

Q&A from the Bais HaVaad Halacha Hotline

Social Decline

January 18, 2024

Q I gave my credit card to a tzedakah collector, but the charge was declined, so he requested cash instead. Am I obligated to give it to him?



A If you have cash, you must not send an *ani* away empty-handed, as the *pasuk* says (Tehillim 74:21), “*Al yashov dach nichlam* (Let not the oppressed turn back in shame).” This teaches that one who is approached by a pauper for a donation must give him something, even a small amount (Rama Y.D. 249:4).

A verbal pledge to give tzedakah is considered a *neder* (Rambam Hil. *Matnos Aniyim* 8:1). So if you told the man the amount you would give him, you must fulfill your vow. If you only indicated an amount to him wordlessly (as is common during davening), e.g., by holding up three fingers for \$3, or if you keyed in the amount on his credit card terminal, the early *poskim* debate whether *gemirah baleiv* (a mental resolution) creates a tzedakah *neder*, or if that power is limited to the spoken word (C.M. 212:8); the Rama (*ibid.*) rules stringently.

This applies both to an *ani* collecting for himself and to someone a representing a tzedakah organization or a Torah institution (see Mishnah Brurah 153:81).

When one undertakes that he will give tzedakah to a certain *ani*, he can fulfill the pledge by giving to another one (see Ketzos Hachoshen *ibid.* 4). But in your case, where you communicated your pledge to the man directly, he is relying on you, and you are expected to keep your word. Though this is not a bona fide obligation, one who doesn’t follow through is called *mechusar amanah* (lacking trustworthiness; C.M. 204:8). If it is inconvenient to give cash, you are not considered *mechusar amanah*, because you pledged based on the mistaken premise that you were able to pay by credit card (see Rama *ibid.* 11). You must still fulfill your vow, but you may give the money to a different *ani* at a later time.