

THE MITZVAH OF MISHLOACH MANOS

by Rabbi Doniel Neustadt

Mordechai and Esther, with the approval of the sages of the time, introduced a mitzvah[1] which obligates every person to send two different kinds of foods to one friend on Purim. Two basic reasons are given for this mitzvah:

1. There are impoverished people who are too embarrassed to collect tzedakah for themselves and will therefore not have food for the seudas Purim. By establishing a system whereby everyone receives packages of food on Purim, the rabbis ensured that even the most reticent of individuals will have food for the Purim seudah[2].

2. Sending food to a friend or an acquaintance is an expression of goodwill and fraternity. On Purim we wish to instill and perpetuate these feelings[3]. Both goals must be met in order to fulfill the mitzvah properly. Therefore, one who sends clothing for mishloach manos does not fulfill the mitzvah[4] since he did nothing for his friend's Purim meal. Similarly, one who sends mishloach manos anonymously does not fulfill the mitzvah[5] since no friendship or goodwill is generated between him and the recipient.

Mishloach manos may be sent to any Jewish[6] adult[7], wealthy or poor, with whom one is acquainted or to whom one is related[8]. Although men should send to men only and women to women only[9], families may send to each other[10].

Mishloach manos should be sent and received on Purim day[11]. If they are received at night or on the days before or after Purim, the sender does not fulfill the mitzvah[12]. If they are sent before Purim but received on Purim, some poskim hold that the mitzvah is fulfilled[13] while others hold that it is not[14].

If possible, the mishloach manos should be sent as early as possible on Purim day, but not before the reading of the Megillah on Purim morning[15]. Nowadays, we are witness to a marked proliferation of mishloach manos. Although it is a relatively easy mitzvah to fulfill, if one is unaware of the halachos he could send dozens of mishloach manos and still not properly fulfill the mitzvah.

Question: Are married women and adult children obligated to send mishloach manos?

Discussion: The obligation to send mishloach manos rests upon the individual[16]; hence, a married woman is not exempted by her husband's mishloach manos[17]. A husband and a wife may, however, send mishloach manos together, as long as the mishloach manos is "double sized", i.e.,

double the amount that either spouse would have sent individually[18]. Some poskim hold that children over 13—even those who are being supported by their parents—are obligated to send their own mishloach manos[19], while others exempt them since they do not own anything in their own right[20].

Parents should educate their minor children in the correct performance of mishloach manos just as they do with every other mitzvah[21].

Question: May mishloach manos be sent to a mourner?

Discussion: The custom is that mishloach manos are not sent to a mourner[22] during the year of mourning for his parents, or during the thirty days of mourning for other relatives[23]. A mourner who receives mishloach manos need not return them, and the sender fulfills his mitzvah by sending those mishloach manos[24]. It is permitted for a woman to send mishloach manos to the wife of a mourner or for a man to send to the husband of a mourner[25].

While a mourner—even if he is in the middle of shivah—must send mishloach manos, he should refrain from sending "simchah items," e.g., items that elicit laughter and merriment[26]. Question: What is the proper amount and type of food that should be sent for mishloach manos? Discussion: Mishloach manos can be any combination of two kinds of food[27], or one food and one drink[28], or two kinds of drink[29]. Although two pieces of the same food are considered as one food[30], the top (white meat) and bottom (dark meat) parts of a chicken are considered two kinds of food[31]. Some poskim[32] specify that the foods be ready to eat and require no further cooking, while others[33] allow even uncooked foods to be sent. L'chatchilah, one should send foods which could be eaten at the seudas Purim[34]. Moreover, one does not fulfill the mitzvah properly if all he sends is a small piece of food, etc. since manos is defined as a portion which is considered worthy of serving others. Some poskim suggest that the minimum amount of mishloach manos is a meal's worth, about 6-7 fl. oz. of food[35]. Other poskim require that one send no less of a meal (in volume) than one would normally serve a guest[36].

A wealthy person who sends inexpensive items of food does not fulfill the mitzvah properly, for in order for mishloach manos to be considered as an expression of friendship, its cost must be relative to the sender's wealth[37]. Similarly, one who sends inexpensive food items to a wealthy person does not fulfill the mitzvah properly, since such items are worthless in his eyes and unappreciated by him[38].

1. This is a mitzvah mi-divrei kabbalah, a rabbinical mitzvah which is incorporated into the written text (Esther 9:22). Accordingly, we do not say safek d'Rabbanan l'kulah in regard to the mitzvos of Purim; see O.C. 696:7; Mishnah Berurah 692:16; Tzafnas Panei'ach, Rambam Megillah 1:1; Achiezer 3:73.

