

What is so bad about *me'ilah*? Zevahim 66b

The mishnah on Zevahim 66b discusses whether the sin of *me'ilah* - misappropriation of consecrated goods - applies to a *korban hatat* (sin offering) that has become invalid. This is an opportune time to discuss the trespass known as *me'ilah*. What does it entail? What religious ill does it represent?

Questions? Comments? Email dinanddaf@gmail.com

1. ויקרא ה:יד-טז

וַיְדַבֵּר יְהוָה אֶל-מֹשֶׁה לֵאמֹר: נֹפֶשׁ כִּי-תִמְעַל מֵעַל וְחִטָּאָהּ בְּשִׁגְגָהּ מִקֹּדֶשׁ יְהוָה וְהֵבִיא אֶת-אֲשָׁמוֹ לִי-הִנֵּה אֵיל תַּמִּים מִן-הַצֹּאן בְּעֶרְכָּךְ כֶּסֶף-שְׁקָלִים בְּשִׁקְל-הַקֹּדֶשׁ לְאַשָּׁם: וְאֵת אֲשֶׁר חָטָא מִן-הַקֹּדֶשׁ יִשְׁלֶם וְאֶת-חֲמִישְׁתּוֹ יוֹסֵף עָלָיו וְנָתַן אֹתוֹ לַכֹּהֵן וְהִכָּהוּ יִכְפֹּר עָלָיו בְּאֵיל הָאֲשָׁם וְנִסְלַח לוֹ:

And God spoke to Moses, saying:

When a person commits a trespass, being unwittingly remiss about any of God's sacred things: One shall bring as a penalty to God a ram without blemish from the flock, convertible into payment in silver by the sanctuary weight, as a guilt offering.

That person shall make restitution for the remission regarding the sacred things, adding a fifth part to it and giving it to the priest. The priest shall make expiation with the ram of the guilt offering on behalf of that person, who shall be forgiven.

2. [Brown Driver Briggs Biblical Dictionary](#):

מַעַל verb: act unfaithfully, treacherously

Arabic مَغَالَة *whisper, backbite*, مَغَالَة *perfidy, fraud*

3. משנה מעילה ה:א

הַנֶּהֱנֶה שְׁוֵה פְרוּטָה מִן הַקֹּדֶשׁ, אֵף עַל פִּי שְׁלֹא פָגַם, מַעַל, דִּבְרֵי רַבִּי עֲקִיבָא. וְחֻכָּמִים אוֹמְרִים, כָּל דָּבָר שֶׁיֵּשׁ בּוֹ פָּגַם, לֹא מַעַל עַד שִׁיפּוֹגַם. וְכָל דָּבָר שֶׁאֵין בּוֹ פָּגַם, כִּיּוֹן שֶׁנֶּהֱנֶה, מַעַל. כִּי צִד. נִתְּנָה קִטְלָא בְּצִוְאַרְהָ, טְבַעַת בְּיָדָהּ, שֶׁתִּתֶּה בְּכֹס שֶׁל זָהָב, כִּיּוֹן שֶׁנֶּהֱנִיתָ, מַעַלָּה. לְבַשׁ בְּחִלּוּק, כֶּסֶף בְּטִלִּית, בָּקַע בְּקִרְדָּם, לֹא מַעַל עַד שִׁיפּוֹגַם. תָּלַשׁ מִן הַחֲטָאת כִּשְׁהִיא חִיָּה, לֹא מַעַל עַד שִׁיפּוֹגַם. כִּשְׁהִיא מֵתָה, כִּיּוֹן שֶׁנֶּהֱנֶה, מַעַל:

