feldman led and built Beth Jacob Congregation in Atlanta from a congregation of 40 non observant families to a congregation of several hundred growth oriented souls. In his book *Tales Out Of Shul*, he relates the following story: As Rabbi Feldman put it,

“Every local Rabbi received a letter from the national office of the UJA asking each Rabbi to prepare a list of the 25 ‘most important and influential’ members of the synagogue, whom they would invite to a citywide reception to meet the President of Israel on his forthcoming visit to the community. The supercilious and exclusive concept of ‘most important’ deeply offended me, so I devised a wicked little scheme. I included on my list only a few people of means, those who have been giving unstintingly to everything. The balance of the list consisted of members who, because they were not wealthy and therefore not

influential, were invariably overlooked. I chose some good people who were of very modest means; a few outstanding day-school teachers; some elderly people who were barely getting by; some widows, some divorcees, some single men and women. Each of them would be very pleased to receive a special invitation to such a reception and would enjoy mingling with the bigwigs of the community. It would also be educational and enlightening for the President of Israel to meet some ordinary people for a change...in Atlanta he would at least see some of the amcha, and it would do him, and them, some good...

It was one of the glitziest parties ever held in Atlanta, and everyone had an extraordinarily good time rubbing shoulders with everyone else. What made it particularly delightful for me was the fact that none of the invitees from my congregation knew that I had orchestrated their invitation, since all invitations came directly from the Special Committee To Welcome The President Of Israel. The luminous pleasure and excitement on the faces of my cadre were wondrous to behold.

It didn't take long, however, for the sponsors to sense that something was not right. Many of the prosperous people they expected were not present. When the sponsors inquired as to who was in fact present from my congregation and discovered that I had invited very few affluent people, they were very unhappy. When they asked me about it a few days later, I simply reminded them that they had asked for the most "important" members of my synagogue, not the richest.

Rabbi Feldman understood this lesson, the lesson of the *tamchui* present at our Seder tables. Rather than viewing such people as burdens, as drains on our resources, we are challenged to accord them the same honor, and the same seat at the table. Those who *have* less cannot be made to feel in any way that they *are* less, both by virtue of their equal requirements and the need for us to give them a seat at our tables. It seems that today, much of Jewish communal life is designed to accord honor and outsize influence to the wealthy and humiliate or minimize the have nots, to view them as burdens or necessary evils or to use them as vessels for the aggrandizement of the haves. Examples abound, particularly in today's expensive Orthodox world. Think of the differing standards of punishment levied on the children of the wealthy versus the children of those who are not, upon whom it is less politically costly to bring down the hatchet. Consider the humiliation endured by those requesting tuition assistance in a school, in a camp or even in a synagogue. Understandably, schools have to balance their budgets on top of all other complex decisions they have to make, and the people in charge of these difficult decisions are often well meaning and engaged in a deeply distasteful and thankless job that is a feature, and not a bug, of the tuition crisis. Even in the hands of well meaning people, the process is invasive at best, soul crushing and deeply repulsive at worst, leaving those who go through it feeling humiliated and unwanted. The challenge of the *tamchui* at our table is to make sure that people who are not on the giving end of communal charity are still at the table in communal matters and still recognized for the ways they can contribute, so they know they are just as integral to our experience as those who are putting the money in.

Conclusion

In 48 hours, we will gather together around our Seder table, surrounded by friends and family and assorted guests. We will reflect on the blessings of freedom and discuss with one another what freedom means to us. Let us not forget the challenge of the *tamchui*, and the challenge of the obligation of the poor: Are we fully compliant with our religious obligations, or are they dictated by our capricious feelings? Do we define our own worth, and that of others, by their character or their checkbook? Is our table, our home and our playroom one that is inclusive, or one that engages in social exclusion and segregation? Is there room at our communal table for all to contribute, even if they are not financial benefactors? Let us answer these uncomfortable questions honestly, and let us make certain the answer does us credit.