

# My House Is Your House: The Mitzvah of Hakhnassat Orchim

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*This is the bread of affliction that our fathers ate in the land of Egypt. Whoever is hungry, let him come and eat; whoever is in need, let him come and conduct the Seder of Passover.*

**The Pesach Haggadah**

הָא לַחֲמַא עֲנִיָא דִּי אֲכָלוּ אַבְרָהָמָא בְּאַרְעָא  
דְּמִצְרַיִם. כָּל דְּכָפִיו יִיתִי וְיִיכַל, כָּל דְּצָרֵיךְ  
יִיתִי וְיִפְסַח.

**הגדה של פסח**

Hospitality, or hakhnassat orchim, occupies a unique position of honor even within the distinguished plane of chesed. R. Menachem ibn Makhir, in his work *Seder HaYom*,<sup>17</sup> identifies a potential of five separate themes of chesed contained within this category: providing a resting place for those weary with the burdens of travel; providing food and drink to those who have been weakened by the lack of these resources; saving travelers from the shame and embarrassment of having to seek out lodging, or of going without; the opportunity to perform a magnanimous act of kindness, to one whom one may not previously know or have received any benefit from; and finally, if one follows in the model of Abraham, the potential exists to impact upon the visitor spiritually as well as physically.<sup>18</sup>

## The Model of Abraham

Indeed, it is Abraham's model that is at the center of any discussion of this topic, and provides the basis for one of the most significant teachings about hospitality, namely that its importance is such that it outweighs even receiving the Divine presence.<sup>19</sup> This is derived from the behavior of

<sup>17</sup> Commentary to the mishnah "Eilu Devarim".

<sup>18</sup> See also R. Ya'akov ben Chananel Sikli, *Torat HaMinchah*, Genesis, 9.

<sup>19</sup> *Shabbat* 127a. See the various interpretations of this phrase cited in the Maharal of Prague, *Chiddushei Aggadot to Shabbat* (and in *Netivot Olam, Netiv Gemilut Chasadim*, ch. 4); see also R. Chaim Pardes, *Ashdot HaPisgah to*

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Abraham, who received a Divine visitation during his recuperation from his circumcision. Nonetheless, he interrupted that experience to greet the three mysterious guests, apparently in need of hospitality, who appeared afterward. This interpretation of events is based on a specific reading of the Biblical text, one that is itself debated<sup>20</sup>, and, if understood in this manner deepens the astonishing nature of Abraham's behavior.

R. Yonatan Eibshutz<sup>21</sup> emphasizes that Abraham had to chase after the guests. Consequently, he not only left the Divine presence, but turned his back on it, a more impressive act of prioritization.<sup>22</sup> R. Yosef Tzvi Dushinsky<sup>23</sup> notes that in doing so, he proved himself a man of genuine chesed, not only unencumbered by ulterior motives, but also uninterested in even a spiritual reward, as he abandons a Divine audience to focus instead on the needs of his guests.

While Abraham's descendants have the benefit of his behavior to learn from, it is unclear how Abraham himself knew such a bold move was appropriate. This difficulty was reportedly posed by the author of the Responsa Noda B'Yehudah, R. Yechezkel Landau, to R. Ya'akov Shimon of Shpitokova<sup>24</sup>, who responded that this lesson was derived from G-d Himself. As Rashi relates,<sup>25</sup> G-d initially wanted to protect Abraham from being burdened with guests, and thus made the day unusually hot so that travelers would not be outside. However, this seems unnecessary. If G-d was visiting Abraham, this fact itself would have stopped him from interrupting the meeting to attend to guests. Apparently, that premise is incorrect, and extending hospitality is a greater priority than receiving the Divine presence.<sup>26</sup>

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Genesis; R. Yitzchak Shrim, *Mussar Chakhamim HaShalem*; and R. Netanel haKohen Fried, *P'nei Meivin*; R. Asher Zelig Greensweig, *Beit Asher*, p. 29; R. Yisachar Ber Kohn, *Binat Yisachar*; R. Moshe Shimon HaLevi, *Yisamach Lev*; R. Eliyahu Meir Bloch, *P'neinei Da'at*; R. Nissan Alpert, *Limmudei Nissan*; R. Yitzchak Eizik Lefkowitz, *K'Ayal Ta'arog*; R. Ilan Kadosh, *Hadrah Shel Torah*; R. Yisrael of Chortkov, *Ginzei Yisrael*; R. Uri Auerbach, *Ori V'Yishi*; all to Genesis; R. Moshe Yechiel Epstein (Ozerover Rebbe), *Be'er Moshe, VaYera*, 9 and 10; R. Michael Avitan, *Tiv HaParshah* to Genesis (p. 147-148) and R. Shlomo Kluger, *Chokhmat HaTorah* to *Parshat VaYera*, pps. 26,113,115. For a kabbalistically oriented interpretation, see R. Moshe Luria, *Beit Ginzi* to Genesis. Note also the innovative analysis of the Rambam's citation of this idea in R. Tzvi Meir Fogel, *Mar'ot HaTzov'ot* to Genesis. See also R. Ya'akov Reischer, *Resp. Shvut Ya'akov*, III, 31, and R. David Shperber, *Resp. Afarkasta D'Anyan*, II, O.C. 74.

