

FORWARD

Coming Up Short on the Tzedakah Yardstick

Opinion

By Jill Jacobs

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This month, Americans will sift through the countless solicitations in our mail and e-mail in order to decide where to give donations before the end-of-year tax-deduction deadline. Americans are often said to be the most generous people in the world, based on the percentage of the national gross domestic product that goes toward charitable causes. That said, the average American only gives away between 2% and 4% of his or her income.

And how do American Jews measure up? In virtually every Jewish school, camp and youth movement, students make their own *tzedakah* boxes and collect change to support various organizations and causes. Jewish organizations encourage the celebration of births, bar and bat mitzvahs and weddings by making tribute gifts. The Talmud even identifies the laws of *tzedakah* as the essential material to teach a potential convert. So those of us who have grown up learning about the centrality of *tzedakah* may expect the rate of Jewish giving to be much higher than the national average.

Surprisingly, then, most estimates suggest that American Jews give away no higher a percentage of income than their fellow Americans. While there are no precise figures on Jewish giving, a 2004 report by Steven M. Cohen found that Jews with annual incomes of \$50,000 to \$100,000 give away an average of \$577 a year to all causes and that those with annual incomes of \$100,000 to \$150,000 give away an average of \$1,206 a year. In other words, Jews in these income categories give away, on average, no more than 1.2% of their annual earnings. A 2008 report found that donors to Jewish community federations who earn \$500,000 or more a year give away a total of about 1.4% of their pre-tax income to all charitable causes. These results are consistent with the general reality in America that residents of more liberal areas, people who are wealthier and those unaffiliated with religious congregations tend to give away smaller percentages of their incomes.

The Shulchan Aruch, the 16th-century book that has become the most authoritative guide to Jewish law, sets out the basic guidelines for the amount that one should give in *tzedakah*:

If you can afford to do so, you should give according to the needs of the poor. And if you can't afford this much, you should give up to one-fifth — this is the ideal fulfillment of the mitzvah. And one-tenth is the ordinary way. Anything less than this is associated with the evil eye.

While we often speak of tithing as a goal, Jewish law actually sets 10% as the *minimum* that one should give for *tzedakah*. The rabbis caution against contributing more than 20% of one's income, lest an overly generous person give away so much that he or she becomes dependent on the *tzedakah* of others. This maximum is waived for extremely wealthy people and for deathbed bequests.

As a community, we fail to live up to this obligation in two ways. First, as described above, most of us do not give away 10% — let alone 20% — of our income. Second, most of the money we give away does not actually count as *tzedakah*!

Jewish law defines *tzedakah* as material support for the poor. Rabbis over the centuries have debated the precise parameters of *tzedakah*, but the arguments always hinge on whether the gift in question serves the needs of the poor. Gifts that do not address poverty are not *tzedakah*. While Jewish law also mandates that community members contribute to such needs as synagogues, city infrastructure and other communal institutions, such gifts do not count as part of one's *tzedakah* donation.

Within the Jewish community, we have become sloppy about this distinction between *tzedakah* and other types of donations. Just this year, I have received appeals that use the language of *tzedakah* to ask me to support college student trips to Israel, large denominational organizations and individual synagogues. The popular designation of all donations as *tzedakah* may stem from the fact that the Internal Revenue Service awards tax deductions for gifts to any designated 501(c)3 organization.

But our failure to distinguish between *tzedakah* and other philanthropic gifts diverts money away from poverty-related causes. In the United States, the primary beneficiaries of charitable giving are religious institutions, universities and other educational organizations. A study by the Center on Philanthropy at Indiana University found that in 2005, less than one-third of individual giving focused on economically disadvantaged populations. A 2007 study by Gary Tobin and Aryeh Weinberg found that 28% of mega-gifts from Jewish donors support higher education, while only 8% of mega-gifts are for “public/society benefit” or social services.

Of course, calculating how and where to give our *tzedakah* is no easy feat. For starters, the challenge to set aside 10% to 20% of our income is complicated by the question of whether and how to count tax money as *tzedakah*. In theory, we should count the fraction of our tax dollars that supports social services for the needy as part of our *tzedakah*. After all, Jewish law envisions *tzedakah* more as a communal levy than as a voluntary contribution. But determining what percentage of our tax dollars fights poverty is a difficult task, and any reasonable calculation would likely still leave most of us falling short of the levels of *tzedakah* that our tradition demands.

In the midst of a recession, the prospect of increasing our giving may feel daunting. But the difficult economic times make our gifts even more important, as an increasing number of people have fallen deeper into poverty at the same time as philanthropic donations have decreased. In fact, if the American Jewish community were to live up to our *tzedakah* obligations, we would be putting tens of billions of dollars to work ending poverty. Then, we could rightfully say that *tzedakah* is central to being a Jew.

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