

# Zera Shimshon

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## Chapter XXIV: Vayikra (Lev. 1:1–5:26)

### Essay 7. Considerations of distributing charity

**פָּרָק ו' דְּעִירוּבֵין אָמַר ר' אַבְבָּא בַר כְּהֵנָא כָּל הַמְשַׁגֵּר מִתְנוּתָיו לְכֹהֵן אֶחָד, מְבִיא רָעַב לְעוֹלָם, שְׁנַאֲמַר "וְגַם עִירָא הִיאֲרִי הָיָה כֹהֵן לְדָוִד" וְכוּ'. וְסָמִיךְ לִיה "וַיְהִי רָעַב בְּיָמֵי דָוִד" וְכוּ'. וְהִקְשׁוּ בְּתוֹסְפוֹת וְהָא בִּיבְמוֹת אֲמַרִּינן שְׁהָיָה מִפְּנֵי שְׂאוּל אֲשֶׁר הִמִּית אֶת הַגִּבְעוֹנִים, וְתִירְצוּ דְהָא וְהָא גְרָמָא עֵכ"ל.**

### **Chapter 6 of tractate Eruvin:**

**Rabbi Abba bar Kahana said: Whoever becomes accustomed to supporting one [particular] priest brings hunger to the world, as it is said, “And also Ira the Jairite was a priest to David,”<sup>1</sup> and adjacent to this is the verse, “There was a famine during the reign of David, year after year for three years. David inquired of the L-rd, and the L-rd replied, ‘It is because of the bloodguilt of Saul and [his] house, for he put some Gibeonites to death.’”<sup>2</sup>**

- Eruvin 63a<sup>3</sup>

**In Tosafot, [the rabbis] ask: Don’t they say in [tractate] Yevamot 78b that [the famine] was because of Saul, who put the Gibeonites to death, as the verse itself says. So how is David implicated? They solve [the question] that both this action of David and that action of Saul caused [the famine].**

צָרִיד עֵינָן אִידָּהּ יִצְטָרְפוּ שְׁתֵּי דְבָרִים אֱלוֹ וְאִמְאִי בְּחֻדָּא מִיַּנְיָהוּ לְחוּד לֹא הָיָה יָכוֹל לְבֹא הֲרָעַב, וְהָא כָּל חֻדָּא מִיַּנְיָהוּ נִקְרָא גּוֹזֵל אֶת הָעֲנָיִים וְכֹתִיב "מִשָּׁד עֲנָיִים מֵאַנְקַת אֲבִיּוֹנִים עֲתָה אָקוּם" וְכוּ', שְׁהָרִי דָוִד שְׁהָיָה גּוֹתֵן כָּל מַעֲשָׂוֹתָיו לְכֹהֵן אֶחָד הָיָה מְרַעֵיב אֶת הָאֲחֵרִים, וְשְׂאוּל נָמִי אֲמַרִּינן בְּסוּף קָמָא דְגְרָמָא בְּעֵלְמָא חֲזִיב.

**It is necessary to investigate how these two things will join together, and why one of them alone wouldn’t have been enough for the famine to come. Isn’t it so that each one of them is called a robber of the poor, and it is written, “ ‘Because of the groans of the plundered**

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<sup>1</sup> II Sam. 20:26.

<sup>2</sup> II Sam. 21:1.

<sup>3</sup> Our edition of the Talmud cites Rabbi Abba bar Zavda, but Munich Codex Hebraica 95, Ms Oxford 366, Vatican 109, Cambridge Or. 1080 13.5, and Jewish Theological Seminary ENA 2070/5–6 cite Rabbi Abba bar Kahana.

poor and needy, I will now act,' says the L-rd."<sup>4</sup> For David, who gave all his tithes to one priest was starving the others, and regarding Saul, it is also said at the end of tractate Bava Kamma that one who causes indirect damage is liable. As will be discussed below, Bava Kamma 119a explains that Saul did not [directly] kill the Gibeonites. Rather, he killed the residents of Nob, the city of the priests, who provided the Gibeonites with water and food (I Sam. 22). Because of this, II Sam. 21:1 blames him as though he had killed the Gibeonites.