<sup>20</sup> Prior to welcoming his guests, Abraham says, "Please, my adon, do not pass from before your servant." The Talmud (Shavuot 35b) records a debate as to the proper understanding of this verse. According to one interpretation, the phrase "my adon", my master, is a respectful reference to one of his potential guests. The verse thus relates his extending of hospitality to the travelers who were passing by. According to the second possibility, though, "my Adon" is meant to be read as G-d's Name. If so, Abraham was essentially asking G-d to wait, and to not remove His presence, while he interrupted so that he could attend to guests. The notion that Abraham not only ended a session with G-d, but asked that He wait in the meantime, makes the decision all the more remarkable.

<sup>21</sup> *Medrash Yehonatan* to Genesis.

<sup>22</sup> A similar idea can be found in *Pardes Yosef al haTorah*, Genesis, 18:3; see also the comments of the Gaon of Vilna, cited in *Kol Eliyahu*.

<sup>23</sup> *Torat Maharitz* to Genesis.

<sup>24</sup> As cited in the work *Shem MiShimon*; See, at length, R. Chanoch Chaim Weinstock, *Birkhat Hillel al HaTorah* (Genesis, #25).

<sup>25</sup> Genesis 18:1, citing *Bava Metzia* 86b.

<sup>26</sup> See also R. Moshe Dweck HaKohen, *Ben David* to Genesis; R. Shmuel Eliezer Rolnick, *Torat Shmuel* to Genesis, and R. Daniel Biton, *HaMaor Sh'B'Avot*, p. 42, citing *Tiferet Yehoshua*. For other approaches to this question, see also R. David Eibshutz of Soroko, *Arvei Nachal* to Genesis; R. Baruch Weiss, *Emek Berakhah* to Genesis; R. Yisrael

Similarly, R. Dushinsky suggests that Abraham, in his characteristic religious sensitivity, understood that God had sent the visitors just at that moment, to convey that attending to them should take priority. Others credit this sensitivity even further, asserting that Abraham's instincts, fully refined in spirituality, correctly guided him to this conclusion.<sup>27</sup> R. Yechiel Michel Charlop<sup>28</sup> observes that hospitality, like other acts of *chesed* mentioned in the Torah, was also modeled by God Himself. This happened in the garden of Eden, where we are told "And the Lord God took the man, and put him into the garden of Eden to dress it and to keep it" (Genesis 2:15). The word for "put him" (*va-yanicheihu*) can also be read "He allowed him to rest", indicating that God provided hospitality for Adam in the garden. Similarly, R. Nachum Matlin<sup>29</sup> suggests that Abraham derived this message from the fact of God modeling *chesed* as a whole, which is the underlying arena of *imitatio Dei*. Thus, Abraham understood that hosting guests, which benefits others, was a higher priority than experiencing the Divine presence, which benefits him. Along these lines, R. Eliezer Menachem Mann Schach<sup>30</sup> notes that following in God's path may be understood to be even greater than receiving His presence.<sup>31</sup>

