

1a

Question

Maaser K.S ofim - Giving ~~one~~ <sup>one fifth</sup> ~~tenth~~ of one's wealth ~~to~~ <sup>for</sup> charity  
is this a Divine Law?

Do you give  $1/5$  or  $1/10$   
of your assets or of your  
net profits?

How do you reconcile  
these ratios with the  
law that ~~if~~ <sup>one</sup> should  
furnish all the needs  
of the poor person?

Answer  $\frac{1}{5}$  or  $\frac{1}{10}$  is the second  
~~question~~ so the best thing to do  
for an individual who is  
able to give but not

~~how much should~~  
~~an individual give who~~  
for one who can not furnish all  
the needs of a poor  
person?

Answer - ~~the greatest~~  
to give ~~is~~  $\frac{1}{5}$  of his net  
profit.  
The middle path is  
to give one tenth of  
net profit.

~~Answer~~ - The first year  
one should give a  
fifth of his assets.

The following years a  
fifth from his net

\* Talmud a person can set write  
 Ksufim in his will to give one  
 67 A. share of his assets for  
 the needy and one half  
 for orphans.  
 - that would benefit his own  
 soul -

profits after paying all ones  
 expenses except living  
 expenses.

A lower standard is  
 to give one tenth of his  
 assets the first year.  
 Following years one  
 tenth of net profits.

Or else however if  
 one gives lesser he is  
 nevertheless observing  
 the Mitzvah of Tzedaka.  
 The above Mitzvah of  
 a fifth or a tenth is  
 called Maaser Ksofim.  
 Taz 40 ~~331: 32~~  
~~331: 146~~ A Considero  
 Maaser Ksofim as Divine  
~~Bach does not~~

3 40 249:1

Aruach Hashulchan says

it Maaser only relates

to <sup>giving 1/10<sup>th</sup></sup> ~~separating~~ the growth

from the earth as

wheat or barley to <sup>1<sup>st</sup> year</sup> hefts

or <sup>or branching to 2<sup>nd</sup> year</sup> ~~hefts~~ <sup>Maaser</sup> ~~hefts~~ <sup>2<sup>nd</sup> year</sup>

giving to the  
poor - 3<sup>rd</sup> year

Money is only a

Rabbinical Law or a  
Mitzva

It is a measure

that the Rabbin set

for one who is

unable or unwilling

to give the poor

what they need.

\* Bach 40331

does not consider

Maaser of money - Maaser <sup>to give</sup> Divine

giving 1/5 out of the ~~the~~ Rabbinical Law. Only  
giving 1/5 out of the ~~the~~ earth is divine or

~~Partiment~~; <sup>4</sup>not  $\frac{1}{5}$  or  $\frac{1}{10}$   
of Money. is Rabbinical or  
True this is Tzedaka  
but it is not  
Maaser.

One should not  
give more than  
 $\frac{1}{5}$  otherwise one  
will himself have  
to depend on others  
~~but for~~ Talmud  
Kerubim 50A.

And such a person  
is not very pious  
but stupid  
Rambam <sup>end of</sup> laws of  
~~gates to the~~ <sup>door</sup> of  
Eruvin.

✓

Tim 40 250:1

We explained that  
# according to Torah  
the all the needs of a  
person should be provided.

However ~~since~~ this can  
lead to a person's bank-  
ruptcy; ~~say~~ ~~Rama~~ ~~say~~ 40

250:1 ~~says~~ advises that the  
individual should alert  
the community of the  
needs of the poor person.

The individual then  
should provide a small  
gift; the community  
if possible should provide  
all the needs of the poor  
person if possible.

# There is an additional  
factor. If the poor  
person begs from  
many people then on  
different law exists.

Rambam teaches that  
the individual is exempt  
from providing ~~all~~ the  
need of the poor person.

Tan 7D 25:1 explains  
that if he does not  
beg from many  
people, Rambam means  
that he has to give  
him a large gift not  
all his needs literally.  
A large gift could  
also mean a full mea.  
This is true when

the benefactor ~~people are~~ ~~poor~~  
can not afford more.

