

## OVERVIEW of the Daf

### 1) The individual needs of the pauper (cont.)

The Gemara finishes relating an incident that emphasizes the necessity to take into account the individual needs of the pauper.

A Baraisa warns of the danger of collecting tzedaka improperly.

### 2) Selling household items to avoid tzedaka

A contradiction between a Mishnah and Baraisa is presented pertaining to whether a pauper must sell household items to avoid begging for tzedaka.

R' Zevid offers one resolution but it is challenged.

Rava the son of Rabbah and R' Pappa offer alternative answers.

3) **MISHNAH:** The Mishnah discusses the value of the dowry that should be provided for an orphan girl from her father's estate.

### 4) An orphan's dowry

Shmuel rules that we calculate the father's character when calculating the dowry of his orphaned daughter.

Two unsuccessful challenges are presented against this position.

R' Chisda rules in accordance with R' Yehudah's position in the Mishnah.

A contradiction is noted concerning the position of Rava on this matter.

The contradiction is resolved and the Gemara cites a proof to this distinction.

### 5) An orphan collecting her dowry from her brothers

A Baraisa discusses the process of sisters collecting money from their brothers for their dowry.

Rebbi's ruling in the Baraisa is explained and it is noted that this explanation supports a ruling of R' Masna.

Rebbi and R' Shimon ben Elazar dispute when an orphan loses her rights to sustenance and collecting her dowry.

R' Nachman rules like Rebbi who maintains that at marriage or when she becomes a bogeres a girl loses her right to collect sustenance but not her dowry.

Rava unsuccessfully challenges R' Nachman's ruling.

The Gemara proves that the resolution is correct.

A contradiction between two rulings of Rava is noted.

The contradiction is resolved.

R' Huna in the name of Rebbi teaches that a dowry is not the same as the stipulation of the Kesubah.

After a number of failed attempts the Gemara explains the intent of this ruling. ■

## Distinctive INSIGHT

### *Deception and its consequences*

המקבל צדקה ואין צריך לכך סופו אינו נפטר מן העולם עד שיבא לידי כד

The Baraisa declares a serious verdict against one who collects tzedakah fraudulently. In particular, if someone portrays himself as an invalid, he will become incapacitated as retribution for his charade. The הפלאה points out that the Gemara taught earlier (67b) that if a person has money of his own, but he decides to take money from communal funds rather than spending his own resources, we give him money as a loan, and the funds are to be paid back after he dies (if not before). The question is that our Gemara states that by falsely portraying himself as a pauper, he will become destitute before he dies. This being the case, how can we expect to collect money from this person's estate after he dies if we are told that he will become penniless before he dies due to his deception? It would be difficult to say that the collection after he dies refers to selling his assets or his house, because there is no obligation to sell one's house if the person has become destitute.

The הפלאה answers that when our Gemara states that a person will become stricken before he dies, it only refers to a case where the person collected tzedakah through falsely portraying himself as a needy or injured person when he really is not in need. The earlier Gemara is speaking about a normal person who presents himself as he genuinely is, but he asks for tzedakah because he chooses not to spend his own money. This person does not want tzedakah per se, but he is rather asking for a free handout. Here, we give him the money, and we ask that he reimburse the community chest. In this case, the person is not trying to mislead anyone, and he is not subject to the curse of facing poverty before he dies.

Alternatively, הפלאה explains that when our Gemara says that the person will not leave this world until he experiences the condition he feigned, it does not necessarily mean that he will die penniless. He might die as a wealthy man, and there will be assets from which to collect. However, this unfortunate soul will have to return to earth to correct for his misdeed, and in his next sojourn on earth he will be destitute. Even after he dies this time, he will not be dismissed from revisiting this world in another setting, but this time he will have to correct for his misrepresenting himself. ■

