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 In memory of their parents Dr. Irving & Mrs. Bernice Mehler & Mr. Gedalja & Mrs. Miriam Zupnik
 לעילוי נשמת ר' יצחק מאיר בן אליהו ובריינא בת אברהם ע"ה ור' גדליה בן אברהם מנחם הכהן ומרים בת ישראל ע"ה

Matanos La'evyonim

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Who is obligated in the mitzvah of matanos la'evyonim?

How much money must one give in order to fulfill the mitzvah of matanos la'evyonim?

The Megillah (Esther 9:20-22) states, "And Mordechai sent books to all the Jews... instructing them to make them [the fourteenth and fifteenth days of Adar] days of feast and joy, *umishlo'ach manos ish lire'ehu umatanos la'evyonim* - and of sending gifts, a man to his fellow, and of gifts to the poor." These verses provide two of the four special mitzvos of Purim: sending *mishlo'ach manos* and giving *matanos la'evyonim*. A lot of time and awareness are given to the details of the mitzvah of *mishlo'ach manos*, but not as much thought and attention is typically given to *matanos la'evyonim*. This article will explore the details of this wonderful mitzvah

The mitzvah: The Shulchan Aruch (Orach Chaim 694:1) rules that every person is obligated to give a gift to at least two poor people (one gift per poor person) on Purim. The obligation to give *matanos la'evyonim* to two poor people, as opposed to *mishlo'ach manos*, which is fulfilled by giving two items to only one person, is deduced from the plural language used in the aforementioned verse (Megillah 7a with Rashi s.v. *shtei manos*). Although, as stated, the minimum requirement of the mitzvah is fulfilled by giving a gift to two poor people, it is commendable to give as much *tzedakah* (charity) as one can on this day (Rambam Hilchos Megillah 2:17; Mishna Berura 694:3). This is because *tzedakah* given on Purim fulfills not one, but two mitzvos: the year-round mitzvah of giving *tzedakah*, as well as the mitzvah of *matanos la'evyonim* (Pele Yoetz, Purim; see also Yesod Vi'shoresh Ha'avoda 12:6 and Rambam *ibid.* [cited at the end of this article]).

In general, it is better to give *tzedakah* to more poor people in smaller sums (but a reasonable amount) rather than to give fewer larger sums (Rambam, Pirush Hamishnayos Avos 3:15; see also Shulchan Aruch Yoreh De'ah 257:9.) The Bach (Orach Chaim 695:5) applies this idea to *matanos la'evyonim*, as well.

Classification of the mitzvah: There are three different classifications given by *poskim* for the mitzvah: 1) It is a special *tzedakah* obligation that the Sages instituted specifically for Purim (see Pri Chadash Orach Chaim 694:1, discussed below). 2) To ensure that poor people will have food for the Purim meal (Ba'al Hama'or Megillah *dapei haRif* 1b; Pri Migadim Orach Chaim 694:Mishbitzos Zahav:1 and Eishel Avraham:1; Levushei Srad to Magen Avraham Orach Chaim 695:13; see also Tosefta Megillah 1:5; Ran to Bava Metzia *dapei haRif* 48b; Ritva Megillah 7a). 3) As an accompaniment to the giver's obligation of joy on this day. Only through bringing joy to others can one's personal joy be complete (Shalmei Toda Anyanei Purim 25:3; see Ramban Bava Metzia 78b s.v. *vi'ein midakkidin* and Rambam Hilchos Megilla 2:17 whose language supports this idea). These different ideas may have halachic ramifications, as will be discussed further.

Who is obligated? The Shulchan Aruch (Orach Chaim 694:1) rules that all people are obligated in the mitzvah of *matanos la'evyonim*. The Bach (*ibid.*:1) and Taz (*ibid.*:1) rule that even a poor person is obligated to fulfill the mitzvah of *matanos la'evyonim*. The Pri Chadash (*ibid.*:1) argues that a poor person is not obligated in *matanos la'evyonim*. It can be posited that this question depends upon the three possible classifications of the mitzvah of *matanos la'evyonim*. Possibly, the Pri Chadash understood the mitzvah as a *tzedakah*-based enactment (or perhaps to provide a meal for the poor, which is also *tzedakah*-based), and so a poor person is exempt just as he is exempt from giving any other *tzedakah*. However, the Bach and the Taz understood that the mitzvah is not a regular *tzedakah* obligation. Rather, it is meant to complete one's joy through giving to the poor, and so even

the poorest of people are obligated. Practically, the Mishna Berura (*ibid.*:1) rules in accordance with the Bach and Taz that even a poor person is obligated in the mitzvah of *matanos la'evyonim*. A poor person may give money to his poor friend, who can then return the money to him and thus fulfill his obligation, as well (*ibid.*:2).