According to Rosh if  
community is poor,  
all ~~they~~ that they  
have to provide is a  
full meal even when  
poor person does not  
beg from everybody

Rosh <sup>says</sup> ~~that~~ a full meal is  
considered a large

gift. According to Rambam  
they must provide a full meal even

the community  
~~they~~ must  
when poor beg  
from everybody  
Taz says  
that the  
Halacha is  
~~that~~ that  
the community  
must provide  
for a free  
meal to the poor  
Shulch. o. c.

~~According to~~  
~~Rambam they are~~  
~~required more than~~  
~~a full meal. If how-~~  
~~ever if the community is able~~  
~~they can~~ they should  
provide for ~~all~~ as many of  
needs of the ~~as possible~~  
2001 persons ~~needs~~  
even if they beg from



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## Question

Does not Tzedaka encourage  
welfare caste - people  
who will refuse to  
become self sufficient?

Answer

The Mitzvah by  
definition "is to  
provide for the needs  
of the recipient"

Same it is  
impossible to provide  
for the complete  
needs of all the  
needy of the beneficiaries  
must provide for  
themselves. The

18. One would then provide  
for the needy of Israel before  
providing for the needy of other  
lands. The needy of Jerusalem  
would take preference  
for the needy of other  
parts of Israel.

However if it is a  
question of saving of  
human lives - that  
takes preference over  
every other type of  
Tzedaka. (A)

In contemporary  
times the giving of  
Tzedaka to Israel  
is a question of saving  
of human lives  
Israel is surrounded  
by enemies sworn to  
its destruction.

(A) yoreh dayah  
# 252:1,2

Jews must realize that we are dealing with an issue ~~question~~ of at least ~~a~~ ~~question~~ possible saving of human lives.

All <sup>other</sup> issues must be subordinated not to interfere with the financial and moral support for Israel by Jews.

Israel's prime purpose is to provide a haven for Jews. Jews did not have a haven during World War II and consequently <sup>six</sup> millions



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We first provide to  
feed the hungry before  
providing for the other  
needs of anyone else. We  
provide for women before men.

W. In each of the categories  
in the order of preference  
mentioned, we first provide for  
the Torah scholar and  
his spouse. For the  
Torah scholar and his  
spouse are the pillars  
for the edifice of  
Torah and Jewish  
survival. Otherwise  
the community will  
disintegrate and  
be assimilated. For

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There can not exist  
any Judaism without  
direction taught by  
The Torah scholars.

For every time there  
is a ~~&~~ changed <sup>or consequence</sup>  
circumstance, there

is a change in  
the Halachic situation  
resulting in a  
different ruling. Such

is Torah and Judaism

Thus without Torah  
scholars we end up  
with superstitions and  
man made religion

but not the word of  
G-d.

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Preference for distributing Tzedaka for community.

We previously discussed the order of distribution for the individual.

The Talmud <sup>discusses</sup> and Shulchan Aruch summarized a similar order for the community.

(A)  
Tur Yoreh  
Deayah  
251:13  
Bach Shulchan  
Aruch  
YD ~~251~~  
251:14

~~Similar to the~~  
~~now~~ We mentioned that the first charity must be given to save human lives this supersedes all other causes. <sup>(A)</sup> ~~Giving to state of Israel and to government~~  
The next in importance is the spiritual survival

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of the Jewish people.

(A)

~~257:12~~

youh  
Dayah

~~257:13~~

257:13

TM 90

257:12

Jews can not survive  
with out Torah taught  
by decisors of Jewish  
Law - Poskim. We ~~feel~~  
technically can not  
survive and follow  
G-d's word of the  
Torah ~~without~~ <sup>without</sup> Poskim  
~~can not devate~~

These decisors ~~are given~~ the  
their time ~~unless~~ <sup>unless</sup> they  
are paid  
and ~~their~~ <sup>their</sup>  
~~not~~ <sup>not</sup>  
enabled to  
support their  
families,  
while they  
devate their  
time to  
Research.  
to Research the.

