

What and How Much to Give Tzedakah Learning Pod Session 3 – February/March 2011

OPENING – PLEASE READ ALOUD

In this third Tzedakah Learning Pod session, we want to explore our own ideas and what Jewish tradition has to say about how much we give.

This session is divided into 6 sections, and at the start of each section, there is a recommended amount of time. If we hold to these recommendations, the session will take 1.5 hours. Do we want to assign one person to help us keep the time?

Let's get started!

SECTION 1 – REMINDER OF “CREATING SAFE SPACE,” HOMEWORK DISCUSSION, AND CURRENT PRACTICE/THINKING – 35 MINUTES

A. Creating Safe Space – Please read aloud

As we move into discussions of what and how much to give, it might be helpful to remember our conversation from Pod Session 1 about how we would create safe space. As we discussed then, although money is hard to talk about, we hope that each of us will be able to set aside the fears and inhibitions we may have, in order to talk openly and honestly. Through this openness and honesty, the potential can emerge for deep and meaningful conversations – and the potential for each of us to be personally transformed as a result.

We've had a good start already in Sessions 1 and 2. Let's take just a few minutes to remember the ground rules that we agreed to in Session 1:

- I will use active, open, empathetic listening without negative judgment
- If jealousy arises in me, I'll notice it and set it aside, in order to be the most helpful I can to my fellow pod members
- I will take personal responsibility to encourage pod members who speak less often to speak more often, and be self aware of the need to *tzimtzum* myself (quiet oneself, make oneself smaller) where appropriate.
- I will speak with positive intent and assume that others are doing the same.
- *For those who are meeting via phone:* I will say my name at the start of each of my comments.
- *For those who are meeting via phone:* Since our conference call doesn't allow for non-verbal cues, I will make an extra effort to ask for clarification when I need it and to ensure that we're all engaged and contributing. I will set aside other activities to give my full focus to our conversation.
- What is said here, stays here – and let's take a minute to remind ourselves of how we defined this for our group...
- Any other ground rules that our group added

B. Philosophy or Theology of Ownership (Homework) – Please read aloud

During Pod Session 2, we explored multiple conceptualizations of ownership, and as homework, we each wrote a philosophy or theology of ownership for ourselves.

Let's each share our philosophy or theology of ownership with the group and discuss the following:

- What similarities or differences did we see in our different statements? Any interesting insights from those similarities/differences?
- To what extent did the texts we read last session inform my statement? How so or why not?
- Does my statement align with my current actions regarding my money and tzedakah? What would I need to do to make my philosophy/theology of ownership align better with my actions and practice?
- How does this philosophy/theology of ownership affect how much money and/or time I want to give?

C. Current Practice/Thinking – Please read aloud

Before we jump into the texts, let's take a few minutes to reflect with our Tzedakah Journals:

1. How much do I earn pre-tax? How much do I earn after taxes? (If household is different from your earning...) What is my household income pre- and post-taxes?
2. How much do I have in assets? (savings, stocks, retirement, life insurance, etc.)
3. How much money do I give to charity annually? What percentage of that do I consider to be tzedakah?
4. What do I consider to be my ideal percentage to give away from my income? Pre- or post-tax? From my assets? Why?
5. How do I feel about all of my responses here? If not positive, what could I do to feel better about them?

Please discuss together the answers that you feel comfortable sharing within your Pod's safe space. The "Why" part of question #4 will be of most use for the following texts and discussion

SECTION 2 – BACKGROUND – HOW DO WE KNOW TO TITHE? – 10 MINUTES

Intro - Please read aloud

The Torah has a number of overlapping systems of charity. (We saw some of them listed in our last Pod session.) Below is what is known as "maser oni" = the tithe for the poor.