The Rema (*ibid.* 695:4) rules that women are also obligated in the mitzvah of *matanos la'evyonim*. This is because the mitzvos of Purim are a commemoration of the miracle of Purim. Women were also part of the miracle and are thus included in all of the mitzvos of the day (Shevus Yakov 1:41; see, however, Pri Chadash *ibid.*:4). This includes both married and single women (Magen Avraham 695:14). Some authorities exempt children from this mitzvah (see Shiurei Halacha from Rabbi Shmuel Felder, 2011 ed. pg.31). However, the Pri Migadim (Orach Chaim 695: Eishel Avraham:14) and many others rule that children must also fulfill the mitzvah due to the obligation of *chinuch* (training children to perform mitzvos). The age for *chinuch* in this regard begins at the age when a child can understand basic economic concepts, such as the difference between a cheap and expensive item (Chut Shani Shabbos 4 page 309), which is generally between the ages of six and seven years old (Shulchan Aruch Choshen Mishpat 235:1).

In order to fulfill the mitzvah of *matanos la'evyonim*, the money given must belong to the giver (see Shevus Yitzhak Hilchos Purim 8: fn. 1). It is not unusual that a husband or father gives a poor person or *gabbai tzedakah* (charity administrator) his own money on behalf of his wife or children. This presents a potential problem, since in this case, the money still belongs to the husband or father at the time of the giving. To avoid this issue, the father may give the money to a poor person or to a *gabbai tzedakah* with the understanding that he will acquire the money on behalf of the child. (This process of acquiring a gift on behalf of another, without the recipient actually appointing the third party as an agent, is known as *zechia*.) Once the *gabbai*/poor person is in possession of the money, he will acquire it from the child for the purpose of the mitzvah. For one's wife, however, *zechia* is not necessary. This is because the Talmud teaches that one's wife is considered like his own self (Brachos 24a). Therefore, the husband's giving *matanos la'evyonim* on his wife's behalf is considered as if the wife herself has given from her own money (see Mishnayos Nega'im 14:12 and Pirush Hamishnayos LihA'Rambam *ibid.*). Rabbi Yosef Shalom Elyashiv is cited as requiring *zechia* on behalf of a wife, as well (Shevus Yitzhak Hilchos Purim 8:1). Ideally, one should effect *zechia* for one's wife. Regardless, the wife or child should be notified that money has been given on their behalf for fulfillment of their mitzvah.

The proper recipient: We have seen that the obligation of *matanos la'evyonim* is to give a gift to two poor people. Who is considered poor? The term *matanos la'evyonim* stated in the aforementioned verse refers to the recipient as an "evyon." Rashi to Chumash (Shemos 23:6) defines the term *evyon* as someone who is so destitute that he is lacking basic necessities such as food and clothing. Based on this, Rabbi Moshe Shternbuch (Teshuvos Vihanhagos 2:352; see also Mekor Chaim Orach Chaim 694:1) rules that *matanos la'evyonim* can only be fulfilled by giving it to a poor person who fits this description. However, the Aruch Hashulchan (Orach Chaim 694:3) cites proof that the term *evyon* is not exclusive to this severe level of poverty and can refer to a lesser level of poverty, as well. The position of the Aruch Hahsulchan seems to have the support of an overwhelming

number of halachic authorities, including many Rishonim (Medieval Torah authorities) (Rambam Megillah 2:16; Ritva Bava Metzia 78b; Chayei Adam 155:28; Kitzur Shulchan Aruch 142:3; see also Shulchan Aruch Orach Chaim 694:3). Since this seems to be the opinion of the majority of authorities, one may surely rely on it. Accordingly, one may fulfill the obligation of *matanos la'evyonim* by giving the gift to anyone who is eligible for *tzedakah* year-round; the parameters of such eligibility are beyond the scope of this article. As a general guideline, the basic criteria is that anyone who is faced with financial instability and is not making ends meet qualifies (see *Tzedakah Umishpat* 2:5).