וְנִרְאָה לומר דְּהָא בְּלֵא הָא לֹא סָגִיא שְׁעַל כּל אֶחָד מֵהֶם הָיָה מְקוּם לְהַמְלִיט וּלְהַשִּׁיב אֶמְנָם בְּהַצְטָרָף שְׁנֵיהֶם יַחַד אֵין תְּשׁוּבָה, שְׁאֵם הָיָה מְבִיא הָרֶעֶב עַל חֲטָא דְּדוּד הָיָה לוֹ לְהַשִּׁיב וְלומר דְּכֹהֲנִים מְחֵלִי אֶהְדְּדִי, כְּדִאֲמַרִּין בְּפֶרֶק כּל הַגֵּט עַל מַתְנֵיתִין דְּהַמְלִינָה מְעוֹת אֶת הַכֹּהֵן מִפְּרִישׁ עֲלֵיהּ מְחַלְקִין וְכוּ' וְעֵי"ש בְּפִירוּשׁ רַש"י, וְאֵין כֹּחַ בְּזֵה לְהַבִּיא הָרֶעֶב, וְאֵם הָיָה מְבִיא רֶעֶב עַל חֲטָא שְׁאוּל לְבַדוֹ שְׁהָמִית אֶת הַגְּבֻעוֹנִים, דְּהֵינּוּ שְׁגָרָם לְהֶם לְהַפְסִיד מְזוֹנוֹתֵיהֶם כְּדִאֲמַרִּין בִּיבְמוֹת מַתּוּף שְׁהָרַג גּוֹב עֵיר הַכֹּהֲנִים שְׁהָיוּ מְסַפְקִים לַגְּבֻעוֹנִים מִים וּמְזוֹן כְּמוֹ שְׁפָרַשׁ רַש"י שָׁם, גַּם זֶה לְבַדוֹ אֵינוֹ חֲטָא מְסַפֵּיק שְׁהָרִי שְׁאוּל יְכוּל לְתַרְץ שְׁיִכּוּלִים לְהַסְתַּפֵּק מִמַּעֲשֵׂר עָנִי וּמִמַּתְנוּת עָנִיִּים וּמִן הַצְדָּקָה, שְׁהָרִי מִי שְׁמַחֲלֵק לְעָנִיִּים אֵינוֹ יְכוּל לִיתֵן כּל הַצְדָּקוֹת לְעָנִי אֶחָד בְּלִבְד וּלְהַנִּיחַ שְׁאֵר הָעָנִיִּים כְּדִאִיתָא בְּשִׁלְחֹן עָרוּף יוֹרָה דְּעָה (סִימָן רנ"ז סְעִיף ט'), וְאֵם כֵּן מְמָה נִפְשָׁךְ כּל יִשְׂרָאֵל מְחַוִּיבִים לִיתֵן לְהֶם הַפְּרָנְסָה.

**It seems to be saying that one without the other is not sufficient to cause a famine, that each of [David and Saul] had a place to escape responsibility for the famine and reply with a defense. But by joining together the two of them, there is no possible response.**

**That is, if the famine had been brought because of David's sin, he could have responded in his defense. He could have said that the priests had conceded their gifts to each other, as it is said in the 3<sup>rd</sup> chapter of tractate Gittin, entitled "Every bill of divorce." The Gemara discusses the Mishnah that "one who lends money to a priest ... [with the understanding that] he will separate their portion [of the tithes from his produce and keep them as payment of the loan]."**<sup>5</sup> The Mishnah is dealing with a case where the lender always gives his tithe to a specific priest. **See there in the explanation of Rashi, that the specific priest acquires legal ownership of the tithe as soon as it is separated.**<sup>6</sup> The other priests don't expect to have any claim on the tithe, because they know that the landowner always gives his tithes to one particular priest. Therefore, David could argue that **there is no power in [his action] to bring the famine.**