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Chaim Braun, *Pri Etz Avot* to Genesis, *piska* 4; R. Yitzchak Farkash, *Birkhat Yitzchak* to Genesis (*VaYera*, #10); *Limmudei Nissan* to Genesis; R. Moshe Blau, *Nefesh Berakhah*, to Genesis; R. Natan Margoliot, *Pilpula Charifta* to Genesis; R. Yirmiyah Menachem Cohen, *V'Herim HaKohen* to Genesis; *Netivot Rabboteinu Beit HaLevi Brisk* to Genesis 18:2, with fn 100; R. David Pinto, *Pachad David* to Genesis; R. Reuven Fine, *Bein haMishpatayim* (Genesis, *Parshat VaYera*, #1); R. Meir Shalom Cohen, *Meshekh HaParshah* (Genesis, p. 37); R. Mordechai ben Gedalyah of Zevhil, *Mordechai B'Sha'ar HaMelekh* to Genesis; and *Pardes Yosef al haTorah*, Genesis 18:1, and the glosses of the Gerrer Rebbe to that work, printed in vol. II, p. 10, #7; and see as well R. Baruch Yehoshua Rabinowitz, *Divrei Nevonim* to Genesis. Concerning other difficulties relevant to this derivation, see R. Meir Einat, *Imrei Eish – Chomat Eish* to Genesis, and compare the comments of R. Avraham Broda, *Eishel Avraham* to Genesis. See also R. Shaul Yediyah Elazar of Modzitz, *Yisa Berakhah* to Genesis, who makes several innovative observations concerning this teaching. Further, R. Avraham Yitzchak Shain, *Birkhat Ish* to Genesis, questions the proof from Abraham, noting that perhaps Abraham obtained special permission, against what would be the general rule; he thus suggests the proof is built upon Abraham's "running" to greet them. See, as well, R. Binyamin Rabinowitz Teumim, *Yechalek Shallal* to Genesis, who raises various technical questions on the derivation from Abraham in light of the general rules regulating the interruption of one religiously mandated act for another (*osek b'mitzvah patur min ha-mitzvah*). R. Baruch Dov Povarsky, *Bad Kodesh* to Genesis, addresses similar issues. Central to this question is the issue of whether receiving the Divine presence actually constitutes a "mitzvah" in the technical sense. R. Naftali Tzvi Yehudah Berlin (Netziv), *Ha'amek Davar*, Genesis 18:2, asserts that the *mitzvah* of loving God is involved; see R. Moshe Scheinerman, *Ohel Moshe* to Genesis, pp. 309-310; *Netivot Rabboteinu L'Beit HaLevi Brisk*, II, p. 11. fn 16; and R. Shlomo Cynamon, *Eish Tamid* to Genesis, pp. 100-105. On the other hand, before the giving of the Torah, even *chesed* may not have technically been a "mitzvah"; see R. Yitzchak Sorotzkin, *Rinat Yitzchak*, II, Genesis 18:1, and note *Responsa D'var Yehoshua*, II, 11.

<sup>27</sup> R. Natan Adler and R. Meir of Premishlan, cited in *Ish L'R'eihu*, Genesis, p. 137; *Birkhat Hillel*, *ibid*; R. Meir Yosef Birntzweig, *Otzerot Megadim* to Genesis, p. 184, in *Nitfei Megadim*, 6; R. Moshe Yehudah Katz, *VaYaged Moshe* to Genesis (printed in *U'L'Asher Amar* to Genesis), R. Avraham Abba Chazan, *Nachal Eitan* to Genesis (18:3); R. Yechiel Yehoshua of Bialia, *Kedushat Chelkat Yehoshua* (Genesis, p. 54); R. Ya'akov Katz, *Kehilat Ya'akov* to Genesis; R. Reuven Melamed, *Melitz Yosher* to Genesis. A detailed expansion of this theory can be found in R. Yosef Yashar, *Levush Yosef* to Genesis (18:3).

<sup>28</sup> As cited by his son, R. Zevulun Charlop, in his introduction to R. Y.M. Charlop's *Chof Yamim to Massekhet Makkot*.

<sup>29</sup> *Netivot Chaim* to Genesis.

<sup>30</sup> As quoted by his son-in-law, R. Meir Tzvi Bergman, *Sha'arei Orah* (vol.1, *Parshat VaYishlach*, p. 50); R. Moshe Yosolovsky, *Kishutei Torah* (Genesis 18:3), and R. Moshe Scheinerman, *Ohel Moshe*, Genesis p. 329. See also R.

Rabbi Joseph B. Soloveitchik expresses another way in which G-d models hospitality: “The Almighty is the great *makhnis orchim*. His hospitality made it possible for humanity to exist, for the world to come into being. “To be” means to share in the infinite being of the Almighty. The Almighty, like Abraham, invites people to partake of His boundless existence. Creation is an act of *haknassat orchim*. Our sages (Berakhot 7b) said that Abraham was the first person to invoke God by the Name *A-donai*. This name is of juridic origin; God owns the world in juridic terms. Not only does God run the cosmos *de facto*, but the cosmos is His *de jure*. We are just strangers whom the Almighty has invited into his “tent”, which is the universe. How beautiful is the doctrine of *tzimtzum*, of contraction. What is creation if not withdrawal by God in order to make it possible for a world to emerge in space and time? Infinity steps aside and finitude is born. What is *haknassat orchim* if not withdrawal by the master from a part of his home so that a stranger can occupy the empty part he vacates?”<sup>32</sup>

R. Mordechai Kahan, in his introduction to his book-length treatment of this obligation<sup>33</sup>, theorizes as to why this activity is set aside from even other acts of *chesed*.<sup>34</sup> Citing the Alter of Kelm<sup>35</sup>, he notes that *haknassat orchim*, when following a fully realized, “Abrahamic” model, involves placing one’s resources and attentions completely at the disposal of one’s guests. Other acts of kindness, generally fulfilled outside the home, can be accomplished in an exemplary fashion while still drawing upon one’s assets in a limited manner. *Haknassat orchim*, by contrast, involves bringing the beneficiary into one’s realm completely.

