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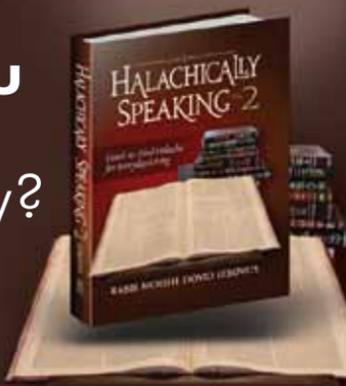
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► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, Shlita* on current issues.

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KIMCHA D'PISCHA

For many weeks before *Pesach*, the mailbox is full of letters from organizations looking for *kimcha d'pischta*. What is this custom? Is it giving wheat or *matzos*, or money? When should we give this money? Are all of us obligated in this custom? All these and other issues will be answered below.

The Source

The *Yerushalmi*¹ says that one who lives in a city for twelve months gives wheat to poor people and can accept wheat if he needs it. Based on this *Yerushalmi*, the custom² has become to give wheat to poor local people for *Pesach*.³ This custom is mentioned by the *poskim* as well.⁴

Why Before *Pesach*

There are many explanations as to why this custom applies to *Pesach* and not other *Yom Tovim*:

The *Shar Ha'tzyion*⁵ says that *Pesach* is a time when we all sit as free men with joy together with our families. It is not proper to have poor people who are hungry and thirsty.

1. Mesechtas Bava Basra 1:4.

2. Rama 429:1, Shulchan Aruch Harav 429:5, see Shar Ha'tzyion 429:7.

3. Ohr Zeruah 2:255.

4. Rama O.C. 429:1, Shulchan Aruch Harav 429:5, Mishnah Berurah 3, Aruch Ha'shulchan 429:7.

5. 429:10.

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כל השנה הלכות בכל יום מובטח להשתדל בן עולם הפא... (מדה עב)

Therefore, we give them flour for all of *Pesach* so that they can relate the story of *Mitzrayim* with joy.⁶

Chometz is forbidden on *Pesach*, and *matzah* is very costly. If we do not provide it for the poor people then they will be hungry.⁷

We say in the *haggadah* that whoever wants to come should come and eat (*kol dichfin* etc). This would not be an accurate statement if we allow the poor to go hungry. Therefore, we give *kimcha d'pisha* to fulfill our words.⁸

The *Yerushalmi*⁹ says that we do not bother the public more than three times per year. We give out money on Chanukah,¹⁰ *matanos l'evyonim*,¹¹ and *kimcha d'pisha*. Therefore, we do not do so before other *Yomim Tovim*.¹²

The *Belzer Rebbe Shlita* explains that the *Rambam*¹³ says that included in the *mitzvah* of *simchas Yom Tov* is to make sure that poor people have food. This can be accomplished by bringing a poor person to your house to eat as well. However, since on *Pesach* people have the custom of not eating by another person home, we give *kimcha d'pisha* before *Pesach* so the poor can eat in their own homes.¹⁴

When to Distribute it

This custom is brought in the same *simon* that discusses the *halacha* of learning about the laws of *Pesach* thirty days

6. For additional explanation see M' Bais Levi Nissan 5758 2:pages 113-114.

7. Shar Ha'tzyion 429:10, see Oles Chodesh Nissan 5740:page 379.

8. Moadim L'simcha Nissan 1:page 50.

9. Shekalim 2:5.

10. Mishnah Berurah 670:1.

11. Shulchan Aruch 694:1.

12. Moadim L'simcha Nissan 1:page 50.

13. Hilchos Yom Tov 6:18.

14. M' Bais Levi Nissan 5758 2:pages 109-111.

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before the holiday. This indicates that one should start giving *kimcha d'pischa* thirty days before *Pesach*.¹⁵

Is this *Tzedaka*?

Many *poskim* say that this money has the status of *tzedaka*.¹⁶ Nevertheless, it is discussed in *hilchos Pesach* since the *Rambam*¹⁷ says that *mitzvah* of *simchas Yom Tov* requires us to make sure that poor people have food. Since it is part of *Yom Tov*, this *halacha* is brought in the beginning of *hilchos Pesach*, which open the *halachos* of *Yom Tov*.¹⁸

Citizen

Some *poskim* say that if a poor person lives in the city for thirty days he has rights to *kimcha d'pischa*.¹⁹

How Much to Give?