<p>You shall surely set aside a tenth part of all the yield of your sowing that is brought from the field, every year. ...Every third year you shall bring out the full tithe of your field 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 YHVH your God may bless you in all the enterprises you undertake. - Deuteronomy 14:28-9</p>	<p>דברים פרק יד (כב) עֲשֹׂר תַעֲשֶׂר אֶת כָּל תְּבוּאֹת זֵרַעְךָ הַיֵּצֵא הַשָּׂדֶה שָׁנָה שָׁנָה :... (כח) מִקְצֵה שְׁלֹשׁ שָׁנִים תּוֹצִיא אֶת כָּל מַעֲשֵׂר תְּבוּאֹתֶיךָ בְּשָׁנָה הַהִוא וְהִנַּחְתָּ בְּשַׁעְרֶיךָ : (כט) וּבֵא הַלֵּוִי כִּי אֵין לוֹ חֶלֶק וְנַחֲלָה עִמָּךְ וְהִגֵּר וְהַיְתוּם וְהָאֵלְמָנָה אֲשֶׁר בְּשַׁעְרֶיךָ וְאָכְלוּ וְשָׂבְעוּ לִמְעַן בְּרַכְּךָ יְיָ אֱלֹהֶיךָ בְּכֹל מַעֲשֵׂה יָדֶיךָ אֲשֶׁר תַּעֲשֶׂה : ס</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Deuteronomy 14:28-9 lays out an agricultural tithe. The Tosafot “translates” this agricultural tithe to a monetary tithe that can have relevance for us who live in non-agricultural areas/societies...

<p>“You shall surely set aside” – This is in the Sifrei (Midrash Halakhah on Deut): “You shall surely set aside a tenth part of all the yield of your sowing that is brought from the field every year (Deut 14:22). I only learn this about agricultural produce that is liable for the tithe. How do I know this applies to various forms of interest and all other profits? For Scripture teaches: “all.” It could have simply stated: “the yield.” What does “all” come to include? Various forms of interest and anything that one profits from. (Tosafot to Taanit 9a)</p>	<p>(דברים פרק יד (כב) עֶשֶׂר תַעֲשֶׂר אֶת כָּל תְּבוּאֹת זֶרַעְךָ הַיֵּצֵא הַשָּׂדֶה שָׁנָה שָׁנָה : תוספות מסכת תענית דף ט עמוד א עשר תעשר - הכי איתא בסיפרי עשר תעשר את כל תבואת זרעך היוצא השדה שנה שנה אין לי אלא תבואת זרעך שחייב במעשר רבית ופרקמטיא וכל שאר רווחים מנין ת"ל את כל דהוה מצי למימר את תבואתך מאי כל לרבות רבית ופרקמטיא וכל דבר שמרויח בו ...</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please discuss any questions you may have on these two foundational texts.

SECTION 3 – HOW MUCH TO GIVE AND FROM WHERE? – 25 MINUTES

Please read out loud.

When we think about tzedakah and charitable giving, most of us think about how much we make, what our expenses are, and thus, how much we want to give away. But what’s the “right” amount to give away? How much is too much? What about giving from assets we have beyond our income?

According to the rabbis, the Bible offered a 2-tiered tithe system. Your first 10% went to the Levites (called maaser rishon). Your second 10% went to the poor every third year (maaser oni, which we saw above in the Deuteronomy and Tosafot texts), and was otherwise meant to be spent on goods in Jerusalem and eaten there (maaser sheni). Thus each Israelite owed TWO tithes in “taxes” each year. This may be the source of the rabbinic vote in Usha to give away 20% (see below). Of course, a simple reading of the Bible would lead to a system of ONE tithe every year (with different destinations). This is perhaps the source of the tension between a rabbinic ideal of giving away 20% and a more commonly understood Jewish assumption to give away 10%.

<p>What percentage? Rabbi Ila’a said: In Usha they made an enactment: The one who gives away money shouldn’t give away more than 20%. It is also taught in a baraita (earlier source): The one who gives away money shouldn’t give away more than 20%. There was an incident in which someone tried to give away more than 20% and his colleagues didn’t let him. Who</p>	<p>(תלמוד בבלי מסכת כתובות דף נ עמוד א א"ר אילעא : באושא התקינו, המבזבז - אל יבזבז יותר מחומש. תניא נמי הכי : המבזבז - אל יבזבז יותר מחומש, שמא יצטרך לבריות ; ומעשה באחד שבקש לבזבז [יותר מחומש] ולא הניח לו ומנו? רבי ישבב, ואמרי לה רבי ישבב, ולא הניחו חבירו, ומנו? רבי עקיבא. אמר רב נחמן, ואיתימא רב אחא בר יעקב : מאי</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>was that? R. Yeshavev. Some say that R. Yeshavev was the one who didn't allow his colleague (to give the money away). And who was his colleague? R. Akiva. Rav Nahman, and some say Rav Aha bar Yaakov asked: What is the scriptural source? "All that You give me I will tithe, tithe to You" (Gen 28:22) (Babylonian Talmud Ketubot 50a)</p>	<p>קרא? +בראשית כ"ח+ וכל אשר תתן לי עשר אעשרנו לך.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------

Please discuss:

- Why do you think the text is framed as a cap on giving, as opposed to a minimum?
- What society might need a cap rather than a floor to giving?