Most interestingly, the statement of “*Haknassat orchim* is greater than receiving the Divine presence” is recorded not only as a statement of emphasis, but is brought by the Rambam in his practical code of Jewish law, the *Mishneh Torah*.<sup>36</sup> The inclusion of this phrase in such a text is an implication that this dictum has a practical application.<sup>37</sup> The founder of the Chasidic

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David Kviat, *Sukkat David* (Genesis, *Parshat VaYera*, #14), and, at greater length, R. Shmuel Weinbaum, *Sefer Sharti* (Genesis, *Parshat VaYera*). Compare also the somewhat different explanation of R. Reuven Katz, *Dudaei Reuven* (I, 12).

<sup>31</sup> See also R. Elyakim Shlesinger, *Beit Av, Sichot*, pp. 227-229.

<sup>32</sup> *Abraham’s Journey*, eds. David Shatz, Joel B. Wolewelsky, and Reuven Ziegler, p. 198. Rabbenu Bachya, *Kad HaKemach, erekh orchim*, identifies *haknassat orchim* with God in the fact that God sustains all the creatures of the world.

<sup>33</sup> *Birkat HaOreach*, pp. 5-12.

<sup>34</sup> Although some scholars did understand the Talmud’s reference to be applicable to all acts of *chesed*; see, for example, R. Shlomo Heiman, *Chiddushei R. Shlomo, psakim uksavim* #37, who is led by this statement to consider (although not conclude) that all interpersonal commandments supercede commandments between Man and G-d.

<sup>35</sup> See *Chokhmah U’Mussar*, II, # 211.

<sup>36</sup> *Hil. Eivel* 14:2. See also R. Meir Leibush Malbim, *Eretz Chemdah* to Genesis, and *Resp. Kol Mevasser*, *ibid*.

<sup>37</sup> The phrase is also cited in a halakhic context by R. Chaim Yosef David Azulai, known as the *Chida*, in his *Birkei Yosef, Yoreh Deah* 244:1. The *Chida* cites a responsum by an unnamed author who forbade rising in honor of a Torah scholar while involved in prayer. In the context of that discussion, the author dismisses Abraham as a possible model of interrupting interaction with G-d to honor humans; the *Chida*, however, disagrees and defends the inference from Abraham. Concerning the *Chida*’s position, see also the essay of R. Avraham David Rabinowitz-Teomim (Aderet), printed in *Otzerot HaBerakhah*, pp. 92-93. For another halakhic usage of this dictum, see R. Chaim Pilagi, *Responsa Chaim B’Yad*, 64.

movement, the Ba'al Shem Tov,<sup>38</sup> asserted that this statement does bear relevance to everyday life, in that welcoming guests often requires that one divert attention away from his own personal spiritual strivings. The demands of making small talk, with the possible inclusion of inappropriate speech, can serve as quite a frustration to one who is impassioned toward Torah study and exalted discourse. Nonetheless, we are therefore reminded that ultimately, extending hospitality is considered to be greater than more obviously spiritual experiences.<sup>39</sup>

From a more legalistic standpoint, the importance of this mitzvah is further seen in that all its needs are taken to have the halakhic status of "sha'at ha'dchak", an urgent situation.<sup>40</sup> One expression of this reality is various leniencies that appear in the laws of Shabbat<sup>41</sup>, as well as other areas<sup>42</sup>, to ensure that a guest is properly attended to<sup>43</sup>. Similarly, R. Shlomo Zalman Auerbach<sup>44</sup> recommends foregoing communal prayer (and instead praying alone) when it means leaving a guest who will feel discomfort.<sup>45</sup>

The nature of the Shabbat leniencies is the subject of some discussion. R. Eliezer Waldenberg<sup>46</sup> infers from these leniencies that the imperative of making Shabbat pleasant (oneg Shabbat) is a sufficient justification. R. Yitzchak Sternhill,<sup>47</sup> however, objects, asserting that the needs of guests are indicative of a more sweeping license, one rooted in the fundamental concern for human dignity (k'vod ha-briyot). Further, as an independent mitzvah, presumably of Biblical origin, the need is more self-evident even than that of oneg Shabbat. As will be noted, these two perspectives may represent two elements of the mitzvah of hakhnassat orchim.

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<sup>38</sup> Cited in *Toldot Ya'akov Yosef* (V, p. 355 in 1998 edition) and in *Sefer Ba'al Shem Tov al haTorah*.

