

Ma'aser Rishon - should we give it today to Leviyim?

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Today, although Leviyim don't serve in the Beit HaMikdash, the poskim rule that we still give them ma'aser rishon. The Shulchan Aruch (YD §331:19,52,68) rules that we should give ma'aser rishon to Leviyim even today, implying that it isn't necessary to seek out a "pedigreed" Levi ("Levi meyuchas"); if someone claims to be a Levi, we believe them.

The Chazon Ish (Sh'vi'it 5:12), though, asserts that today there no longer are pedigreed Leviyim. He is also concerned that if we give ma'aser rishon to Leviyim, devious Yisra'elim might pose as Leviyim; therefore ma'aser rishon should not be given to Leviyim. Others add that today, since lineage is uncertain and since ma'aser rishon is a monetary matter, the rule applies: "hamotzi meichaveiro alav hara'aya": to take ownership of an object in another's possession one must prove ownership. Therefore, they rule that there is no need to give ma'aser rishon to a Levi unless he can prove his authentic lineage.

Most poskim disagree: just as we trust that Kohanim are Kohanim and they perform pidyon haben and recite birkat Kohanim, we also rely on a Levi's tradition that they are of proper descent (Rabbi Chaim David HaLevi, HaTorah VeHa'aretz IV).

If the Levi commits to give all of the ma'aser rishon money to Torah institutions (and won't derive benefit), it is possible that even the Chazon Ish would agree; he writes (ibid.) that Kohanim are given silver coins today for pidyon haben because they return them to father, and do not profit from it. Most contemporary poskim rule that we give ma'aser rishon to a Levi even today.

At Beit HaOtzar we give ma'aser rishon in a mehudar fashion to a pedigreed Levi with a written genealogy dating several centuries back. He then donates all the money to Torah institutions.