



- (i) IS THERE A MINIMUM AMOUNT REQUIRED FOR **matanos ia'evyonim**, THE MONEY GIVEN TO THE POOR ON **purim**?
- (ii) **MAY FOOD BE GIVEN INSTEAD OF MONEY**, AND IS THE AMOUNT GIVEN DIFFERENT, IN CONSIDERATION OF THE ISSUES RAISED IN QUESTION (i)?
- (iii) **MAY A HUSBAND AND WIFE, AND/OR OTHER FAMILY MEMBERS, JOIN TO SEND ONE mISHLOACH manos OR ONE SET OF matanos ia'evyonim?**
- (iv) **IF ONE SENDS mISHLOACH manos BEFORE purim, BUT IT ARRIVES ON purim, SUCH AS BY MAIL, DOES HE FULFIL HIS OBLIGATION?**

THE ISSUES:

- Ⓟ **mISHLOACH manos AND matanos ia'evyonim, AND THEIR REASONS**
- Ⓟ **sENDING THEM THROUGH A shLIACH, AGENT, ESPECIALLY VIA THE MAIL**

Mishloach Manos

Apart from the Mitzvah to read the Megillah and to eat a festive meal (and to drink) on Purim, there is a Mitzvah to send food gifts to friends, and a Mitzvah to give money to the poor. These Mitzvos are spelled out in the Megillah, and have the quasi-Scriptural level of *Divrei Kabalah*, somewhat higher than a Rabbinical Mitzvah.

The Poskim debate the reason for the Mitzvah of Mishloach Manos, or rather its purpose. The wording of the Megillah is *Mishloach Manos Ish Lerai'aihu*, sending of portions one man to his fellow. Portions imply a meal, while "a man to his fellow" implies fellowship. Accordingly, one view is that it is to increase feeling of love and fellowship. The other view is that it is a part of the Mitzvah of *Seuda*, eating a festive meal. One must supply his fellow with food for the meal. In fact, according to one interpretation of this view the idea of a "portion" is to provide an extra portion for one who has prepared himself a meal already. If the fellow has not prepared a meal for himself (but, for example, is eating as a guest) one does not fulfil the Mitzvah by sending him Mishloach Manos.

The main differences between these views are cases where the Mishloach Manos will not be given in the normal way, the sender giving it to the recipient on Purim, and the recipient accepting it and eating it for his meal. According to the view that it is for fellowship, the object is that the sender show his goodwill. It is not so important for the recipient to use it, or even to accept it. If he says that he considers it as though he accepted it, he has shown that the purpose was

fulfilled; he is more friendly because of the gift he received. If the object is that it be used for the meal, since the recipient did not get it and use it, the sender did not fulfil his obligation. Conversely, if the recipient receives it and uses it, but it can be shown that the sender did not have full knowledge or participation in sending it, while there might be an extra portion at the meal, there is no increase in love and fellowship. Thus, if the sender was not home and his family members sent it on his behalf, without telling him, this view would not consider it a fulfillment.

All Poskim seem to be in agreement that the basic idea of this Mitzvah is *Simcha*, joy. By increasing love and fellowship there is increased joy, and by increasing the food consumed at the Seuda there is more joy. Thus, even according to those who consider it a way of complementing the meal of the recipient, the purpose is not just a Mitzvah of *Tzedaka*, to help the other person complete his meal. Even to a wealthy recipient there is an additional joy in receiving the gifts. Some say that the gift must be in accordance with the means of the recipient. If he is wealthy, he would not appreciate a small gift, if it is for fellowship, or a cheap portion, if it is for his meal. Others maintain that since, if it is for fellowship, the purpose is the gesture, a small gift is sufficient. However, in terms of the amount, most maintain that it must at least amount to a *Manah*, portion fit to offer as part of a meal, rather than a *Kezayis*, minimum amount to be considered food. The Megillah requires at least two portions to be sent to at least one person. The Poskim discuss whether these must be different food types, or whether a double portion of one food type is sufficient. [Thus, if we say that a family must send their own individual gifts, they might fulfill it by sending a large cake, two pieces thereof being sent on behalf of each family member.] [References will be furnished at the] *Matanos La'evyonim*

