

The Relationship between Mishlo'ach Manot and Matanot La'Evyonim³

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There are four mitzvot relating to the celebration of Purim. The first is the reading of *Megillat Esther*. Additionally, the verse lists three more mitzvot:

To make these days of feasts and joy, of sending tributes one to another and gifts to the poor.

Esther 9:22

לַעֲשׂוֹת אוֹתָם, יְמֵי מִשְׁתֵּה וְשִׂמְחָה, וּמִשְׁלַח מְנוֹת אִישׁ לְרֵעֵהוּ, וּמַתָּנוֹת לְאֶבְיוֹנִים.

אסתר ט:כב

In this article, we will explore the relationship between *mishlo'ach manot* (sending tributes) and *matanot la'evyonim* (gifts to the poor). There are a number of questions to ask regarding these two mitzvot. Are they basically the same mitzvah with different recipients? Do these two mitzvot relate to the third mitzvah mentioned in the verse, namely, the mitzvah of eating a festive meal? What role do they play in the broader celebration of Purim?

Before exploring the characteristics of each mitzvah, it is important to note an important difference between the requirements of *mishlo'ach manot* and *matanot la'evyonim*:

R. Yosef taught: "sending tributes one to another," two items to one person. "And gifts to the poor," two gifts to two people.

Megillah 7a

תני רב יוסף ומשלוח מנות איש לרעהו שתי מנות לאיש אחד ומתנות לאביונים שתי מנות לשני בני אדם.
מגילה ז.

³ I previously wrote two articles, "[The Mitzvah of Mishlo'ach Manot](#)," and "[The Mitzvah of Matanot La'Evyonim](#)," available on YUTorah. This article attempts to highlight the relationship between the two mitzvot.

Why does *mishlo'ach manot* require giving two items to one person, whereas *matanot la'evyonim* requires two gifts to two separate people? On the one hand, this difference seems to indicate that these are two distinct mitzvot. On the other hand, this difference may simply be a reflection of the overall goal of these mitzvot.

The Nature of *Mishlo'ach Manot*

R. Moshe Sofer (1762-1839), *Teshuvot Chatam Sofer, Orach Chaim* no.196, notes that there are two reasons presented in earlier sources regarding the mitzvah of *mishlo'ach manot*. R. Yisrael Isserlin (1390-1460), *Terumat HaDeshen* no. 111, writes:

Question: Do those who send to their friends sheets, clothing and other similar things on Purim fulfill the mitzvah of mishlo'ach manot or not? Answer: It seems that they do not fulfill the mitzvah because the reason for mishlo'ach manot seems to be so that everyone will have enough [food] to make a proper meal.

Terumat HaDeshen no. 111

שאלה: בני אדם השולחים לחביריהם בפורים חלוקים וסדינים וכה"ג, יוצאים ידי משלוח מנות או לאו. תשובה: יראה דאין יוצאים בהן דנראה טעם דמשלוח מנות הוא כדי שיהא לכל אחד די וספק לקיים הסעודה כדינא.
תרומת הדשן ס' קיא

The purpose of the mitzvah of *mishlo'ach manot* is to provide food items for the Purim meal. Therefore, one cannot fulfill the mitzvah by sending non-food items. R. Shlomo Alkabetz (c. 1500-1580), *Manot HaLevi* 9:19, suggests a different reason for the mitzvah of *mishlo'ach manot*:

"Sending tributes one to another," just like their [broader] purpose to gather as one unit with friends, the opposite of the evil oppressor (Haman) who slandered [the Jews] as a nation that is scattered.

Manot HaLevi 9:19

ומשלוח מנות איש לרעהו כמו שהיה עינינם כאיש אחד להקהל כל אחד עם חבירו הפך איש צר ואויב לשון רמיה האומר עם אחד מפוזר.
מנות הלוי ט:יט

R. Sofer deduces from these comments that the purpose of the mitzvah is to generate unity and friendship among the people of Israel, and sending gifts to one another generates this unity and friendship. In fact, R. Alkabetz, in the introduction to *Manot HaLevi*, writes that he sent a copy of the book as *mishlo'ach manot* to his father-in-law. Ostensibly, R. Alkabetz disagrees with R. Isserlin and maintains that one can fulfill the mitzvah of *mishlo'ach manot* by sending non-food items. The comments of R. Alkabetz in his introduction may be what led *Chatam Sofer* to conclude that R. Alkabetz's novel reason for the mitzvah of *mishlo'ach manot* actually has halachic ramifications.