<p>Principal or income? They took a vote in Usha that a person should give away 20% of his property to fulfill mitzvot.... Rabbi Gamliel son of Ininya asked of Rabbi Mana: How could someone give 20% of his property? In five years he will have lost all his possessions! He answered. At first give of the principal (assets), and going forward, give from income. (Jerusalem Talmud Peah 1:1; 15b)</p>	<p>תלמוד ירושלמי מסכת פיאה פרק א דף טו טור ב ה"א נמנו באושא שיהא אדם מפריש חומש מנכסיו למצות למצות עד היכן רבן גמליאל בן איניניא ורבי אבא בר כהנא חד אמר עד כדי תרומה ותרומת מעשר וחרנה אמר כבוד את ה' מהונך ומראשית כל תבואתך כמראשית כל תבואתך רבי גמליאל בר איניניא בעא קומי רבי מנא מה חומש בכל שנה ושנה לחמש שנים הוא מפסיד כולא אמר ליה בתחילה לקרן מיכן ואילך לשכר</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please discuss:

- What is the difference between this text and the one above (Babylonian Talmud Ketubot 50a)?
- Would you ever consider giving away a significant percentage of your assets (as opposed to income)? Why or why not?

How much is too much?

40 billionaires pledge to give away half their wealth

By Donna Gordon Blankinship, Associated Press Writer

Forty wealthy families and individuals have joined Microsoft Corp. co-founder Bill Gates and billionaire investor Warren Buffett in a pledge to give at least half their wealth to charity.

Six weeks after launching a campaign to get other billionaires to donate most of their fortunes, the chairman and CEO of Berkshire Hathaway Inc. released the first list Wednesday of people who have signed what he and Gates call the "giving pledge."

Buffett decided in 2006 to give 99 percent of his fortune to charity. Then, he was worth about \$44 billion. After five years of investment returns while making annual gifts to five foundations, Buffett's fortune totals nearly \$46 billion.

Buffett said he, Bill and Melinda Gates, and a few others have made 70 to 80 calls to some of the nation's wealthiest individuals. The people who agreed to the pledge are from 13 states, with the most participants in California and New York.

Among those who haven't signed the pledge, some prefer to keep their philanthropy anonymous, some were not available to talk, and others were not interested, Buffett said.

Many on the list will be asked to call others, and small dinners will be held across the country in coming months to talk about the campaign.

"We're off to a terrific start," Buffett said.

Buffett said he and Bill Gates also will meet with groups of wealthy people in China and India within the next six months to talk about philanthropy. They hope the idea of generosity will spread, but they have no plans to lead a global campaign, Buffett said.

Gates and Buffett estimate their efforts could generate \$600 billion in charitable giving. In 2009, American philanthropies received a total of about \$300 billion in donations, according to *The Chronicle of Philanthropy*.

In addition to making a donation commitment, Gates and Buffett are asking billionaires to pledge to give wisely and learn from their peers.

The group has no plans for combined giving, and none of the philanthropists will be told how or when to give their money.

"Everybody has their own interests," said New York Mayor Michael Bloomberg, who participated in the teleconference as one of the individuals who has signed the giving pledge. "That's what's wonderful about private philanthropy."

Bloomberg, who has a fortune estimated by Forbes magazine at \$18 billion, said he has changed his personal philosophy over the years from wanting to be more private about his giving toward trying to play a leadership role. He said his whole family is in tune with his giving plan.

"I've always thought your kids get more benefit out of your philanthropy than your will," he added.

Others who have signed the pledge include filmmaker George Lucas, media mogul Ted Turner and Microsoft co-founder Paul Allen.

Please discuss:

- Compare the Billionaire pledge with the Talmud texts above. Is the Talmud really saying that 20% is a cap?
- How would you relate this to the Billionaire pledge – is it not-ethical to give away more than 20%?
- What might motivate a universal cap?

Below is an opinion from 20th century leading rabbi, Moshe Feinstein.

Details of the laws of Maaser Kesafim (tithing money).

