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סימן תרצ"ד סעיף ב'-ד'

Halacha Highlight

Giving *matanos l'evyonim* when there are no poor

Shulchan Aruch Siman 694 Seif 2
במקום שאין עניים
In a place where there are no poor people

Shulchan Aruch (סע' ד') writes that if a person finds himself in a place where there are no Jewish (ע' מ"ב ס"ק י"ב) poor people, he may retain possession of the Purim money and then distribute them in the place of his choosing. Mishnah Berurah (ס"ק י"ב) suggests two explanations of Shulchan Aruch's statement. His first explanation is that Shulchan Aruch refers to money that was already collected but it turns out that there is no one to whom it can be distributed. Alternatively, and the explanation that seems more correct is that Shulchan Aruch refers to the money that one normally sets aside every year and this year since there are no poor people to whom to give the money, he holds onto it until he meets poor people to whom he can distribute those funds.

In the event that one knows in advance that he will be in a place where there are no poor people he should make an effort from the beginning of the month of Adar to send money to poor people so that it should reach the poor on Purim. This obviously accords with the authorities who maintain that the obligation of *matanos l'evyonim* is fulfilled if the poor receive money on Purim and it is not important for the donor to give that money specifically on Purim. However, there are authorities who maintain that the *mitzvah* is fulfilled only if the donor gives the money on Purim day (פסקי תשובות אות ח'). In order to accommodate all opinions it is preferable to contact someone on Purim day and ask that person to act as his agent to give two gifts to two poor people and he will repay the agent some time later. If neither one of these options is possible there are authorities who maintain that his family or friends can give money to the poor on his behalf, even without his knowledge and he will thereby fulfill the *mitzvah* since one may act as an agent for others even without their awareness if the act is a benefit to the principal (פסקי תשובות אות ט').

Overview

Siman 694 Seif 2:

It is prohibited to divert Purim money to another *tzedaka*. This is true regarding *gaba'im* but a poor person may use the money for whatever he wants.

- Shulchan Aruch refers to money collected by the *gabai* to distribute to the poor for their meal. Calves may be purchased with all of the money and if there is extra it may be sold and the proceeds may be deposited into the *tzedaka* account. Bais Yosef writes that if one mentally intends to give money to the poor on Purim that money may not be diverted to another *tzedaka*. The reason is that *tzedaka* is categorized as *hekdesh* and one's thought is binding even though he did not verbalize his pledge. (M.B. 6)
- There is a discussion in the *Poskim* whether the *tzibbur* may divert their money. (M.B. 8)

Siman 694 Seif 3:

We are not so careful regarding money on Purim, rather it is given to whomever stretches out his hand and in places where it is also given to gentiles, it may be given to gentiles.

- In a city where this is not the custom, giving the money to a gentile would constitute stealing from the poor. (M.B. 10)

Siman 694 Seif 4:

When there are no poor people, one may retain the Purim money for himself and distribute it as he sees fit.

- Shulchan Aruch refers to what is normally collected each year for the poor. (M.B. 13)