One who derives benefit equal to the value of one *peruta* from a consecrated item, even though he did not damage it, is liable for its misuse; this is the statement of Rabbi Akiva. And the Rabbis say: With regard to any consecrated item that has the potential to be damaged, one is not liable for misuse until he causes it one *peruta* of damage; and with regard to an item that does not have the potential to be damaged, once he derives benefit from it he is liable for misuse. The mishna elaborates: How so? If a woman placed a consecrated gold chain [*ketala*] around her neck, or a gold ring on her hand, i.e., her finger, or if one drank from a consecrated gold cup, since they are not damaged through use, once he derives benefit equal to the value of one *peruta* from them, he is liable for misuse. If one wore a consecrated robe, covered himself with a consecrated garment, or chopped wood with a consecrated ax, he is not liable for misuse until he

causes them one *peruta* of damage. One who derives benefit from a sin offering while it is alive is not liable for misuse until he causes it one *peruta* of damage. When it is dead, once he derives benefit equal to the value of one *peruta* from it, he is liable for misuse.

4. משנה מעילה ה:ד

נטל אָבן או קורָה שֶׁל הַקֹּדֶשׁ, הָרִי זֶה לֹא מַעַל. נִתְּנָה לַחֲבֵירוֹ, הוּא מַעַל וְחֲבֵירוֹ לֹא מַעַל. בְּנָאָה בְּתוֹךְ בֵּיתוֹ, הָרִי זֶה לֹא מַעַל, עַד שִׁידוּר תַּחֲתֶיהָ בְּשׂוּה פְּרוּטָה. נִטַּל פְּרוּטָה שֶׁל הַקֹּדֶשׁ, הָרִי זֶה לֹא מַעַל. נִתְּנָה לַחֲבֵירוֹ, הוּא מַעַל וְחֲבֵירוֹ לֹא מַעַל. נִתְּנָה לְבֵלֵן, אָף עַל פִּי שְׂלֹא רַחֵץ, מַעַל, שֶׁהוּא אוֹמֵר לוֹ, הָרִי מִרְחֵץ פְּתוּחָה, הַכֵּנס וּרְחֹץ:

In a case where the Temple treasurer took for his use a consecrated stone or a beam, that person is not liable for its misuse. If he gave the stone or the beam to another, he is liable for its misuse and the other person is not liable for its misuse. If he built the stone or the beam into his house, he is not liable for its misuse until he resides beneath it and derives benefit equal to the value of one *peruta* from it. If one took for his use a consecrated *peruta*, that person is not liable for its misuse. If he gave the *peruta* to another, he is liable for its misuse and the other person is not liable for its misuse. If he gave the *peruta* to a bathhouse attendant [*levallan*], although he did not bathe, he is liable for misuse of the *peruta*. The reason is that at the moment he receives the *peruta*, the attendant in effect says to the owner of the *peruta*: The bathhouse is open before you, enter and bathe. The benefit derived from that availability is worth one *peruta*.

Stealing?

5. ויקרא ה:כ-כה

וַיְדַבֵּר יְ-הוָה אֶל-מֹשֶׁה לֵאמֹר: נֹפֶשׁ כִּי תַחֲטֹא וּמַעַלָּה מַעַל בִּי-הוָה וְכַחַשׁ בְּעֵמִיתוֹ בְּפִקְדוֹן אִו־בִּתְשׁוּמַת יָד אִו בְּגָזָל אִו עֲשָׂק אֶת-עֵמִיתוֹ: אִו-מִצָּא אֲבִידָה וְכַחַשׁ בָּהּ וְנִשְׁבַּע עַל-שֹׁקֶר עַל-אַחַת מִכָּל אֲשֶׁר-יַעֲשֶׂה הָאָדָם לַחֲטָא בְּהִנָּה: וְהָיָה כִּי-יִחַטֵּא וְאָשַׁם וְהָשִׁיב אֶת-הַגְזָלָה אֲשֶׁר גָּזַל אִו אֶת-הַעֲשָׂק אֲשֶׁר עָשָׂק אִו אֶת-הַפִּקְדוֹן אֲשֶׁר הִפְקִיד אֹתוֹ אִו אֶת-הָאֲבִידָה אֲשֶׁר מִצָּא: אִו מִכָּל אֲשֶׁר-יִשְׁבַּע עָלָיו לִשְׁקֹר וְשָׁלַם אֹתוֹ בְּרֹאשׁוֹ וְחִמְשָׁתָיו יֹסֵף עָלָיו לְאִשֹּׁר הוּא לוֹ יִתְּנֶנּוּ בְיוֹם אֲשַׁמְתּוֹ: וְאֶת-אֲשָׁמוֹ יָבִיא לִי-הוָה אֵיל תַּמִּים מִן-הַצֹּאן בְּעֶרְכָּךְ לְאִשָּׁם אֶל-הַכֹּהֵן:

