

Backing Out of a Tzedakah Commitment

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Question: Somebody decides to give a certain amount of money to a specific organization. Later, he has second thoughts and wants to either give it elsewhere or not give it at all. Is he allowed to renege on his unspoken commitment?

Answer: If one explicitly made a pledge to give *tzedakah*, it would be considered as if he made a *neder* and he would not be allowed to back out. Whether the money has to be given to the specific cause the person promised to give it to or if he can change his mind and give it to a different cause is the subject of much debate. The Machaneh Efraim, Ketzos Hachoshen and Chasam Sofer all discuss whether someone who vowed to give *tzedakah* to one poor person can change his mind and give it to another instead, and none of them arrive at a clear conclusion. The Aruch Hashulchan clearly rules that one must give the money to the specific poor person he pledged to give it to (unless he found out some new information about that person that would justify the switch).

If a person did not speak out his pledge and only thought it in his mind, it is subject to a separate dispute whether or not this constitutes a *neder*. Rema writes that one should be stringent and consider it a *neder*. In this case though, if one does not intend to renege, rather he'd only like to switch and give it to another, it would seem that one could be lenient.

A common application of this would be if someone is davening in a shul and sees a poor person collecting *tzedakah*. He takes out a dollar and has in mind to give it to the poor man, but by the time he looks up the fellow is gone. Since he only thought in his mind that he would give the dollar to the poor man and did not make a pledge out loud, he has the right to back out of his commitment to that man and give the dollar to a different collector instead.