One should give according to his ability, and enough funds should be collected to provide for the entire *Pesach*.²⁰

Who is Obligated?

Even a learned person (*talmid chacham*) is obligated in *kimcha d'pischa*.²¹ This applies to a person who is learning in *kollel* as well.²² Those who refrain from giving have

15. Mivakshei Torah 2:page 451, Natei Gavriel Pesach 1:4:footnote 1.

16. Shulchan Aruch Harav 429:5, Aruch Ha'shulchan 429:7. Refer to Oles Chodesh Nissan 5740:pages 378-379:2, M'Bais Levi Nissan 5758 2:pages 118-120 in depth.

17. Hilchos Yom Tov 6:18.

18. Mishnas Yaavetz O.C. 7:pages 16b-17:1, M'Bais Levi Nissan 5758 2:pages 106-107, Natei Gavriel Pesach 1:4:footnote 5.

19. Aruch Ha'shulchan 429:7. Refer to Magen Avraham 429:2.

20. Mishnah Berurah 429:4, Kaf Ha'chaim 16, see Sharei Teshuva 429:3, Kaf Ha'chaim 20.

21. Shulchan Aruch Harav 429:5, Mishnah Berurah 429:6, Aruch Ha'shulchan 429:7, Kaf Ha'chaim 7.

22. Oles Chodesh Nissan 5740:page 379.

איך ללהקב"ה בעולמו אלץ י אמות של הלכה בלבד... (ברכות ה')



committed a sin.²³ However, one does not have to give as much as he would give for *matanos l'evyonim*.²⁴

To Whom?

A poor person who has enough for *Pesach* meals may still accept the money.²⁵

From Wheat to Flour / Flour to *Matzahs* / *Matzahs* to Money etc.

The earlier sources describe the custom to distribute wheat.²⁶ In the time of the *Mishnah* and the *Gemorah*, most households owned a small hand mill. Therefore, the poor received wheat, which they then ground into flour for their *matzos*. Over time, however, these mills became obsolete, so flour was distributed instead.

Rather than giving *matzah*, which is a single type of dish, the poor were given wheat or flour, which could be used for all types of dishes for the entire *Yom Tov* of *Pesach*.²⁷

When it became common for *matzah* to be produced by hand or machine in professional bakeries, it was no longer accepted to bake *matzah* at home. Therefore, some developed the custom to give *matzah* to poor people.²⁸

Some say that one should still give flour today.²⁹ This is preferable to giving money for a number of reasons. First, the recipient might spend it on items other than wheat

23. Mishnah Berurah 429:6.

24. Refer to Halacha Shel Pesach 1:page 6:footnote 6 quoting the opinion of Harav Elyashiv Shlita.

25. Biur Halacha 429 "yud bais chodesh." Refer to M' Bais Levi Nissan 5758 2:page 119 for an explanation.

26. Mishnah Berurah 429:4.

27. Mor U'ketziah 429.

28. Kaf Ha'chaim 429:12.

29. Refer to Shar Ha'tzyion 429:7.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (תדה עב)

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or *matzah*. Furthermore, he might purchase poor quality wheat. Also, there is the concern of delays before the money is available.³⁰ Finally, if a set sum of money is designated for this purpose, people will tend to give the same sum every year, without adjusting for inflation. According to the last view, one can give money if he gives the necessary amount to cover the holiday expenses.³¹

Today's Custom

The overwhelming custom today is to give money for the poor people to buy *matzah* for *Pesach*.³² Therefore, the donations are called *maos chitim*- money for wheat, as opposed to *kimcha d'psicha* – wheat for *Pesach*.