~~financial opportunity~~  
to Research the  
sources of G-d's word  
and their applicability  
to contemporary  
problems. (A)

A new generation  
of decisors of Jewish  
Law must be  
nurtured to insure



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The continuity of Poskim (A)

This can be only be accomplished by supporting graduate schools of Torah learning - Kollelim (A)

(A)  
Yoreh  
Dayoh  
249:16

Kesef  
Mishneh  
on Rambam  
yaad laws  
of hearing  
Torah 3:10

TM 45  
251:12 (B)

Arukh  
Hachulebon  
Yoreh  
Dayoh  
246:6

TM Yoreh  
Dayoh 251:12

Yeshivas must be supported to provide Jews with an original wholesome background of our roots. (A) a ray of light dispels a night of darkness. (B) Jewish women and men who attend yeshivas do not need have the lowest intellect

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The greater the exposure of Jewish men and women to authentic Torah learning as taught in Yeshivas the less the incidence of intermarriage and assimilation.

(A)  
Aruch  
Hashulchan  
Yoreh  
Dayoh  
246: 6

The proportion is startling. Learning Torah is the proven medicine against assimilation. (A)

It is not the millions invested in Synagogues and Jewish Centers that will save the Jewish

(A) Much Hasidim Chon YO 249:19 citing  
Jerusalem end of Talmud Payoh  
and Mahrik #128  
people. Only Yeshiva

(A) Investing  
millions  
for causes  
other than  
Torah educa-  
-tion ~~may~~  
mean that  
we then do  
not have  
the money  
to ensure

Education is the  
3500 year proven  
method for Jewish  
Survival. (A)

Of course a  
community must

(B)  
yoreh  
Deyah  
249:16

have a Synagogue  
and ~~to~~ maintain  
the functionaries (B)

our own  
future and the  
future of our  
children to  
survive as  
Jews. Jews  
must get  
their priorities  
straight.

Otherwise we  
are leaving  
our survival  
to chance.

of such institutions  
) However ~~the~~ every  
Synagogue must  
turn to a fortress  
of Torah Education  
for every age group  
not able to obtain  
a formal Yeshiva  
education.

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And to enable everyone to learn Torah every day. (A)  
On a social level.

(A)  
Aruch  
Hachochim  
Yoreh  
De'ayah  
246:11

On a more individual level -  
providing for the  
arranging to match  
unmarried men and  
women is a great  
mitzvah.

Chof Chochmos Kallah -  
to funding the  
marriages of  
indigent Jewish  
girls to equivalent  
mitzvah  
to enable  
the enables these  
women to marry  
and continue  
and continue the survival  
of the Jewish people

women  
if not for

29

~~Thus~~ ~~at~~ the end  
process of the dating <sup>helping</sup>  
service is ~~the~~ ~~getting~~  
~~married~~ the couples get  
married.

(A)

yoreh  
dayoh  
249:15

Hachnosas Kalla -  
financing of the weddings  
of indigent Jewish  
women is considered  
the greatest Mitzvah <sup>(A)</sup>

& thus Jewish

At this in a sense  
is equivalent to  
enabling an individual  
to stand on his  
own feet by ~~training~~  
helping him get into  
business or finding  
a job. Thus the  
women once married

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will have ~~a~~ husbands  
to care for ~~their~~ their  
needs. They in  
turn will provide  
their husbands' needs.

~~A man~~ Together they  
will build a house  
in Israel, ~~live~~  
and have children  
to perpetuate the  
Jewish people.

(A)

Yoreh,  
Dayoh  
249:16

~~Helping~~

Next in order is  
helping poor people  
who are ill. (A)

Building hospitals  
~~for such a~~ ~~just~~  
accomplishes ~~so~~ such  
a goal.

~~3)~~  
Question

# Employment offered to the needy

As mentioned previously the instant of highest degree of Tzedaka is to make a person financially independent

Question If someone has menial labor to be done. Should he hire a Jew who is poor?

Answer Yes.  
לפי דברי ר"ב פ"ב ט"ו

The poor should be members of your household.