One may fulfill *matanos la'evyonim* by giving the money to a poor man, woman, or even to a poor minor (Aruch Hashulchan *ibid.*:2). The Aruch Hashulchan (*ibid.*) rules that a poor husband and his wife or children only count as one poor person for *matanos la'evyonim*. The Kaf Hachaim (*ibid.*:10), though, argues that different family members can be counted as multiple recipients. This is also the position of the Maharsha (Megillah 7a s.v. *shadar lei*).

Timing of the mitzvah: The Magen Avraham (Orach Chaim 694:1) quotes the Ba'al Hama'or (Megillah *dapei harif* 1b) that *matanos la'evyonim* cannot be fulfilled before Purim. This does not pose a problem for someone who gives money to a *gabbai tzedakah* before Purim, as long as the *gabbai* delivers the money to a poor person on Purim. In this case, the *gabbai* is acting as the *shli'ach* (agent) of the person, and it is considered as if the person himself has given the money on Purim (Aruch Hashulchan Orach Chaim 694:2). The Magen Avraham (*ibid.* 695:4) also writes that *matanos la'evyonim* should preferably not be given until daytime on Purim. There are some who rule that one should preferably wait until after the daytime Megillah reading to give *matanos la'evyonim* so that the *shehecheyanu* blessing recited on the Megillah is effective for the mitzvah of *matanos la'evyonim*, as well (Pri Migadim 692:Eishel Avraham:1). There are also reasons based on *kabbalah* to wait until after the daytime Megillah-reading (Kaf Hachaim 694:18). Other *poskim* do not mention this requirement (see Magen Avraham Orach Chaim 692:1; Mishna Berura 692:1; see also Yesod Vishoreh Ha'avoda 12:6). It would seem that if one encounters a needy collector before the Megillah-reading, one should not delay helping him due to the above consideration. If one wishes to observe this stringency and wait until after the Megillah-reading to fulfill the mitzvah, he may stipulate that the *tzedakah* given now should be for regular *tzedakah* and not for the fulfillment of the mitzvah of *matanos la'evyonim*.

There is an interesting discussion among the *poskim* as to why *matanos la'evyonim* cannot be fulfilled before Purim. Is the problem that the giver is not doing the action of giving on Purim, or that the poor person is not receiving the money on Purim? Many *poskim* bring proof from the aforementioned Ba'al Hama'or. In explaining why *matanos la'evyonim* may not be given before Purim, the Ba'al Hama'or writes that we are concerned that if the money is given before Purim, it may get finished before Purim day arrives. It is clear from the Ba'al Hama'or that the poor must receive the money on Purim; if not for this concern, *matanos la'evyonim* may be given before Purim. This idea dovetails with the concept that *matanos la'evyonim* is to ensure the poor have a Purim meal. So long as the poor will have a meal on Purim, the mitzvah can be fulfilled, regardless of when the act of giving the money takes place. Conversely, if the money will be used up before Purim and the poor do not end up having a Purim meal, the mitzvah was not fulfilled (Yad Aharon Orach Chaim 694; Shu"t Mahari Asad 207; Ba'er Heitev Orach Chaim 695:7, Glosses of the Eishel Avraham to Shulchan Aruch Orach Chaim 694:1; see also Pri Migadim Orach Chaim 694:Eishel Avraham:1. See, however, Shu"t Bais She'arim Orach Chaim 381 who refutes this proof). A practical ramification of this discussion is that if someone sends money via mail or the like for *matanos la'evyonim* and is ensured that the money will not reach the poor person until Purim, the mitzvah is fulfilled (Mahari Asad *ibid.*). Another ramification of this halacha may be that one can fulfill his obligation by giving, before Purim, a check dated for Purim, in a

location where such a check cannot be cashed prior. Based on the above discussion, since there is no concern that the money will be used before Purim, one has fulfilled his obligation (see Avnei Yashfei 134:1).