8 Tevet 5715 (1955)

My friend, the honorable and honored teacher and rabbi Yaakov Michel Dzikaves, may he live a long and good life:

...Concerning whether the enactment made in Usha not to spend more than 20% is a prohibition or just "good advice:" From the language of the Talmud, we learn that it is forbidden.... In actuality, one should not give more than 20% unless there is a fear of pikuach nefesh (saving a life).

His friend, Moshe Feinstein.

Please discuss:

- What do you think of Rav Feinstein's conclusion?
- Relate Section 3's texts to your own tzedakah giving. How do they make you think differently (or not) about the amount of tzedakah that you give each year? Why so?

SECTION 4 – WHAT ABOUT TAXES? – 15 MINUTES

Please read out loud.

It's an often-asked question – If I'm giving a percentage of my income to tzedakah, how do I view taxes in that calculation? Before we look at some of what Jewish tradition, both old and contemporary, says on the topic, let's take a few minutes to discuss our own responses and current practice.

Please discuss:

- Should I consider the money I pay in taxes to count toward my obligation to give Tzedakah?
- In what way is tax revenue like charity? In what way is it different?
- Should I be compelled to pay tzedakah, like I am compelled to pay taxes? How does my relationship to tzedakah change if I am forced to pay it vs. if I decide of my own will?
- How much of my tax money actually goes to social services? Do my social security contributions count?

The Talmud considered payments to foreign governments a form of charity:

<p>R. Eleazar said: When the Temple stood, a person would pay his shekel and achieve atonement. Now that the Temple is not standing, if one pays charity – good. And if not – the foreign government will come and take it by force. And nevertheless, it is considered charity, as it says (Isaiah 60:17): "Your officials – charity" - Babylonian Talmud Bava Batra 9a</p>	<p>תלמוד בבלי מסכת בבא בתרא דף ט עמוד א וא"ר אלעזר: בזמן שבהמ"ק קיים, אדם שוקל שקלו ומתכפר לו, עכשיו שאין בהמ"ק קיים, אם עושין צדקה - מוטב, ואם לאו - באין עובדי כוכבים ונוטלין בזרוע, ואעפ"כ נחשב להן לצדקה, שנא': +ישעיהו ס' + ונוגשין צדקה.</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

But not all authorities held that your taxes should count as charity.

<p>The Taz (Turei Zahav – R David Segal –</p>	<p>פוסק הט"ז בסק"א וז"ל: וכ"ש לפרוע בהם מסים</p>
-----------------------------------------------	--------------------------------------------------

<p>1586-1667) ruled on this: And how much the more that it is forbidden to pay taxes from [money set aside for charity]. For even though we have learned in the first chapter of Bava Batra (9a): "Whatever the foreign governments collect is considered for tzedakah," nevertheless: he is called "One who pays his obligations from charity." This is similar to the case of a person who feeds his young children, which in Ketubot we include within "doers of charity." Yet did anyone really think that a person should spend his maaser money to feed his own children? - TA"Z, Shulhan Arukh, Yoreh Deah #249:1</p>	<p>דאסור אע"ג דאיתא פ"ק דבתרא שאפי' מה שא"ה = שאומות העולם = נוטלין בזרוע נחשב לצדקה מכל מקום מיקרי זה פורע חובו מן הצדקה תדע דהא גם במה שאדם זן בניו הקטנים אמרינן בפרק גערה שנתפתתה דהוי בכלל עושי צדקה בכל עת וכי ס"ד שיוציא אדם מעשר שלו לזון בניו הקטנים עכ"ל.</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Consider the following excerpt from a contemporary Israeli responsum about whether taxes can count toward your tzedakah obligation.