2. Terumas ha-Deshen 111.

3. Manos ha-Levi, quoted in Teshuvos Chasam Sofer, O.C. 196.
4. Mishnah Berurah 695:20.
5. Kesav Sofer, O.C. 141.
6. Beis Yitzchak, Y.D. 2:142. See Shraga ha-Meir 4:31.
7. Aruch ha-Shulchan 695:18 rules that one fulfills the mitzvah by sending to a minor, but other poskim disagree; see Ya'avetz 1:12; 2:68, Kaf ha-Chayim 694:12.
8. Some poskim recommend not sending to one's "enemy," to a total stranger or as an acknowledgment of a favor rendered; see Piskei Teshuvos 695, note 54 and 58, and oral ruling by Rav M. Feinstein, quoted in Moadei Yeshurun, pg. 58.
9. Rama, 695:4.
10. Halichos Shelomo 2:19-17 and Orchos Halachah 27.
11. Rama 695:4.
12. Aruch ha-Shulchan 695:16.
13. Be'er Heitev 695:7 quoting Yad Aharon; Beis She'arim, O.C. 381; Chelkas Ya'akov 1:102.
14. Aruch ha-Shulchan 695:16-17. One does not fulfill the mitzvah if the recipient will not be aware on Purim that he received mishloach manos—even if his family accepted it on his behalf; ibid. See also Levushei Mordechai, O.C. 108.
15. Based on Mishnah Berurah 692:1. See also Kaf ha-Chayim 694:18.
16. Rama, O.C. 695:4.
17. Magen Avraham 695:12; Chayei Adam 155:33; Kitzur Shulchan Aruch 142:4; Mishnah Berurah 695:25; Aruch ha-Shulchan 695:18.
18. Halichos Shelomo 2:19-15, 17 and Devar Halachah 24 and 27.
19. Aruch ha-Shulchan 694:2 (concerning matanos la-evyonim); Orchos Chayim 695:2 quoting Me'orei Ohr.
20. Kinyan Torah 1:132. It follows that if the children have their own possessions, then they are obligated like any adult.
21. Peri Megadim 695:14; Eishel Avraham 695; Kaf ha-Chayim 695:57. This means that parents should give their children food or money so that they can fulfill the mitzvah; Chanoch l'Na'ar, pg. 66. See, however, Kinyan Torah 1:132 who holds that it is sufficient chinuch to allow the children to deliver the mishloach manos.

22. Unless he is the rav of the city; Divrei Malkiel 5:237.
23. Based on Rama, O.C. 696:6.
24. Kesav Sofer, O.C. 139.
25. Rav Y.S. Elyashiv (oral ruling, quoted in Penei Baruch, pg. 322).
26. Mishnah Berurah 696:18.
27. O.C. 695:4. The opinion of the Ben Ish Chai (Tetzaveh 16) not to place the various kinds of foods on one plate or bowl, since the plate or bowl combines them into one kind of food, has not been accepted by the poskim; Halichos Shelomo 2:19, Orchos Halachah, note 36; Teshuvos v'Hanhagos 2:346.
28. Mishnah Berurah 695:20.
29. Aruch ha-Shulchan 695:14. Other poskim recommend that at least one of the items be a food.
30. Aruch ha-Shulchan 695:14. See Tzitz Eliezer 14:65; 15:31.
31. Halichos Shelomo 2:19-12. See Mikroei Kodesh, Purim 38.
32. Magen Avraham 695:11; Ma'asei Rav 249; Chayei Adam 135:31; Kitzur Shulchan Aruch 142:2; Aruch ha-Shulchan 695:15.
33. Peri Chadash, O.C. 695; Ha'amek Sh'eilah 67:9; Shevet Sofer, O.C. 23; Yechaveh Da'as 6:45. Mishnah Berurah 695:20 quotes both views without rendering a decision.
34. This is because the main purpose of mishloach manos is so that everyone will have a proper Purim meal; see Ma'asei Rav 249.
35. Zera Yaakov 11, quoted by Sha'arei Teshuvah 694:1.
36. Rosh Yosef, Megillah 7b; Eishel Avraham 695; Aruch ha-Shulchan 695:15. See Tzitz Eliezer 14:65.
37. See Sedei Chemed, Purim 8.
38. Beiur Halachah 695:4, s.v. chayav, based on Ritva and Chayei Adam.

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