<sup>39</sup> See, at length, *Birkhat Hillel al HaTorah* (Genesis, #27); *Mar'ot HaTzov'ot* to Genesis (18:3 and 18:5); R. Yonah Dreszer, *Eim L'Binah* to Genesis; and R. Shmaryahu Arieli, *Mishmeret Ariel* to Genesis (p. 92). See also R. Gideon Attah, *G'viat HaKessef to Massekhet Shabbat*, who understands the phrasing of a passage in the Talmud ("D'ktani mip'nei ha-orchin v'hadar u'mipnei bitul beit ha-midrash", *Shabbat* 127a, with commentary of R. Elazar Moshe Horvitz) to be implying that hospitality justifies, to some degree, the neglect of Torah study. In his assessment, hospitality increases the bonds of friendship and unity, which are crucial prerequisites to proper Torah study. See also the commentary of *Chatam Sofer* to this passage. For various interpretations of this phrase, see *Birkhat HaOreach* ch. 6, fn. 8-11, and see as well R. Aharon Levine, *Birkhat Aharon to Massekhet Berachot* (in *Mateh Aharon, Metukei Aretz, Divrei Aggadah*, 1) and R. David Shperber, *Resp. Afarkasta D'Anyah*, IV, 322. Accordingly, one who is about to begin a set time for Torah study, or to attend a Torah lecture, would delay that activity if a guest presents himself and needs attention; R. Avraham Yisrael, *V'ein Lamo Michshol*, pp. 39-41, assumes this is true even for one who is presenting a public Torah lecture, citing to this effect the *Shlah* (*Massekhet Shavuot, Ner Mitzvah* 45). In a different vein, R. Yisrael of Modzitz (cited in R. Shmuel Zakai, *Machmadei HaTorah* to Genesis) suggested that the message of the Talmudic declaration is to contrast hospitality with the blessing of the new moon, which is identified with receiving the Divine presence, and yet, as the Talmud (*Sanhedrin* 42a) emphasizes, suffices at once a month. Hence, it is stated that hospitality is greater, and should be pursued more often than once a month.

<sup>40</sup> See Shach, *Yoreh Deah* 92:29, and 242, in *hanhagot horaot issur v'hetter*.

<sup>41</sup> *Orach Chaim* 333:1.

<sup>42</sup> See *Orach Chaim* 168:5, and *Kaf HaChaim*, *ibid.*, 39; *Yoreh Deah* 69:6 and Rama; and the *Mishnah* in *D'mai* (3:1), with the commentary of the Rambam.

<sup>43</sup> See *Shabbat* 126b; *Rambam, Hilkhos Shabbat* 26:15, *Shulchan Arukh, Orach Chaim* 333:1.

<sup>44</sup> *Halikhos Shlomo*, ch. 5, in *D'var Halakhah*, 25, and *Orkhos Halakhah*, 52.

<sup>45</sup> See also R. Yitzchak Zilberstein, *Resp. Avnei Choshen*, III, pp. 438-439.

<sup>46</sup> *Resp. Tzitz Eliezer*, VI, 34:8.

<sup>47</sup> *Kokhvei Yitzchak*, II, 2:13.

## Charity, Chesed, or Both?

The chesed of hakhnassat orchim challenges the general distinction between the monetary realm, represented by tzedakah, and the realm of physical assistance generally subsumed within chesed. In this instance, monetary and physical elements are intertwined. On the one hand, the act mandates physical effort, a welcoming attitude, and possibly the endurance of inconvenience. In addition, there is a monetary cost, as the property of the host is consumed and otherwise utilized in the process.

As such, hakhnassat orchim is governed by two systems. As a charitable gesture, the Talmud's limitation of expenditure to one fifth of one's funds<sup>48</sup>, a precept intended to prevent the donor from himself becoming impoverished, applies. As for the physical component, the mishnah's statement of "there is no limit"<sup>49</sup> is the guiding principle.<sup>50</sup>

Even though hosting those who are needy is simultaneously both hakhnassat orchim and charity, the central obligation of hakhnassat orchim itself applies both to the needy and to the financially comfortable. As emphasized by R. Chaim ben Betzalel (the brother of the Maharal of Prague), the act of bringing associates closer is meritorious regardless of their status;<sup>51</sup> he notes that a meal centered on friendship (though not on frivolity) is considered independently valuable by the Talmud<sup>52</sup>, and one need not interrupt such a meal even for purposes of prayer.<sup>53</sup> Beyond the responsibility towards friends, relatives are given special attention in rabbinic literature. According to the Midrash<sup>54</sup>, the care one must be ready to provide for one's relatives is modeled by an unlikely teacher, Laban, who said to his nephew Jacob "Nevertheless, you are my flesh and blood" and hosted him for a month.<sup>55</sup>

This is further seen explicitly in the writings of the Maharil, who actually focuses the concept away from the needy.<sup>56</sup> In his formulation, feeding the hungry is best characterized as charity; hakhnassat orchim, however, is primarily an effort of social bonding, aimed toward inviting

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<sup>48</sup> *Ketubot* 50a; see Shulchan Arukh and Rama, Y.D. 249.

