



Coordinating *Ma'aser* with Small Donations

לעילוי נשמת
 יואל אפרים בן אברהם עוזיאל זלצמן ז"ל

Question: I have a *ma'aser kesafim* account from which I write checks and do bank transfers. I also give small amounts of money to poor people who collect in *shul*. Can/should I deduct these donations from my *ma'aser* “ledger” or give it from “my own” money?

Answer: There are two approaches to the halachic logic of *ma'aser kesafim*. *Minchat Asher* (Devarim 22) discusses whether *ma'aser kesafim* is an extension of *ma'asrot* on agricultural produce, or a recommended way of fulfilling one’s *tzedaka* obligations. The latter seems to be the mainstream approach (see Rambam, *Matnot Aniyim* 7:5; *Shulchan Aruch*, *Yoreh Deah* 249:1).

There are also two main benefits from the *mitzva* of *tzedaka*: 1. Making funds available to the needy; 2. Involving the giver in an act of

generosity. At times, there is tension between the optimization of these gains. For example, because of #2, it is better to give small amounts of *tzedaka* many times (Rambam to Avot 3:15), but this can be practically inefficient for organizations (see our attempt at a balanced approach in *Living the Halachic Process II*, F-3). We do not want to take a stand on the question of efficiency in giving small contributions to individual collectors who already traveled to your *shul* (their major overhead), and the impact of the difficulty of vetting them. It is, though, both spiritually regrettable and halachically questionable to turn down a poor person without giving him a small donation (see *Shulchan Aruch*, YD 247:1; *Rama*, YD 249:4). Your system is therefore understandable, balanced and common.

The short answer to your question is that you may deduct what you give in *shul* from your *ma'aser* ledger. *Tzedaka* is *tzedaka*, whether it is to an organization or to an individual. Where there is a *machloket* is whether the *tzedaka* you give when you have an empty *ma'aser* account and obligation can later be deducted from future *ma'aser kesafim* (see *Ahavat Chesed II*:18:2), and even there we are lenient (*Tzedaka U'mishpat* 5:11). But it is clear that if you have a *ma'aser* “*pushka*” at home and are approached by a collector on the street, you can give him “pocket money,”

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and then reimburse yourself from the *pushka*. In the same vein, you may write down the contributions and take out money from the *tzedaka* account or give less next time you replenish your account.

The question is whether you should want to. There is a kabbalistic approach that it is better to give 10% than more than that (Shiyarei Knesset Hagedola, Tur YD 249:1). However, we clearly hold that giving more is laudable (see Shulchan Aruch, YD 249:1). It therefore makes a lot of sense to use the bank account for the 10% and give as you determine appropriate beyond that (if you can afford it). This works well in countering a “problem” with the *ma’aser kesafim* system – it “only” requires discipline to calculate and take off the money. However, the actual donations to not include generosity – one gives to Reuven not from his own pocket but by depleting available funds earmarked for the community of the needy. This compromises gain #2 above. If for certain contributions you make you do not seek reimbursement from the *ma’aser* ledger, those actions (which can be many in certain *shuls*) is a better fulfillment of the Rambam’s multiple small contributions idea.

This is not to criticize the pure *ma’aser* system, which in most cases, probably has caused its followers to give more than they otherwise would have (we cannot prove this contention). It is true that indications are that the regular use of such an accounting was not prevalent in Talmudic times (see Tosafot, Ta’anit 9a; Bava Kama 56b; I cannot explain further in this forum). However, there was an analogous

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system that was prevalent in Talmudic times – an enforced appraisal by the local *tzedaka* committee (see Bava Batra 8b), after which people were not expected to give additional *tzedaka* (see *ibid.* 43a). Apparently, while that system limited flexing the generosity muscles, it helped keep the poor of many communities alive and reasonably taken care of. ■

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