

# Tzedakah & Ma'aser I: Week 1

Rav Dovid Grossman

## DENYING A PERSONAL REQUEST FOR TZEDAKAH:

The Torah states (Devarim 15:7): "You shall not harden your heart, and you shall not close your hand from your needy brother." We learn from this *pasuk* that there is prohibition of denying a request for *tzedakah*.

There is a discussion in the Poskim about what type of solicitation this prohibition applies to. Does it need to be an in-person request, or is sufficient if one knows that the person is in need and is aware of his plight? What about an email request or a *tzedakah* mailing? Is it forbidden to ignore these requests?

As a matter of practice, the defining factor will be whether the needy individual is personally asking the potential donor for a donation or if the solicitation is done on a large, impersonal scale, e.g., a mass mailing sent out with the hope that some of the recipients of the letters will participate.

To illustrate, if one receives an email request for a donation, if you assume that the person sent it to you individually, you would be required to send a donation, but if it appears to have been sent as a mass email to an entire list there would be no obligation. The same would be true with text messages or WhatsApp campaigns, etc.

## UNWORTHY SOLICITORS:

It is the duty and obligation of the donor to be reasonably diligent that the money is going to *aniyim* that are in need of *tzedakah* funds.

The Gemara (Bava Kama 16b) relates that in the times of Yirmiyahu, some people stood in his way and tried to badmouth him. Yirmiyahu subsequently cursed these evildoers by saying that Hashem should put obstacles in front of them.

The Gemara then tells us that his curse was specifically referencing that even their merits should turn sour. The Gemara and Rashi explain this to mean that even when they

give *tzedakah*, the charity should end up in the hands of unworthy people. We infer from this Gemara that if one gives *tzedakah* to someone who is not worthy, he would not receive any reward for it.

Reb Elchanan Wasserman zt"l explains that it is clear in Chazal that if one gives *tzedakah* with improper intentions – for example, if one donates money on condition that his sick son survives his illness – it is still a mitzvah and he does receive reward for it. Conversely, if one tries to give *tzedakah* with the right intentions, even if the money does not end up reaching the proper address, he will be rewarded for his intentions. Regarding all mitzvos, there is a rule "*machshava tova Hakadosh Baruch Hu mitztaref lema'asah*." Hashem rewards a person for his good intentions as if he did the act he intended to do. Thus, if one intends to give *tzedakah* to a poor man, but the money ends up in the hands of people who are not really poor, he still receives a mitzvah. However, Yirmiyahu was referring to people whose intentions were not pure. In such a case, he will only be rewarded for the mitzvah if the money actually ends up going to poor people. If the money ends up in the hands of the wrong people, he will not receive a mitzvah.

## SWINDLERS:

If one is unsure if a man asking him for a donation is truly poor or is actually someone trying to fool him, he does not have to give him anything and will not be in violation of the aforementioned prohibitions.

The Gemara expresses (Bava Basra Daf 10A) that we must "show our appreciation to fraudsters", for if not for them if any person ever asks for charity and we refuse them, we would get punished immediately. However, because we are allowed to question the legitimacy of the solicitor, we do not get punished.

Although one may question the legitimacy of a solicitor, the Gemara rules that "we may check the legitimacy when being asked to help clothe, but when one is asking for food, we should not delay giving in order to check the legitimacy." When a pauper asks for food, if one is unsure if he is legitimate, he

should give a minimal amount right away. Other immediate needs, such as clothes to keep warm on a cold day, also go into the classification of food, and we do not question the legitimacy of such a request. On the other hand, some Poskim limit this halacha to individuals asking for **food itself** (or winter clothes etc.), but if they are asking for money to buy food, one may question them to ensure the money is actually being used for food.



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