<sup>49</sup> *Peah* 1:1.

<sup>50</sup> See R. Yosef Tzvi Adler, *Al Pi HaTorah* to Genesis.

<sup>51</sup> See *Sefer haChaim (Sefer Parnassah V'Khalkalah*, III, ch. 3, cited in *Birkhat Oreach*, ch. 2, fn 21 [in *Tziyyun L'Eishel*]. See also R. Katriel Ephraim Tsursh, *Hadrat Ephraim* (II, pp. 83-86). Of course, to prefer the wealthy over the needy would be contrary to the spirit of halakhah; R. Levi Yitzchak of Berditchev (cited in R. Elyakim Devorkes, *B'Shvilei HaParshah*, p. 24, and R. Yosef Shabtai, *Shai L'Mora* to Genesis) suggests that the hospitality of Lot (Genesis 19:1-3) was inferior to that of his uncle Abraham, because he tended to his guests specifically because they appeared to be distinguished (as "angels") while Abraham's visitors were cared for despite appearing as simple people.

<sup>52</sup> *Sanhedrin* 103b.

<sup>53</sup> *Shabbat* 9b.

<sup>54</sup> *Midrash Rabbah*, Genesis, 70:13.

<sup>55</sup> Genesis 29:14.

<sup>56</sup> *Likkutim* at end, 60; See *Yad Ephraim*, Y.D. 68, ;R. Yosef Engel, *Gilyonei HaShas*, *Shabbat* 127a; R. Natan Getsetner, *L'Horot Natan* to *Pirkei Avot*, 1:15.

guests for the purpose of honoring them rather than sustaining them<sup>57</sup>. Perhaps for this reason, R. Chaim Pilagi asserts that the mitzvah is fulfilled specifically when the guests are hosted in one's home, as opposed to one who sends food out to a needy individual.<sup>58</sup> This is also evident in the episode of Abraham, who believed the angels were distinguished guests and served them accordingly. The Maharil's language leaves some room to question whether hospitality to the needy is purely charity and not hakhnassat orchim, or whether that kind of hospitality is a fulfillment of both categories.<sup>59</sup> The latter view is the explicit understanding of many later authorities.<sup>60</sup>

An additional element merges the concept of charity with that of hakhnassat orchim, even when the guest is financially secure. The Mishnah<sup>61</sup> teaches that one who is traveling from place to place is permitted to avail himself of charitable funds and related resources. According to R. Eliezer, he is obligated to make reimbursement once he returns home; according to the Rabbis, however, "he is a poor person at that time". The implication is that all who are away from their homes are considered "needy" due to their dislocation.<sup>62</sup>

Nonetheless, there is some discussion as to whom the status of "guest" is granted, in light of the halakhic dispensation granted (in the laws of Shabbat, as noted above) to facilitate preparing for one. There appears to be a consensus that to justify leniencies in the laws of Shabbat, the guest needs to be more than a local resident or neighbor who is invited for a single meal. At the least, the guest is someone who is lodging as well, if not with the host of the meal then with another local host.<sup>63</sup> However, some later authorities<sup>64</sup> extend this status even to a neighbor, noting, as above, the tremendous value of hospitality distinct from considerations of need. However, they do recommend ideally avoiding any situations that require leniencies on Shabbat when possible. Similarly, many authorities permit leniencies to be employed on behalf of guests who have already been invited, even if these authorities would not have advocated such an approach *ab initio*.<sup>65</sup>

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<sup>57</sup> See also *HaMaor Sh'b'Avot*, p. 40, citing *Tiferet Yehoshua*, that the *mishnah* in *Avot* (1:5) is structured in two parts "let your house be open wide" and "the poor should be like members of your household" because these two phrases represent two separate *mitzvot*, *hakhnassat orchim* and *tzedakah*.

<sup>58</sup> *Tok'chat Chaim, VaYera* (ch. 4).

<sup>59</sup> See the analysis of this issue in *Resp. Divrei Moshe*, 42.

<sup>60</sup> See *Ahavat Chesed* 3:1; R. Avraham ben Shabtai Horowitz, *Yesh Nochalin*, ch. 2, *hagahot* #26; *Shnei Luchot HaBrit, Pesachim, Perek Ner Mitzvah*, # 67.

<sup>61</sup> *Peah* 5:4.

<sup>62</sup> See *Yesh Nochalin* (2:7), and R. Yitzchak Shmuel Schechter, *Resp. Yashiv Yitzchak*, XII, 10. See also *Beit HaBechirah, Sukkah* 34b, s.v. *shel d'mai*.

