

YESHIVAT HAR ETZION
ISRAEL KOSCHITKY VIRTUAL BEIT MIDRASH (VBM)

TALMUDIC METHODOLOGY
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MATANOT L'EVYONIM

One of the unique features of Purim is the Mitzva of Matanot l'evyonim - literally to distribute charity to the needy. Though this Mitzva applies throughout the entire year it entails a specific obligation on Purim. This article will explore this Mitzva and particularly the relation between the general Mitzva of tzedaka and the specific Mitzva of Matanot l'evyonim.

On first glance we might view matanot l'evyonim as part of the year-round Mitzva to give tzedaka . Each day or more appropriately each poor person brings a new obligation to give tzedaka and matanot l'evyonim is the 'expression' of this Mitzva on Purim. In truth the Mitzva on Purim is slightly altered. On an ordinary day a person has no obligation to locate a poor person. He must only respond to solicitation. On Purim however Chazal added greater urgency to the standard Mitzva of tzedaka and each person must INITIATE charity to two impoverished people. Essentially though matanot l'evyonim is an example of the daily Mitzva of tzedaka with slightly different parameters.

We might challenge this view by inspecting which moneys can be used to fulfill this Mitzva. From the days of the Avot Jews have practiced the minhag to tithe their income. The Pesukim declare that both Avraham and Ya'akov dedicated 10% of their income and this has existed as a custom throughout our history. According to Tosafot in Ta'anit (9a) this practice is actually a Biblical obligation (for an expanded treatment of this tithing known as ma'aser kesafim see the English sefer by that title written by Rabbi Domb) . The Maharil poses the following question: Can moneys which have been designated ma'aser kesafim money be used for matanot l'evyonim? Intuitively we might claim that just as ma'aser kesafim money is distributed to all forms of charity it may also be given as matanot l'evyonim. The Maharil rejects this option since Matanot l'evyonim is a separate debt and debts cannot be paid with tzedaka money. The gemara opposes the idea of delivering teruma to a Kohen who is your creditor in lieu of payment of the debt. Tzedaka money or Teruma must be given independent of any foreign debt. Similarly these tzedaka moneys (set aside as ma'aser kesafim and designated for distribution to charity cannot repay the 'foreign' debt of matanot l'evyonim. Obviously according to the Maharil is not the restructuring of the yearly Mitzva of tzedaka. If this were true one should be able to use ma'aser money for this tzedaka like any other charity. Evidently matanot l'evyonim is a separate Mitzva of Purim, autonomous of the yearly standard Mitzva of tzedaka. It is a separate obligation of the day directed at indigent people but independent

of the standard tzedaka obligation. This independent debt of Purim cannot be paid with the charity moneys of tzedaka .

SUMMARY:

We have posed two different understandings for the Mitzva of matanot l'evyonim on Purim. It might be part of the standard daily Mitzva of tzedaka lent greater urgency and a different format from the regular tzedaka. Alternatively it might entail an independent Mitzva to award money poor people on Purim having nothing to do with the daily Mitzva of tzedaka.

A consequence of this question might be the question of who is obligated to perform this Mitzva. The Ta"z (OH 694) asserts that even poor people must fulfill this Mitzva. As in all mitzvot poor people are not excluded. The {Pri Chadash (OH 694) however claims that poor people are excused from this Mitzva. Evidently the Pri Chadash as well interpreted matanot l'evyonim as a derivative of tzedaka; just as the poor are excused from tzedaka they are not responsible to donate matanot l'evyonim. If matanot l'evyonim were a separate Purim Mitzva the Ta"z would be correct- no special dispensation would apply for poor people.

To whom may these matanot be presented? The Tur (OH 694) claims that both Jews and not Jews are given these presents. To substantiate the Tur the Beis Yosef cites the gemara in Gittin (61a) which claims that charity funds are distributed to Gentiles as well to promote harmonious relations. There are many positions which oppose the Tur. Possibly these positions argue about the relationship between matanot l'evyonim and tzedaka. If Matanot is a form of tzedaka it is patterned on tzedaka's model. Just as charity is given to Gentiles so is matanot l'evyonim. If however it exists as a separate Mitzva we might claim that on Purim the focus is 're'eihu' delivering gifts and charity moneys to Jews.

A final question might involve how much should be given. The Ritva in Megilla claims that no minimum shiur exists for matanot l'evyonim. As long as a Peruta (the smallest amount which still has monetary value is given) the Mitzva has been fulfilled. A different image possibly emerges from the Rambam who demands that a 'matana' be given (taking the syntax of the pasuk literally. The Pitchei Teshuva (OH 694) cites several positions which claim that the value of this gift must be significantly higher than a Peruta. Possibly the Ritva judged this Mitzva as an integrated part of tzedaka. Just as tzedaka has no minimum shiur similarly matanot l'evyonim is accomplished with a Peruta. If however matanot l'evyonim is a separate Purim Mitzva we might establish an independent shiur.

METHODOLOGICAL POINTS

1. The specific features of a Halakha are influenced by understanding its essence. Questions such as who must perform the Mitzva, to whom, and how much must be given are all impacted by the principle theme of the Mitzva.

2. Oftentimes a halakha is structurally similar to another more general one. The question of their integration presents itself. Is the specific Mitzva (matanot l'evyonim) 'part' of the more general Mitzva (tzedaka) or is it independent.