**What if the famine had been brought because of Saul's sin alone, that he killed the Gibeonites? That is, that he caused them to lose their food, as it is said in tractate Yevamot 78b, by killing the people of Nob, the city of the priests. They had supported the Gibeonites with water and food, as Rashi explained there. This alone was also not a sufficient sin to cause the famine, for Saul would be able to resolve this by saying that [the Gibeonites] would have been able to support themselves from tithes for the poor, and from gifts to the poor, and from charity. After all, one who distributes to the poor cannot give all the charity to just one poor person and abandon the other poor, as is brought in the Shulchan Aruch, Yoreh De'ah (siman**

<sup>4</sup> Ps. 12:6.

<sup>5</sup> Mishnah Gittin 3:7.

<sup>6</sup> Gittin 30b.

257, se'if 9). If so, whichever way you look at it, all Israel is obligated to provide them with support.

אָמנם לפי דעת דוד שְׁהָהּ מִשְׁגֵּר כָּל מִתְנוּתָיו לְכֹהֵן אֶחָד, לְפִי זֶה כָּל אֶחָד וְאֶחָד יִכּוֹל לִיתֵן כָּל צְדָקוֹתָיו לְאֶהְבָּיו אוֹ לְקָרוֹבוֹ וְלֹא יַחֲוֹשׁ כָּלֵל לְשֹׂאֵר הָעַנְיִים. וְאֵלּוֹ הַגְּבֻעֹנִים שְׁהָיוּ גְרָיִם גְּרוּרִים וְנִמְאָסִים בְּעֵינֵי יִשְׂרָאֵל שְׁהָרִי הָיוּ אֲסוּרִים לְבֹא בְּקִהְלָה וּבְדַכְתֵּיב "וְהַגְּבֻעִים לֹא מִבְּנֵי יִשְׂרָאֵל הֵמָּה", יִהְיוּ נִשְׂאָרִים בְּנֹדָאֵי בְּלֵי מַחְיָה וּמְזוּן, שְׁהָרִי יִשְׂרָאֵל לֹא יַחֲוִשׁוּ עֲלֵיהֶם כָּלֵל וְיִרְצוּ לִיתֵן כָּל הַמִּתְנוּת עֲנִיִּים לְמִי שְׁהוּא יִשְׂרָאֵל גְּמוּר אוֹ לְגֵר צְדָק הֶרְאוּ לְבֹא בְּקִהְלָה. וּמִשּׁוֹם הַכִּי הָא נִהָא גְרָמָא, שְׂאֵם לֹא הָיָה חֲטָא דְדוּד, חֲטָאוּ שְׁל שְׂאוּל לֹא הָיָה רְאוּי לְעוֹנֵשׁ.

**Indeed, according to David's opinion, he would use all his gifts to support one priest. According to this, everyone is able to give all his charity to his beloved or his relatives, and not worry at all for the rest of the poor.**

**Regarding these Gibeonites, they were “self-made converts”<sup>7</sup> and despised in the eyes of Israel, for they were forbidden to enter into the congregation of Israel, as it is written, “Now the Gibeonites were not of Israelite stock, but a remnant of the Amorites.”<sup>8</sup> They would have certainly remained without sustenance and food, for Israel did not care about them at all and they would want to give all of their gifts for the poor to one who was a complete Israelite or to a righteous gentile who was worthy to enter the congregation of Israel. Because of this, both this action of David and that action of Saul caused [the famine], for if not for the sin of David, the sin of Saul would not have been deserving of punishment. I.e., if people would have spread their charity to all who needed it, then Saul's destruction of Nob would not have led to the starvation of the Gibeonites.**