The Taz, Y"b 251: 4.  
Comments that these Jews should be given menial work.

~~22~~ 22

any work that is available.  
even if it is menial work  
fit for slaves.



33

study of Torah Most  
Tag 4D 251:5 Important TASK  
~~explains Talmud end first-chapt~~  
~~Comments~~ that the <sup>Regil</sup>

study of Torah supersedes  
every ~~task~~ Mitzvah  
in the world. It is  
even more important  
than saving lives.

Tag explains that  
in practice saving of  
human lives supersedes  
all the Torah - including  
study of Torah.

Whether if one is  
not presented with  
the problem of saving  
of human lives then  
obviously he has a  
greater Zchus-merit  
from Heaven. ~~By~~  
He is lucky. He can now

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devote his time to study of Torah. Taz cites example of Ezra who remained in Babilonia (new Bag) engaged in the study of Torah with Borch ben Haro, his master. He first joined Zerubabel to help build the Second Temple, after Borch ben Haro passed away. Taz explains that the building of the Temple was done by others and did not suffer because Ezra was not present. Ezra considered study of Torah more important than assisting in the building

33 of the Temple.

~~an~~  
Question ~~can~~  
In order to save  
human lives ~~can~~  
money collected to  
build a synagogue  
be used to save ~~redeem~~  
hostages - human lives?

Answer Yes.

Shulchan Aruch YD 252:1

Question ~~of supplies to~~  
~~build the synagogue~~  
of synagogue was

already built <sup>can it</sup>  
be sold to <sup>redeem</sup> ~~hostage~~  
human lives?

Answer ~~Yes~~ YD 252:2

~~say~~ answer, ~~the~~  
ordinarily a person would  
not sell his own house

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~~to~~ one built to even  
to redeem hostages.

Why would a synagogue  
be treated differently?

However there does  
not exist a law  
forbidding doing this.  
Saving of human lives  
supersedes all the Torah  
of the community

has no other money  
to redeem the hostages  
it is permitted.

Certainly selling the  
Jefer Torahs should  
be preferred to  
selling the ~~synagogue~~  
synagogue. Taz 9D 252: 2

See also A Much  
Hachulchon <sup>9D</sup> 252: 2 (end).

(A)

Certainly  
the ~~train~~ ~~Medrich~~  
where the  
Torah is  
studied  
should not  
be sold. It  
is more  
important than  
the synagogue.

Taz 9D 252: 2

See

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The community sell  
Their Sefer Torah, not  
The individual. He  
Does not have to  
dispose of all his possessions  
even to save a human  
life. It is a

Community Responsibility,  
Arukh Hashulchan  
AH 79 252:4

2/6

Question:

Can Jews take financial help from non-Jews?

Answer Aruch Hashulchan 40 explains: It is a question of Jewish pride that Jews support their own. However if the support from Jewish sources is insufficient, ~~then~~ ~~there~~ ~~is~~ no violation exists to receive support from non Jewish sources.

(A) Aruch Hashulchan 40 254:1

~~This question is~~  
Taz 40 254:2  
answered. Why Talmud differentiated between wants to differentiate between individual and representatives of community

29

Individuals would be permitted but representatives of community not.

As much Hasidulchoa

Disagrees - all are permitted when Jewish sources are not

sufficient.

Question ~~Does~~ ~~to~~ ~~How~~ ~~much~~ ~~funds~~ ~~of~~ ~~the~~ ~~person~~ ~~receiving~~ ~~tzedaka~~ ~~has~~

How much funds and assets belonging to a candidate

receiving tzedaka would disqualify him or her?