<p>Is it possible to assign to my "maaser money" the sums that we pay to the government for income taxes, wholly or in part, considering the fact that the government itself distributed sizeable portions to the public welfare...? [After considering the reasons for and against, the author writes]: It is, according to law, indeed possible to pay one's taxes from charity money. Nevertheless this is only if he has no other choice but to pay taxes from his charity money. But if he has the ability to pay from his own money, one should not be lenient (to allow him to count taxes as charity)... - Tzitz Eliezer Responsa 9:1</p>	<p>שו"ת צי"צ אליעזר חלק ט סימן א פרק א א' האם אפשר לזקוף על חשבון מעשר כספים את הסכומים שאנו משלמים למס הכנסה לממשלה, כולם או בחלקם, וזאת בהתחשב עם העובדה שהממשלה עצמה מפרישה סכומים נכרים /ניכרים/ לצרכי צדקה וחסד, ... ועפ"ז העלה שם בנידונו דמותר מדינא לשלם מכסף מעשר המס שצריך לתת למי שרוצה להיות חבר לעוסקים בחסד של אמת, ורק מסיים וכותב דבכל זאת היינו דוקא אם אין לו באפשרות לבזבז ממעות שלו אבל אם יש ביכלתו לשלם ממעות שלו לא נ"ל להקל יען שמהר"ם גופא לא כתב רק אם א"א = אי אפשר = לעשות המצוה וכל החילוקים בנויים על דברי מהר"ם לכן די שנקל באופן דמהר"ם עיי"ש. וא"כ ה"נ בנדו"ד וכנ"ל.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please discuss:

- Would you allow yourself to take the leniency and consider your tax obligation to satisfy your charity obligation?
- Do you consider the obligation to give charity to be as serious as your obligation to pay taxes? Why or why not?
- How do these texts relate to your current practice? Do you have any inclinations to make a change as a result of discussing these texts?

SECTION 5 – CLOSING, HOMEWORK, AND SCHEDULING – 5 MINUTES

A. Closing

Please read out loud.

This brings us to the end of our third Tzedakah Learning Pod session! Let's each share one thing from this session that was a highlight, a surprise, or a challenge.

B. Homework

Please read out loud.

We've done a great job thus far of doing the homework in advance of each session. Let's give ourselves pats on the back! ☺ The homework from this session is below in section 6.

C. Next month

Please read out loud.

Let's make sure we have our date scheduled for next month. (Please meet after the 13th of March.) And remember – we can be in touch with each other with tzedakah ideas or reflections during the month, as well as sharing ideas with the broader Pod group through the listserv.

See you next month!

SECTION 6 - HOMEWORK ASSIGNMENT

Recommended time: 30-40 minutes

Please use your Tzedakah Journal for these exercises.

1. Research the Federal Government budget. What percentage goes to social welfare?
2. We talked a lot during Pod Session #3 about how much to give. Well, how about *what* to give – time or money? This exercise (see below “Time, Talents, Treasures”) will focus on the talents you have that you may want to contribute to an organization with your volunteer time. Once you have done the exercise, reflect in your Tzedakah Journal:
 - How do you feel about the amount of your time and your skills that you currently contribute to organizations?
 - Is it clear to you where you might want to contribute your time and your skills? Why or why not?
 - What might you want to do differently in the next 12 months?
 - What first step would you need to do to get there?
3. *This homework has two parts:*
 - a. “My neighbor’s material needs are my spiritual needs.” Rabbi Israel Salanter. Reflect in your Tzedakah Journal on this statement. What are some of your spiritual needs that are fulfilled by your neighbor’s material needs? What does it mean for you to gain spiritually by your neighbor’s material necessity?
 - b. Judaism makes much of life into an intentional practice through brachot/blessings – eating different foods, seeing a rainbow, after going to the bathroom, etc. Reflect on what giving tzedakah means to you and the quote “My neighbor’s materials needs are my spiritual needs” and write a bracha/blessing to use when giving tzedakah. (You maybe want to see other blessings for ideas or inspiration – see <http://www.siddur.org/transliterations/jewish-daily-blessings/praise-and-gratitude> for some if a siddur is not handy.)

From Homework Number 2 above:

Time, Talents, Treasures – from *Inspired Philanthropy* by Tracy Gary and Melissa Kohner

What time, talents, and treasures do you bring to your passion? Consider the following statements, and mark those that are true for you. Then reflect on the questions listed above in Homework Number 2.

- I can donate my professional skills to a nonprofit
- My workplace has equipment or services or a meeting space I could offer to a nonprofit for their use
- I'm good at organizing details and creating plans
- I'm good at motivating people
- I'm good at planning events and giving parties
- I know many people in my community who might be good resources
- I like to teach what I know
- I am a good listener or writer
- I have experience designing or administering Websites
- I am a supportive person to work with
- I'm good with financial information
- I like to raise money
- I can translate or know people who can translate documents into other languages
- I have graphic skills or artistic talents
- I love kids or am good with elders
- I am a passionate public speaker
- I have ___ hours of time per week, or would be willing to take a day or more each month, to donate
- Other: _____
-