וְאִם עַל גַּב דְּהָא נִהָא גְרָמָא, מִכָּל מְקוֹם כְּשִׁשְׂאֵל דְדוּד בְּאוּרִים וְתוּמִים לֹא הִשִּׁיבוּ לוֹ רַק עַל חֲטָא שְׂאוּל, מִשּׁוֹם שְׂשִׂאוּל גְרָם לְהֵם הַפְּסֻד בְּנֹדָאֵי בְּהִרְגַת נוֹב עִיר הַכֹּהֲנִים, שְׁמִשְׁם הָיָה לְהֵם דִּי מַחְזִיתֵם בְּרִינָה חוּצָא מִמָּה שְׁנוֹטְלִים מִן הַצְּדָקָה, וְעוֹד שְׂאֶפְשֵׁר שְׂמִי שְׁנִיזוֹן מִן הַצְּדָקָה יֵשׁ אִינְזָה יוֹם שְׁיַחְסֵר לְחֵמוֹ דְּהֵינּוּ שְׂאִין נוֹתְנִים לוֹ כְּלוּם, וְזֶה נִקְרָא חֲטָא, לְפִי שְׁהֵם אִינְם מוֹחְלִים. אֲבָל שְׁל דְדוּד אִם עַל פִּי שְׂלֹא עָשָׂה טוֹב לֹא נִקְרָא חֲטָא, שְׁהָרִי לֹא עָשָׂה כְּנֶגֶד הַדִּין, דְּהָא תַנּוּן בְּגִיטִין כְּוֹתִיבָה מִשּׁוֹם דְּמַחְלֵי אַהֲדָדִי כְּנֶאֱמַר לְעִיל. וְהִשְׁתָּא שְׁמַצִּינוּ שְׁנִתְחַיֵּיב שְׂאוּל עַל גְרָמָא בְּעֵלְמָא אִם עַל פִּי שְׂלֹא נִתְכַּוֵּן בָּהּ כָּלֵל.

**Even though both this action of David and that action of Saul caused [the famine], in any case when David asked the Urim and Thummim about the cause of the famine, they answered him only about Saul's sin.<sup>9</sup> That is because Saul caused [the Gibeonites] a definite loss by killing Nob, the city of the priests, for they had from them plentiful sustenance, apart from what was given to them from charity from the rest of the Israelites. Also, it was possible that for those who were sustained from charity, there is some day that they will have deficient food, which is that nothing was given to him, and this is considered a sin, because they don't forgive. But regarding David, even though he didn't act well, this is not called a sin, for he**

<sup>7</sup> Avodah Zarah 3b, 24a; Yevamot 79a; Yerushalmi Kiddushin 4:1.

<sup>8</sup> II Sam. 21:2.

<sup>9</sup> II Sam. 21:1.

**didn't act against the letter of the law, because of what is taught in tractate Gittin, we hold that [the priests] conceded their gifts to each other, as stated above. Now we find that Saul made himself liable by causing [famine] in the world, even though he hadn't intended that at all.**

גם דוד יש לו לפשפש במעשיו אם יש לו איזה חוב של גרמא שלא נתכונן בה, ופשפש ומצא שהיה נותן כל מתנותיו לכהן אחד, והוא היה מלך שמתנותיו מרובות כמו שקתב מהרש"א, ושאר העניינים שלא היו ניוונים אלא מהצדקה אפשר שאיזה יום לא היה להם מה לאכל, והיה לו לתת לכלם מעט ולא לקמוץ על הצדקה של אחרים, וזהו הסמיכות "וגם עירא היארי" עם "ויהי רעב".

**Also, David needed to examine his deeds, whether he had any liability of cause of the famine that he did not intend. He examined his deeds, and found that he had been giving all of his gifts to one priest, and he was the king and his presents were numerous, as the Maharsha wrote.<sup>10</sup> The remaining poor were only given food from charity; it was possible that some day they would not have what to eat. [David] should have sustained everyone a little and not relied on the other poor surviving thanks to the charity of others. This is the meaning of the connection of “and also Ira the Jairite” with “and there was a famine.”**

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<sup>10</sup> Maharsha on Eruvin 63a.