

To the Director of the "Am Yisrael Chai" charity fund,  
My Esteemed friend,  
R' Shmuel Sackett,

Greetings.

With respect to your question about use of "maaser money" for the purchase of raffle tickets –  
There are three matters that need clarification:

1. What are the permissible uses for such money?
2. Is the purchase of a raffle ticket permitted, or is that considered a personal use of money earmarked for charity (since the purchase could result in a large prize)?
3. If a person bought a raffle ticket and won, is the prize his, or is it the property of the poor?

To begin with, it must be pointed out that according to many halachic authorities, the entire matter of "maaser money" is nothing more than a custom – see Pischei Teshuvah Yoreh Deah 331:12. In the responsa Shevet HaLevi 9:200, the author writes: "We are not so careful about maaser money, which according to many opinions is not even a rabbinically sanctioned obligation, but is merely a stringency as per Bach (Yoreh Deah 331:19)."

Now, as far as the permissible uses of maaser money, Ramo (Y.D. 249:1) states that one should not use it for a mitzvah; rather, it should only be given to the poor. Nevertheless, Taz (Y.D. 249:1) permits its use for a mitzvah. Today, the average person who sets aside maaser money intends that it be used for a mitzvah, and not only as charity for the poor. This is especially true in the Holy Land where Bituach Leumi (Israel's "National Insurance") tries to make sure that there are no destitute people worthy of receiving charity, and in fact there are very few genuinely poor people who are entitled to charity.

As far as buying raffle tickets is concerned, all the purchase money goes towards mitzvos, and this should therefore be allowed, especially since a significant percentage of the money goes to people in need. The costs to the charity fund for advertising and the like, are certainly a mitzvah, and it therefore should be permitted for the fund to use contributions received from maaser money towards that end. Shevet HaLevi (ibid.) writes the following: "Institutions that spend a portion of the money raised in order to purchase the prizes which are raffled off, should not be problematic, just as we give a poor person money and don't investigate how he uses it, so too here; especially since the raffle prizes are intended in order to increase the contributions to the fund, and therefore to charity, such that the entire expenditure can be considered to be for a charitable purpose."

Nevertheless, modern authorities, have argued that if you buy a raffle ticket and win, the prize belongs to the poor and not to the buyer of the ticket (see e.g. Tzedakah U'Mishpat, R' Y. Y. Blau, p. 29 who brings this argument in the name of R' Yisroel Yaacov Fisher). However, it would seem that the money which one pays for a ticket is not payment for a possible prize. Rather, the purchase money is given as a contribution to the charity fund; the charity organization that is sponsoring the raffle, decides out of the goodness of its heart, to give a prize as a display of appreciation to the contributors. I found in Igros Moshe (Orach Chaim 4:76:2), concerning a raffle where there is no limit on the number of tickets to be sold, who writes as follows: "If it should transpire that someone's ticket is the winning ticket, the prize is his... the prize is given by the charity fund as a gift to one of the contributors, for his participation in the charity drive, since by doing so, the fund can sell many more tickets, and collect much more charity than otherwise... and the directors of the fund are entitled to give such a gift."

It would therefore seem that if the director of a charity fund views a prize as a gift given in appreciation by the fund to a donor, the buyer of the winning ticket is not seen as buying the prize with his maaser money, and the prize therefore belongs to the buyer of the winning ticket, even if he used maaser money to buy the ticket.

Consequently, in my opinion, it is permitted to use maaser money to buy raffle tickets from a charitable organization, as has already been ruled by the great authorities, Igros Moshe and Shevet HaLevi.

Sincerely yours,  
And wishing you much success in your endeavors,  
Rabbi Mordechai Rabinovitch