Answer when a person has enough liquid assets

240

(A)  
Amuk  
Hastulech  
y'v 253:2  
Yoreh  
Dayer  
253:2  
and  
T.M.

to support him and  
his family for one  
year. (A) This the  
exact amount changes  
according to the  
times and society a  
person lives. (A) This  
refers to Tzedaka other than  
~~to answer to take~~  
~~from funds from~~  
~~the Kuppah -~~  
~~A distribution~~  
Jewish communities  
had the custom to  
distribute weekly  
food to ~~these~~ ~~lacking~~  
~~to~~ not having  
any food. If an  
individual has  
enough food for 14

residents



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(A)  
At  
Aruch  
Hushulchov  
76 253:5  
7D  
283:1

meals - he should  
not take from the  
Kuppah. (A)

There also was a  
custom to distribute  
two meals to a  
day to non  
residents.

resident ~~someone~~ had food  
for two ~~meals~~ he  
was not permitted  
to take from  
such distribution

(B)  
Lhid  
At 7D  
253:5  
7D 253:1

Question If a man  
or woman have  
assets as such as  
golden utensils and  
table can they still  
qualify to take Tzedaka?

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According to Kambar  
and Riff following is law:  
Answer Of these  
assets are over and  
above what they  
require to support  
themselves for a year,  
such assets must be  
sold and used for the  
support of the individual  
before becoming a  
community burden. (A)

(A)  
Anand Hasbaldhoo  
20253:5

Only utensils used  
in eating, or furniture  
used to live ~~need~~  
and sleep, need  
not be sold.

The standard  
depends upon the  
time and culture  
one lives in. Thus  
tax indicates that  
in the time of the

Talmud each person had a small table used to eat. Such a table even if made from gold need not be sold to qualify as tzedaka. However if one has a large table from gold, the table should be sold, replaced by a wooden table and the difference used

(A) from removal benefactors, not from the community. (B) Kippah.

Tey 40 259:4

Aruch Hashulchan 20 253:5

Even if one takes from the Kippah then he must sell the silver and golden utensils and exclude...

to himself

to support oneself before becoming a public burden. (B) and even taking from personal benefactors. Question: Can a Talmudic scholar and or Rabbi performing service for the community be reimbursed from community funds?

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For his services

The Rabbi or Talmudic

scholar is permitted to receive his compensation even from Tzedaka

However each individual should send his Maaser

Tenth or fifth to the Rabbi or Talmudic

scholar; rather than taking with ~~money~~

the money directly from Tzedaka

A such Hashulchan 4D 25 1:20 citing Joseph

Middah chapter 6. This is done in order not to

embarrass the Rabbi or Talmudic scholar.

them for less expensive items before becoming a public burden. One need not sell his house before taking from personal benefactors; or from the Kuppah, or from any other community fund. Aruch Brochai Tshuvah 252.

43A

Reoh, however, has a different interpretation

He rules that one need not sell any utensils ~~before~~ before qualifying to take Tzedaka from individual benefactors or from the Kuppah. Only when one inherits property after one begins taking Tzedaka must he sell such property before continuing to qualify. (A)

(A)  
Arukh  
Hachmechos  
7D 253:6

Rabbeinu TAM on the other hand teaches ~~that~~ like Rambam and Rif. He learns that utensils

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one acquires after one  
is accepting Tzedaka  
need not be sold.

Only utensils one  
possesses before he or she  
begin to take Tzedaka  
need be sold according  
to the details outlined  
above. (A)

(A)  
Amich  
Haskulches  
yD ~~253~~  
253:5

Question What happens if one  
falsified his application  
and possessed utensils  
to that he denied?

Answer: The Rabbinical  
court forces him to  
sell the more expensive  
utensils and purchase  
less expensive ones for his  
use. ~~These the Rabbinical~~

43c

Shaykh  
Yusef Dayeh  
253:4

is used to distribute  
to poor people. (A)

Question: What happens if a person has no liquid funds to support himself and his family. However he possesses real estate in addition to his residence. No one is willing to purchase his properties for the going market value. They are offering him a ridiculous low price that would ~~potentially~~ leave him without any liquid

43d

assets or real property.

Does the community ~~support~~ come to his aid?

Answer Yes. The community undertakes to support him and his family. Thus people will realize that he is not pressed and forced to sell at a loss. (A)

(A)  
Talmud  
Borachomas  
7a, b,  
interpretation  
of Biff +  
Rambam  
Laws of Gifts  
to the poor  
Chapter 9  
gzech Danyah  
253:3  
Shach Eid  
253:6 7,8  
Arush Hashulchan  
19 253:8

However if ~~business~~ ~~property~~ the market value of everyone's property dropped, then the following is the law.