The purpose of *Matanos La'evyonim* is also the matter of debate. It is definitely only sent to those who qualify as poor. First, is it for their (and, in a way, the sender's) *Simcha* or only for *Tzedaka*, regular charity? Furthermore, does it have anything to do with supplying the poor with their needs for the meal on Purim itself specifically? There is also an indication that it is connected to the Mitzvah to read the Megillah. The Talmud mentions that villagers, who read the Megillah early, should give their *Matanos La'evyonim* on the same day. The reason given is that the poor anticipate the gifts based on when the Megillah is read. Another reference to the same idea seems to imply, that one is permitted to give them early. The Talmud also discusses why the Megillah would not be read on Shabbos. One reason is due to the accompanying *Matanos La'evyonim*. In addition, the Talmud

debates which of the Mitzvos of Purim may be fulfilled in the first *Adar*. At one point the Talmud mentions that Megillah and *Matanos La'evyonim* are interdependent. The Poskim debate the meaning of this. Some maintain that one must give the *Matanos La'evyonim* at the same time, since if the poor do not receive them then they will give up and not make themselves available later. Thus, the Mitzvah will be lost. Others maintain that it is permissible, but not essential. In fact, some maintain that it is better to do it on the correct day, regardless of whether the Megillah was read early. One explanation of this is that the Megillah reading is not for *Simcha* as such (though, according to one Talmudic opinion it takes the place of *Halel* and thanksgiving). It is for publicizing the miracle, but also contains an element of mentioning the destruction of *Amalek*. Since the actual destruction of this people is not practiced, one must practice the ideological destruction. This is done by behaving in the Jewish way, which is the opposite of the Amalekite way. Amalekites are always angry and unforgiving. On Purim one must be forgiving, and Jews are merciful, bashful and kind. *Matanos La'evyonim* is thus meant to fulfill this purpose, and optionally linked to Megillah. The recipient should also have the option to use it for Seudas Purim. In practice, though the Poskim rule that it should be given on Purim, people give it ahead of time, relying on the fact that they will surely give some more at some point on Purim day.

The minimum amount could depend on these reasons. If it for a meal, it must be enough for the poor person to buy food with. It should also be either food or money, but not other goods. If it is simply a gift, it must be the minimum considered money, known as a *Perutah*. Some Poskim maintain that it is not considered a *Matanah* unless it is a *Nesinah Chashuvah*, meaning a substantial gift, worth giving. This is inferred from a Talmudic passage that says that a certain gift was considered sufficient for *Matanos La'evyonim*, but, according to one textual version, not for *Mishloach Manos*. Based on textual variations, the Poskim debate whether either has a minimum as opposed to the other, or whether neither or both have minimums. This would be in addition to the considerations mentioned above.

Therefore, one may conclude that to satisfy all opinions, he must give to two poor people at least enough to be considered substantial, and it should also be enough to cover a meal. For *Mishloach Manos* he should give a decent sized portion of two foods to one recipient. Both of these should be both given and received on Purim by day. They may be given through a third party, since they are ultimately given from the hand of the donor and reach the hand of the recipient. Some maintain that *Mishloach Manos* should rather be given through a *Shliach*. Inviting

a friend or poor guest might not be considered fulfillment of the Mitzvos, since nothing was sent to him. It is an individual Mitzvah to send these gifts. Therefore, family members must send their own personal gifts. However, there are Poskim who rule that a husband and wife are considered one with regard to this Mitzvah. [end]

Shlichus; mailing

If the gifts are sent a day early, but arrive on Purim, one may argue that the Shliach, agent acting on behalf of the donor still has it in his possession on Purim, before he actually hands it over. Therefore, the act of the giving is fulfilled on Purim. The Poskim discuss giving it on behalf of a donor who is not aware of it. This is not recommended for some of the reasons already discussed. However, if the donor appointed a Shliach, he may, according to the Poskim, ask the Shliach to lay out the money for him. The Shliach may consider it as though the money was transferred to the possession of the donor first, through *Zechia*, a process by which one may gain possession without being present.

If the items are mailed, the issue is more complex. In the case of a regular agent, the idea would be that the agent performs the function of the sender. Thus, the agent's action is attributed to the sender. The agent must be qualified to do the Mitzvah himself for this. If his action can not be attributed to the sender, the gift was still sent, but unless it was also sent on the day of Purim, the sender did not do his part on Purim itself. Therefore, the issue is whether the mail service is better than an unqualified agent, since it is really anonymous and does not do it as an agent *per se*. It would, however, appear that there is no problem here. If the mail service does not count as a Shliach to perform the act, the sender can not have appointed them to act independently in his place anyhow. They are thus responsible to him all the time that they have the item in their possession. It is as though he has not yet parted with it. Thus, he has not yet finished his act of giving, until it reaches the property of the recipient. It is like throwing the gift through the air to the recipient, and should work, since it arrives on Purim completing his act of giving on the right day. [See Megillah 4b 5a 6b 7a-b Baba Metzia 78b (Rashi Shita Mekubetzes) Poskim, Tur Shulchan Aruch Orach Chaim 694, 695:4, commentaries.]