R. Moshe Isserles (Rama, 1520-1572) in his glosses to *Orach Chaim* 695:4, writes that if one sends *mishlo'ach manot* to a friend and the receiver does not accept it, the sender nevertheless fulfills the mitzvah of *mishlo'ach manot*. This ruling puzzles many authorities. After all, there is no other mitzvah that requires one person to give an item to another person in which the giver can fulfill the mitzvah through the receiver's refusal. R. Sofer explains that Rama is following the opinion of R. Alkabetz that the purpose of *mishlo'ach manot* is to generate friendship. Therefore, it does not matter whether the receiver actually accepts the gift or not. Since both parties were

unified through the sender's attempt to send a gift to the receiver, the mitzvah is fulfilled. Perhaps what motivated R. Sofer to assume that Rama also follows the approach of R. Alkabetz is a comment in Rama's commentary on *Megillat Esther* entitled *Mechir Yayin*. At the end of the commentary he writes that he sent a copy to his father as *mishlo'ach manot*.

There are a number of practical differences between the two approaches to understanding *mishlo'ach manot*. R. Avraham Gombiner (c. 1633-1683), *Magen Avraham, Orach Chaim* 695:11, quotes R. Ya'akov Moelin (Maharil, c. 1365-1427), *Minhagim, Hilchot Purim*, who rules that one should send foods that are already cooked and not raw items. Ostensibly, Maharil is following the opinion of R. Isserlin that the purpose of *mishlo'ach manot* is to provide food for the Purim meal. Therefore, one can argue that the food for the Purim meal must be ready to serve at the time it was sent. However, according to the opinion of R. Alkabetz, it should make no difference whether the items are cooked or raw, but rather, as long as one generates friendship by sending the package, one can fulfill the mitzvah even if there is no food item.

R. Yaakov Chagiz (1620-1674), *Teshuvot Halachot Ketanot* 2:163, writes that one can fulfill the mitzvah of *mishlo'ach manot* by giving someone enough money to buy items for the Purim meal. Apparently he is of the opinion that the purpose of *mishlo'ach manot* is to provide food for the Purim meal. Nevertheless, he disagrees with Maharil and does not require that the items be ready to serve. R. Ovadia Yosef (b. 1920), *Yechaveh Da'at* 6:45, suggests that the ability to fulfill the mitzvah of *mishlo'ach manot* by sending money is contingent on the two reasons behind the mitzvah of *mishlo'ach manot*. If one assumes that the purpose is to provide food for the Purim meal, one can entertain the possibility of fulfilling the mitzvah by sending money. However, if the purpose is to generate friendship, money is not the type of gift one would give for this purpose. There are a number of other practical differences between the two approaches that are beyond the scope of this presentation.

The Nature of *Matanot La'Evyonim*

The Tosefta, Megillah 1:5, states two rules regarding the funds collected for *matanot la'evyonim*. First, the funds may only be used for Purim related expenses. Second, there should not be great scrutiny regarding these funds. The Talmud Yerushalmi, Megillah 1:4, comments on the second rule that the practical application is that one should not question the recipients of the funds as to whether they are poor or not. Anyone who asks for a portion of the funds should receive something. Ritva (1250-1330), Megillah 7a, explains:

The Talmud Yerushalmi explained that we give to anyone who extends a hand to receive. This is to say that we give all people and we are not particular if they are poor because this gift is not only a form of charity, it is a function of [the requirement to] rejoice, which is evidenced by the fact that one even sends tributes to those of means.

Chidushei HaRitva, Megillah 7a

פירשו בירושלמי שכל הפושט ידו
ליטול יתנו לו, לומר שנותנין לכל
אדם ואין מדקדקין אם הוא עני וראוי
ליתן לו, שאין נתינה זו מדין צדקה
גרידתא אלא מדין שמחה שהרי אף
לעשירים יש לשלוח מנות.
חידושי הרישב"א, מגילה ז.

According to Ritva, the mitzvah of *matanot la'evyonim* is not a function of the mitzvah of *tzedakah* but rather a function of the obligation of *simcha* (happiness) on Purim. Ritva then quotes an alternative explanation of the second rule of the Tosefta: one should not scrutinize the exact needs of the poor, but rather give a little more than they need. This alternative explanation may view the mitzvah of *matanot la'evyonim* as a requirement to give extra charity on Purim and not a function of *simcha*.

Regarding the first rule of the Tosefta, Tosafot, *Erchin* 6a, s.v. *MiShebat*, note that ordinarily, if *tzedakah* funds were collected for a specific purpose and the people of the city decide to divert the funds to a different cause, they are entitled to do so. Tosafot then question the rule of the Tosefta that funds collected for Purim can only be used for Purim expenses. Tosafot conclude that the rule of the Tosefta only applies to the *gabbai* (administrator of the funds). However, if the people of the city agree to use the funds for something else, the funds may be diverted.