<sup>63</sup> This is the ruling of the Rama (O.C. 333:1); the *Beit Yosef*, citing the *Terumat HaDeshen* (72), was unsure if this status should be accorded to one who is being hosted elsewhere in the neighborhood. See also *Pri Megadim in Eishel Avraham*, O.C. 307:7.

<sup>64</sup> See *Pitchei Teshuvah*, Y.D. 69:13, citing *Solet L'Minchah*.; *Sefer HaChaim* and *Yosef Ometz*, as cited in *Birkhat Oreach*, ch. 2 fn 11 [in *Eishel Avraham*].

<sup>65</sup> See *Shulchan Arukh*, O.C. 410 with *Magen Avraham* (#17) and *Machtzit HaShekel*, and *Pitchei Teshuvah* Y.D. 69:13, citing *Solet L'Minchah*. Note *Birkhat HaOreach*, 6 fn 16, who observes that it is unclear from the language whether the hesitancy to invite guests *ab initio* if they would require dependence on leniencies is referring to any guests, or just those who would not meet the full definition of "guests". See also *Mishnah Berurah* 333:9, who rules

In any event, it appears that a distinction must be made between hosting a “guest” in a sense that justifies compromises in the laws of Shabbat and the like, and a more socially motivated hospitality that may not rise to that standard. While that distinction does exist, both categories are subsumed within *hakhnassat orchim*. An example of this duality can be found in the responsa of R. Moshe Halberstam<sup>66</sup>, who notes that guests who are charged money for their lodging are not considered “guests” in the first sense<sup>67</sup>, but that such hospitality is still subsumed within the category of the *mitzvah*.<sup>68</sup> Similarly, R. Yitzchak Zilberstein<sup>69</sup> suggests that even guests who do not meet the standards for the above leniencies are still considered “guests” for other purposes, such as the host prioritizing taking care of them over attending a Torah lecture.<sup>70</sup>

Apart from the considerations of need, there are additional factors that affect the nature of a specific act of hospitality. The Meiri<sup>71</sup> states that while hospitality is a wonderful quality, it is enhanced even further when the guest is a Torah scholar, and such activity brings blessing into the home. This is consistent with statements in the Talmud that hosting a Torah scholar is an act comparable to bringing an offering in the Temple.<sup>72</sup> Conversely, one is advised not to welcome into one’s home unworthy individuals, who will have a deleterious effect on the household and negate any fulfillment of a *mitzvah* of *hakhnassat orchim*.<sup>73</sup>

The charitable component of *hakhnassat orchim*, when relevant, also impacts on its practice. For example, R. Avraham Kahana Shapiro<sup>74</sup> cites the Chafetz Chaim as mandating that one make

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that the status of “guests” would be extended to locals who are invited to enhance the honor of the actual “guests”. See also R. Fragi Alush, *Responsa Oheiv Mishpat, Orach Chaim*, 12.

<sup>66</sup> *Resp. Divrei Moshe*, 9, and 42:4.

<sup>67</sup> Per R. Baruch Frankel *Teomim, Ateret Chakhamim*, Y.D. 5, and R. Shalom Mordechai Schwadron, *Da’at Torah*, O.C. 333:1.

<sup>68</sup> *Da’at Torah*, O.C. 306:4. See also R. Yisrael David Harfenes, *Responsa VaYivarekh David*, II, 176, p. 187 in fn, who quotes sources to the effect that one hosting guests for remuneration is fulfilling a *mitzvah*, without recording any distinction.

<sup>69</sup> *Resp. Avnei Choshen*, III, pp. 440-442. Compare, however, his comments on page 546.

<sup>70</sup> R. Zilberstein is quoted in a related context in R. Moshe Michael Tzurn, *Aleinu L’Shabeach*, III, pp. 192-193. It is related there that a Torah scholar left his house, on the intermediate days of the festival, to attend a Torah lecture and discovered a young couple, relatives of his, approaching his house for a festival visit. He asked the couple to return later, citing the impending lecture. The couple, offended, turned away and did not return. A learned neighbor who witnessed the incident challenged the Torah scholar on his behavior, asserting that welcoming guests is superior to accepting the Divine presence. The scholar argued the point, claiming this only referred to “guests” in the classical sense, not to relatives paying a social call on the festival. R. Zilberstein criticizes the scholar’s attitude on a number of grounds, including asserting that even were such hospitality not a function of *hakhnassat orchim*, it is at least included within “Love your neighbor”. The couple’s embarrassment was also a significant factor in his criticism.

<sup>71</sup> *Berakhot* 64a.

<sup>72</sup> *Berakhot* 10b, *Chagigah* 27a; *Midrash Rabbah, VaYikra, Parshat Behar* 34:13.