How much must one give? There are three basic opinions regarding the minimum amount one must give for *matanos la'evyonim*. 1) The Mishna Berura cites the Ritva that one can fulfill the mitzvah of *matanos la'evyonim* with a gift of two *prutos* (the smallest currency discussed in the Talmud), one *pruta* for each poor person. A *pruta* is valued at five to ten cents. 2) The Shaarei Teshuva (694:1) cites the opinion of the Zera Yaakov that *matanos la'evyonim* must be the amount of money needed to purchase three egg-volumes of bread. The Shaarei Teshuva wonders where this requirement comes from, since in the other areas of halacha where a gift is required, a *pruta* suffices. Based on the classification that *matanos la'evyonim* is to ensure that the poor will have a Purim meal, this requirement is more understandable. 3) The Ran (Megillah *dapei harif* 3b s.v. *umishlo'ach*) writes that *matanos la'evyonim* must be an amount that is considered a large amount to a poor person. Similarly, the Maharsha (Megillah 7a s.v. *shadar lei*) writes that the amount required for *matanos la'evyonim* must be a more sizable gift than the minimum amount required for *mishlo'ach manos*. According to this, *matanos la'evyonim* would have to be an amount large enough to bring significant joy to the poor person, as the Rambam (*ibid.*) writes that the truest joy is gladdening the hearts of the poor and destitute (Shevus Yitzchak Purim 8:2 in the name of Rabbi Yosef Shalom Elyashiv; Shu"t Teshuvos Vi'hanhagos 3:231). This approach seems to be based on the classification of *matanos la'evyonim* as a means of completing one's personal joy. There are different opinions among contemporary *poskim* as to the amount of money necessary to fulfill this higher threshold; they vary between three and ten dollars for each poor person. It is commendable to give the more stringent amount to at least two poor people; thereafter, one can give based on the lenient opinion of the Ritva (Kaf Hachaim 694:7). Regarding the obligation of a minor to give due to *chinuch* (as discussed above), one can certainly rely upon the more lenient opinions and give the minimum amount.

What money may be used: Since *matanos la'evyonim* is a mitzvah obligation, *ma'aser* (tithed) money may not be used for it (Magen Avraham Orach Chaim 694:1; Mishna Berura 694:3), as *ma'aser* funds cannot be used to pay for a mitzvah obligation. However, one may use *ma'aser* to give additional *matanos la'evyonim* once one has fulfilled the basic obligation of giving two poor people *matanos la'evyonim* (*ibid.*). The Rambam (Hilchos Megillah 2:16) rules that either money or food may be used for *matanos la'evyonim*. The Pri Migadim (Orach Chaim 694: Mishbitzos Zahav:1; see Mishna Berura *ibid.* 2) rules that non-food items (besides money) cannot be used for *matanos la'evyonim*. It appears that the Pri Migadim understands the classification of the mitzvah as providing a Purim meal for the poor person, and so non-food items cannot be used. This is the view of the Ohr Sameyach (to Rambam *ibid.*), as well. Modern-day *poskim* rule in accordance with the Pri Migadim that only money or food may be used. They add that the main criteria for the validity of "money" for *matanos la'evyonim* is not if the currency is halachically recognized "money," but, rather, its effectiveness in providing a meal for the recipient. As such, checks or credit cards are all valid for *matanos la'evyonim*, as long as food can be obtained on Purim day using these forms of payment (Shu"t Shevet Halevi 11:167 1-6; Shevus Yitzchak 8:3 in the name of Rabbi Yosef Shalom Elyashiv).

In concluding, it is worthwhile to quote the timeless words of the Rambam (Hilchos Megillah 2:17): "It is better to direct more resources toward *matanos la'evyonim* than to the Purim meal or *mishlo'ach manos*. There is no greater and more beautiful joy than that of gladdening the hearts of the poor, of orphans, widows, and converts. The one who does so is compared to Hashem Himself, as the verse (Yeshaya 57:15) states [regarding Hashem] "He who livens the spirit of the lowly and the downtrodden."

Points to Ponder:

May one fulfill both *mishlo'ach manos* and *matanos la'evyonim* simultaneously by giving a poor man two types of food?

Can one appoint a *shliach* to give *matanos la'evyonim* in a different time zone even though when the gift is given it's not yet daytime in the location of the actual giver?

Iyun Halacha is a publication of the Denver Community Kollel
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