Tosafot, *Baba Metziah* 78b, s.v. *Magevet*, present a different answer to the question. They claim that Purim funds are different than ordinary funds collected for *tzedakah* and one cannot divert the funds to a different cause, even with permission of the people of the city.

R. Avraham Yitzchak Sorotzkin, *Gevurat Yitzchak*, Purim no. 16, explains that the two opinions among the *Ba'alei HaTosafot* seem to be disputing the point made by Ritva. If one assumes that the mitzvah of *matanot la'evyonim* is an obligatory form of *tzedakah*, it should be bound by the regular rules of *tzedakah* and one may divert the funds with permission of the people of the city. However, if the mitzvah of *matanot la'evyonim* is a unique rule that one must give something to the poor on Purim in order to provide them with *simcha*, it is arguable that those funds cannot be diverted to another cause, even with the permission of the people of the city.

There are a number of discussions relating to *matanot la'evyonim* that connect to the question of whether the mitzvah is a function of the mitzvah of *tzedakah* or a unique obligation relating to Purim. First, R. Yoel Sirkes (1561-1640), *Bach*, *Orach Chaim* no. 694, rules that a poor person must give *matanot la'evyonim* to other poor people just as he is obligated to fulfill all of the other mitzvot of Purim. He notes that this is different from ordinary *tzedakah* where a poor person is technically not obligated to give to others. R. Chizkiah de Silva (1659-1698), *P'ri Chadash*, *Orach Chaim* 694:1, writes that a poor person is exempt from *matanot la'evyonim*. It is possible that *P'ri Chadash* disagrees with *Bach* regarding the nature of the mitzvah of *matanot la'evyonim*. R. Sirkes clearly states that the mitzvah is a function of the celebration of Purim and therefore, it is no different than the other mitzvot of Purim. *P'ri Chadash* may be of the opinion that the mitzvah is an obligatory form of *tzedakah* on Purim and therefore, one who is exempt from *tzedakah* the rest of the year, is exempt on Purim as well.

Second, Maharil, in his responsa (no. 56) discusses whether one can use money that was designated for *ma'aser kesafim* (giving one tenth of one's earnings to *tzedakah*) for the mitzvah of *matanot la'evyonim*. Maharil notes that since there is a specific obligation to fulfill the mitzvah of *matanot la'evyonim*, one may not use *ma'aser* funds to pay for it. R. Avraham S.B. Sofer (1815-1872), *Ketav Sofer*, *Yoreh De'ah* no. 112, notes that Maharil seems to view the mitzvah of *matanot la'evyonim* as an obligation to give additional *tzedakah*. Therefore, one cannot pay two "debts" with the same funds. However, if one views the mitzvah of *matanot la'evyonim* as a mitzvah to

provide happiness to the poor, there is no reason why one cannot accomplish that by disbursing *ma'aser* funds on Purim.

Third, R. Avraham Gombiner, *Magen Avraham* 692:1, writes that when the *beracha* of *Shehechyanu* is recited on the *Megillah* reading, one should have in mind that the *beracha* also includes the mitzvah of eating the festive Purim meal and the mitzvah of *mishlo'ach manot*. He does not include the mitzvah of *matanot la'evyonim*. R. Yosef Teomim (1727-1793), *P'ri Megadim*, E.A. 692:1, adds that one should also have in mind the mitzvah of *matanot la'evyonim*. A number of Acharonim (see for example *Teshuvot V'Hanhagot* 1:404) allude to the fact that the question of whether one should try to have the *Shehechyanu* cover *matanot la'evyonim* depends on the nature of the mitzvah. If *matanot la'evyonim* is an obligation to give *tzedakah*, there is no reason to recite *Shehechyanu*, just as one does not recite a *Shehechyanu* when giving *tzedakah* the rest of the year. If however, *matanot la'evyonim* is a special mitzvah related to Purim, its relevance to *Shehechyanu* is similar to the festive Purim meal and *mishlo'ach manot*.

Must the Gifts be used for Purim Related Activities?

The Tosefta, op. cit., quotes the opinion of R. Meir that the poor person who receives *matanot la'evyonim* may not use the funds to purchase shoelaces. The Gemara, *Baba Metzia* 78b, notes that R. Meir is consistent with his opinion that one may stipulate the conditions of use in a sale or a gift. Since it is assumed that the one giving the gift wants the gift to be used for Purim, the poor person may not violate those implied conditions. R. Shimon ben Gamliel disagrees and maintains that the money can be used by the poor person at his own discretion. Rabbeinu Asher (c. 1250-1327), *Baba Metzia* 6:9, and Rama, *Orach Chaim* 694:2, codify the opinion of R. Shimon ben Gamliel.