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If he can realize a profit that would leave him with net cash to enable him to feed himself and his family for a year ~~or~~ (the ~~to~~ contemporary equivalent of 200 2mg) then he must sell. Otherwise, the community is obligated to support him - to tide him over his hard time. (A)

(A)  
Shach  
40 253:7  
Aruch  
Haskulchov  
40 253:8

However, if he wait for ~~the~~ another season, the property

137 ~~will be worth more~~  
can be sold at the  
regular market value  
then the following  
law applies.

If he can find a  
buyer that will  
pay him half of  
what he can realize  
if he wait for  
another season - he  
is obligated to sell.  
However if the  
purchasers ~~offer~~  
offer him less than  
half he does not  
have to sell; but  
can take from  
Tzedaka and wait  
until the favorable

439 season arrives. (A)

(A) Peff + Ramtam on  
Barakama Ta. b.  
Yoreh Dayah 253: 3  
Aruch Hashulchan  
253: 8.

Question: When such a person finally sells his properties does he have to repay the community for the Tzedaka he took?

Answer: If the community expressly extended him a loan (A) then he must repay; otherwise not. Consequently he is given very little at a time. Rather than be given.

(A)  
Aruch  
Hashulchan  
49  
253: 12

932 food for a week.  
he is given food for  
one day at a time. (A)

(B)  
Shach  
yach konyak  
253:5  
Anup  
Hachulcha  
253:10

It is up to  
the decisor of  
Jewish Law to  
decide each case  
on its merits. (B)  
The same is true  
if one is traveling  
and his funds  
run out. If an  
individual or  
community help  
him with room and  
board. If a loan  
was intended he  
has to reimburse  
them when he comes back.

(A)  
Anup  
Hachulcha  
253:12

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A moral responsibility  
nevertheless exists to  
reimburse the  
community.

44A

Question Can a  
Talmudic scholar or  
Rabbi performing services  
for the community be  
reimbursed from  
community funds ?

44

For his services  
Answer The Rabbi or Talmudic  
scholar is permitted to  
receive his compensation  
even from Tzedaka

them for  
less  
expensive  
items  
before  
becoming  
a public  
burden.  
One need  
not sell  
his house  
before  
taking from  
personal  
benefactors;  
or from  
the Kuppah,  
or from any  
other  
community  
fund. Aruch  
Bach Tshuvah  
Yoreh Dayah 253:6

However each individual  
should send his Maaser  
Tenth or fifth to the  
Rabbi or Talmudic  
scholar; rather than  
~~taking~~ ~~with~~ ~~money~~  
taking the money  
secretly from Tzedaka  
As such Hashulchan 4D  
251:20 citing Josephus  
Middah chapter 6. This is  
done in order not to  
embarrass the Rabbi or  
Talmudic scholar.

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However a talmudic scholar  
~~one~~ who is  
not performing services  
for the community and  
has more than a year's  
support, is not permitted  
to take from Maaser  
or Tzedaka. (Arukh  
Hushulchou yD 253:7)  
He can be given a  
gift as long as ~~the~~ such  
a gift will not effect  
negatively the ability  
of the benefactor from  
meeting his obligations  
of Tzedaka. The  
poor will not lose  
as a result.



44

Question Can the fiduciaries of Tzedaka change the purpose for which the charity was given.

~~Factory~~  
Making changes in purpose and recipients of Tzedaka subjects the fiduciaries to violation of their responsibilities and larceny of the rightful beneficiary.

Answer

There are many laws regarding this matter. Only a competent decisor of Jewish law is authorized to rule under what circumstances it is; or is not permitted to change.

Responsa  
Machatz

no. 5  
~~citings~~

Talmud

Erchin First Shulehon Aruch 10

Chapters

Pava Pava 9A

256:4 Shach 70 256:8

Aruch Hashulchan 70

Law in rights to poor

256:13

Oran 73 256:9

empt 9