Lately it has become very common to distribute baskets of food, as well as money and other necessities for *Pesach*.³³

Using *Ma'aser* Money

Some *poskim* maintain that *Ma'aser* money may be used for *kimcha d'psicha*.³⁴

30. Moadim L'simcha Nissan 1:page 41.

31. Natei Gavriel Pesach 1:4:1:footnote 4.

32. Aruch HaShulchan 429:7, Moadim V'zemanim 7:168. Refer to Shar Ha'tzyion 429:7.

33. M'Bais Levi Nissan 5758 2:page 123:5, Moadim V'zemanim 7:168, Halichos Shlomo Moadim 2:footnote 3, see Moadim L'simcha Nissan 1:page 41, Natei Gavriel Pesach 1:4:1:footnote 4, Halacha Shel Pesach 1:page 5:footnote 2.

34. Halichos Shlomo Moadim 2:2, Shalmei Moed page 310, Modanei Shlomo pages 2-3, Piskei Shmuos page 17, Chut Shuni Shabbos 4:pages 367-368, B'orach Tzedaka pages 154-155, *ibid*:page 409 quoting the opinion of Harav Chaim Kanievesky Shlita, Sheilas Rav 1:10:38, Halichos Chaim 2:page 96, Tzedaka U'mishpat 1:2:footnote 5.



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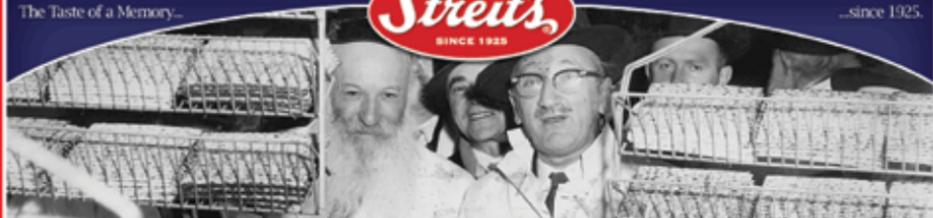


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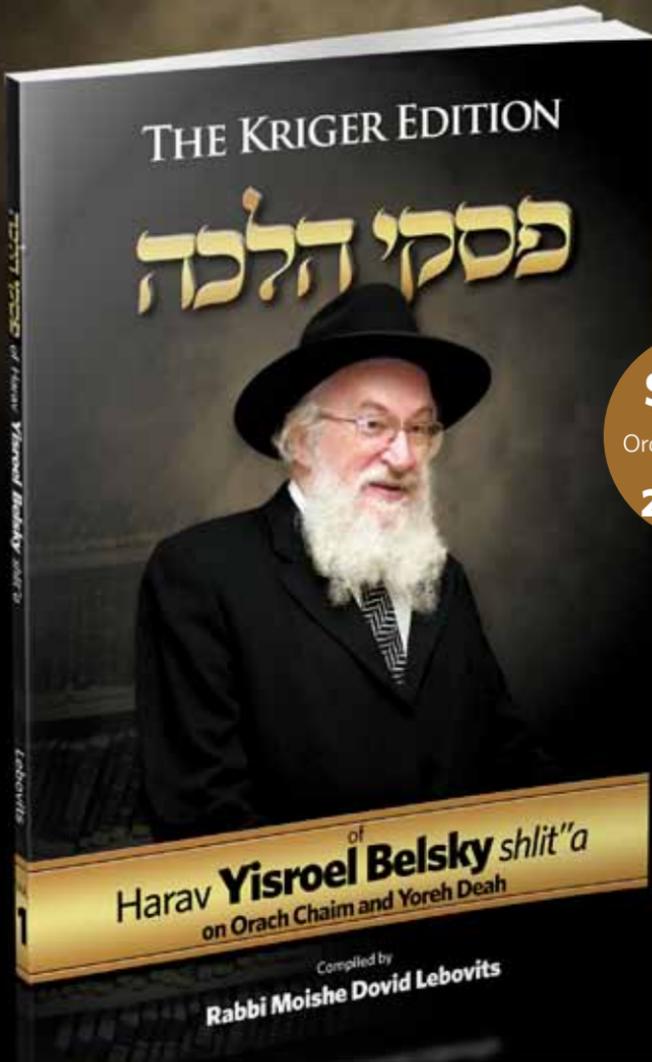
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