Today's Daf Digest is dedicated

By Rabbi and Mrs. Sam Biber

In memory of their mother

מרת רבקה זלדה בת ר' חיים יחזקאל הכהן, ע"ה

## HALACHAH Highlight

### Tzedaka for a person who won't work

המקבל צדקה ואין צריך לו

One who accepts tzedaka but does not need it

**S**hulchan Aruch<sup>1</sup> rules that a wealthy person who starves himself and due to his stinginess won't buy food for himself is not permitted to take tzedaka. Maharashdam adds that it is obvious that there is no distinction between one who has the money to purchase food and refuses to use it and a person who does not have money to purchase food but can get a job that would give him the means to support himself. Neither one of these people is allowed to collect tzedaka and the logic for this is obvious. Allowing a person to collect tzedaka even though he has the ability to get a job without any expectation that he would make an effort to get a job creates an impossible burden for the community. There would be no incentive for people below the poverty level to work since they could expect the wealthy people to provide them with their needs. In a short amount of time the community would be faced with the circumstance that the need for tzedaka would far outweigh the available funds. Accordingly, Teshuvos Shevet Hakehasi, writes that it is prohibited for a pauper, who has the means to get a job, to take tzedaka funds. Some note, however, that if the pauper has a wife and children he should be given money for their sake since there is no reason they should suffer because their husband or father won't get a job.

Rav Moshe Feinstein notes that Rema discusses the pa-

## REVIEW and Remember

1. What happens to a person who lies about his circumstances to collect tzedaka?
2. Why shouldn't a second daughter receive the same amount for her dowry as the first daughter?
3. When do daughters lose sustenance from their father's estate?
4. What is meant by the statement that a dowry is not the same as תנאי כתובה?

rameters of the Yissocher-Zevulun agreement in the halachos of Torah study rather than in the section of tzedaka. The reason for this placement explains Rav Moshe, is that it is not a tzedaka agreement because it can be arranged even with a person who has the means to get a job and earn his own living. Furthermore, there is no mitzvah of tzedaka for a person who has property that he could use to support himself until he dips below the poverty level because there is no right to collect tzedaka for learning unless one is truly poor. ■

1. שוי"ע יו"ד סי' רנ"ג סי' י.
2. שו"ת מהרשד"ם יו"ד סי' קס"ו.
3. שו"ת שבט הקהתי ח"ה סי' קע"ז.
4. שו"ת אג"מ יו"ד ח"ד סי' ל"ז.
5. רמ"א יו"ד סי' רמ"ו סעי' א'.

## STORIES Off the Daf

### Dishonest Collectors

"באו ונחזיק תורה לרמאים..."

**O**n today's daf we are told that we really ought to appreciate false solicitors of charity. Were it not for them, we would be held accountable for turning away any person in serious need. Since there are some rogues who do prey on the well-intentioned, we are no longer duty-bound to assume that everyone we meet who asks for our assistance is actually in desperate need. The Rif, zt"l, on Ein Yaakov explains we express our appreciation to the phonies...by giving them charity!

The Satmar Rav, zt"l, gave a great deal of tzedakah. It was well known that if one really needed money, the Rav could be convinced to pay out huge sums. Once, a man came before him and told him a heartbreaking tale about how his wife was sick and his children were also ill in different, horrific ways.

The Rav was exceedingly moved. On the table was a small bag that held a huge sum that one of his wealthy Chasidim had left as a "pidyon nefesh," together with a kvitl. The Rav, clearly in distress from hearing the man's tale of woe, immediately thrust the bag of money into the poor man's hand. The man tearfully thanked the Rav and raced from the room, presumably to rush home and tell his family that their

money problems at least were over.

A few minutes after the man had left, the Rav's gabbai ran in, obviously flustered, and exclaimed, "Where is the man who was dressed in such-and-such a way?" He was obviously referring to the man with the sob story.

The Satmar Rav replied, "He just left."

"But Rebbe, we must find him! He is a faker, a phoney! How will we get the money back from him? Did the Rebbe give him a large sum of money?" Although the gabbai was frantic, the Rebbe suddenly seemed to relax again.

The Rebbe asked, "You mean that story wasn't true? Boruch Hashem—at least no Jew is suffering that kind of agony!" exclaimed the Rebbe. ■