<sup>73</sup> This is the implication of *Yevamot* 63b.; See also *Solet L’Minchah* in *Pitchei Teshuvah*, *ibid*, where it is suggested that the status of “guests” for the purposes of leniencies is dependant more on moral worthiness and merit than on need; see also R. Tzvi Hirsch Schapiro, *Darkhei Teshuvah*, Y.D. 69:114, and R. Mordechai Shabtai Eizenberger, *Biurei Halakhot*, p. 517, commenting on *Turei Zahav*, O.C. 515:2. This topic is taken up at length, with many sources cited to this effect, by Dr. Naftali Tokar, in the journal *Shma’atin* (2000, vol, XXXVII, #139, pp. 29-40).

<sup>74</sup> *Resp. D’var Avraham*, II, 2, in footnote.



Kiddush and begin his Friday night meal immediately upon arriving home if he is hosting needy people. This is seemingly in contrast with his view elsewhere<sup>75</sup> that one is not obligated to initiate Kiddush immediately. In the presence of such guests, however, the prohibition of “you shall not delay in paying [a monetary commitment]”<sup>76</sup> (*bal ta’acher*) is invoked, and the sustenance must be provided immediately.<sup>77</sup> The Chafetz Chaim’s son, R. Leib, related that in the presence of guests, his father would delay the traditional singing of “Shalom Aleichem” until after breaking bread, reasoning that even the ministering angels (to whom the song is addressed) would agree not to prolong the hunger of the visitors, as human beings experience hunger, while angels do not.<sup>78</sup>

The Chafetz Chaim’s concern for needy guests is reflected in a ruling specific to the laws of Sukkot. One is exempt from the commandment of sitting in the Sukkah while it is raining. However, on the first night of Sukkot, when eating in the Sukkah constitutes an affirmative obligation, greater efforts are made to negotiate the situation. Accordingly, the Chafetz Chaim rules in his *Mishnah Berurah*<sup>79</sup> that if there is rain on the first night, one should wait until midnight in hopes that the skies will clear. Nonetheless, he rules<sup>80</sup> as well that when poor guests are present, who have presumably not eaten the entire day, one should not delay. Once again, the possibility of violating “you shall not delay” is invoked.<sup>81</sup>

The issue relating to Sukkot is especially relevant in that the festivals are a time when hosting guests, particularly needy ones, takes on an added dimension. The Rambam<sup>82</sup> writes, “One who closes his door, and eats and drinks, he and his children and his wife, and he does not feed and give drink to the poor and the low of spirit, this [celebration of the festival] is not a joy of mitzvah, rather it is a joy of his belly (*simchat kreiso*), and this joy is a disgrace to them.” Thus, failing to express hospitality at this time constitutes an invalidating flaw in one’s festival observance.<sup>83</sup>

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<sup>75</sup> *Mishneh Berurah*, 271:1.

<sup>76</sup> Deuteronomy 23:22.

<sup>77</sup> Note R. Schapiro’s comment for a technical resolution to the problem posed by this prohibition.

<sup>78</sup> See R. Ya’akov Yehoshua Belkrovitz, *Tiferet Yehoshua, Avot*, pp. 81-82; *B’Shvilei HaParshah*, p. 25, and *Tenuat HaMussar*, citing R. Leib Chasman, who reported such an exchange with the Chafetz Chaim at his home. See also, more extensively, *Nachal Eitan* to Genesis (18:1), and R. Moshe Sternbuch, *Moadim U’Zmanim*, (VIII, 1:13).

<sup>79</sup> O.C. 639:35.

<sup>80</sup> In *Sha’ar HaTziyyun*, #7.

<sup>81</sup> There is some discussion as to whether “you shall not delay” is truly applicable in this case; see R. Avraham Yeshaya Karelitz, *Chazon Ish, Yoreh Deah, Hilkhos Tzedakah*, 153:5, and see R. David Ariav, *L’Reakha Kamokha*, II, p. 196, in *Nir L’David*, #310.

<sup>82</sup> *Hil. Yom Tov* 6:18, and *Hil. Chagigah* 2:14; see also *Shulchan Arukh*, O.C. 529:2 and *Mishnah Berurah* 17.

<sup>83</sup> See also R. Chaim Moshe Kurt, *Tiferet Moshe*, pp. 114-115. Note as well R. Yitzchak Sorotzkin, *Rinat Yitzchak*, Genesis 18:1, who suggests that this element was at play as well in the story of Abraham. The angels appeared to him on Yom Tov, as a response to his pain of not having guests, which was particularly exacerbated by the relationship between hospitality and proper festival celebration.

See also R. Aharon Yehudah Grossman, *Responsa V’Darashta V’Chakarta*, I, O.C. 78 and III, O.C. 64, for a discussion as to whether this particular obligation of hospitality on the festival can be fulfilled through straight monetary donations.