The ability of the poor person to spend the money at his discretion does not necessarily indicate the intended purpose of *matanot la'evyonim*. However, the implication is that both R. Meir and R. Shimon ben Gamliel agree that the giver intends for the gift to be used on Purim. Perhaps a better indicator of the purpose of *matanot la'evyonim* is the type of gift that is acceptable. Rambam, *Hilchot Megillah* 2:16, describes the mitzvah of *matanot la'evyonim* as giving money or food to the poor. R. Meir Simcha of Dvinsk (1843-1926), *Ohr Samei'ach* ad loc., understands that Rambam's opinion is that one can only fulfill the mitzvah with food or money. *P'ri Megadim*, M.Z. 694:1, writes that although one should ideally give money or food, if one gave other items, he fulfills the mitzvah.

The question of what is appropriate to give may be contingent on the nature of the mitzvah of *matanot la'evyonim*. If the mitzvah is a function of *simcha*, it is understandable why one would insist on food that can be used at the festive meal or money that can be used for Purim related expenses. If the mitzvah is a function of increased *tzedakah*, anything that would improve the poor person's predicament would be acceptable.

How do the Two Mitzvot Relate?

If the purpose of *matanot la'evyonim* is to provide the poor with *simcha* on Purim, then it seems to have a close relationship with the mitzvah of *mishlo'ach manot*. According to the approach of

R. Isserlin, that the purpose of *mishlo'ach manot* is to provide others with needs for the Purim meal, *matanot la'evyonim* can be viewed in a similar manner. While we cannot dictate what the poor person does with the gift, R. Meir and R. Shimon ben Gamliel seem to agree that the gift is intended to be used on Purim. According to the approach of R. Alkabetz that the purpose of *mishlo'ach manot* is to generate friendship, it is possible that its ultimate purpose is *simcha*. This is evidenced by the aforementioned comment of Ritva that we don't have to be particular about who receives *matanot la'evyonim* because both *matanot la'evyonim* and *mishlo'ach manot* are a function of *simcha*. While he doesn't necessarily adopt the position of R. Alkabetz, he does indicate that giving money to someone who is not poor is a fulfillment of *mishlo'ach manot* and use of money for *mishlo'ach manot* is more compatible with R. Alkabetz's approach. R. Yoel Sirkes, *Bach, Orach Chaim* no. 695 s.v. *V'Im Hichlif*, does combine the concepts of *simcha* and friendship in writing that the purpose of *mishlo'ach manot* is to rejoice with one's friends and generate unity and love among friends.

Adopting the approach that *matanot la'evyonim* is a form of *tzedakah* doesn't necessarily mean that it doesn't have a relationship with the other mitzvot of Purim. Rambam makes the following observation about how to allocate one's Purim expenses:

It is preferable to give additional gifts to the poor rather than additional tributes to friends because there is no greater joy than to gladden the hearts of the poor, the orphans, the widows and the converts, for one who gladdens the hearts of these distressed people is comparable to the Divine presence as it states [in the verse (Yeshaya 57:15), "God] lifts the spirits of the humble and revives the hearts of the distressed."

Rambam, Hilchot Megillah 2:17

מוטב לאדם להרבות במתנות
אביונים מלהרבות בסעודתו
ובשלוה מנות לרעיו. שאין שם
שמחה גדולה ומפוארה אלא לשמח
לב עניים ויתומים ואלמנות וגרים.
שהמשמח לב האמללים האלו דומה
לשכינה שנאמר להחיות רוח
שפלים ולהחיות לב נדכאים.
רמב"ם הל' מגילה ב:יז

According to Rambam, providing for the poor on Purim provides *simcha* to the giver and the recipient. Rambam expresses a similar idea in *Hilchot Yom Tov* 6:18, in writing that one cannot completely fulfill the mitzvah of *simchat Yom Tov* (rejoicing on the festivals) if one does not include those who are less fortunate in one's celebration. As such, even if one assumes that *matanot la'evyonim* is a form of *tzedakah*, its intended purpose may have been to bring joy both to the giver and to the receiver.⁴ The mitzvah may not be as closely related to *mishlo'ach manot* in the technical sense, but both mitzvot are part of the *simcha* on Purim.

⁴ This idea is further developed by R. Mordechai Torczyner in his article on pages 30-33 of this issue.