God spoke to Moses, saying:

When a person sins and commits a trespass against God —by dealing deceitfully with another in the matter of a deposit or a pledge, or through robbery, or by defrauding another, or by finding something lost and lying about it; if one swears falsely regarding any one of the various things that someone may do and sin thereby—

when one has thus sinned and, realizing guilt, would restore either that which was gotten through robbery or fraud, or the entrusted deposit, or the lost thing that was found, or anything else about which one swore falsely, that person shall repay the principal amount and add a fifth part to it. One shall pay it to its owner upon realizing

guilt. Then that person shall bring to the priest, as a penalty to God, a ram without blemish from the flock, or the equivalent, as a guilt offering.

6. מלכים ב פרק יב היג

ה וַיֹּאמֶר יְהוֹאָשׁ אֶל-הַכֹּהֲנִים כָּל-כֶּסֶף הַקֹּדֶשִׁים אֲשֶׁר-יוֹבֵא בֵּית-יְהוָה כֶּסֶף עוֹבֵר אִישׁ כֶּסֶף נַפְשׁוֹת עֲרָקוּ כָל-כֶּסֶף אֲשֶׁר יַעֲלֶה עַל לֵב-אִישׁ לְהָבִיא בֵּית יְהוָה:

Jehoash said to the priests, "All the money, current money, brought into the House of GOD as sacred donations—any money that someone may pay as the money equivalent of persons, or any other money that someone may be minded to bring to the House of GOD—

ו יִקְחוּ לָהֶם הַכֹּהֲנִים אִישׁ מֵאֵת מִכְרוֹ וְהֵם יַחֲזִקוּ אֶת-בֵּדֶק הַבַּיִת לְכָל אֲשֶׁר-יִמָּצָא שָׁם בְּדֶק: {פ} let the priests receive it, each from his benefactor; they, in turn, shall make repairs on the House, wherever damage may be found."

ז וַיְהִי בְשָׁנַת עֶשְׂרִים וְשָׁלֹשׁ שָׁנָה לְמֶלֶךְ יְהוֹאָשׁ לֹא-חֲזָקוּ הַכֹּהֲנִים אֶת-בֵּדֶק הַבַּיִת: But in the twenty-third year of King Jehoash, [it was found that] the priests had not made the repairs on the House.

ח וַיִּקְרָא הַמֶּלֶךְ יְהוֹאָשׁ לַיהוֹיָדָע הַכֹּהֵן וְלַכֹּהֲנִים וַיֹּאמֶר אֲלֵהֶם מִדּוּעַ אֵינְכֶם מְחַזְּקִים אֶת-בֵּדֶק הַבַּיִת וְעַתָּה אֶל-תִּקְחוּ-כֶּסֶף מֵאֵת מִכְרֵיכֶם כִּי-לִבְדֶּק הַבַּיִת תִּתְּנֻהוּ: So King Jehoash summoned the priest Jehoiada and the other priests and said to them, "Why have you not kept the House in repair? Now do not accept money from your benefactors anymore, but have it donated for the repair of the House."

ט וַיֵּאָתּוּ הַכֹּהֲנִים לְבַלְתִּי קַחַת-כֶּסֶף מֵאֵת הָעָם וּלְבַלְתִּי חֲזֹק אֶת-בֵּדֶק הַבַּיִת: The priests agreed that they would neither accept money from the people nor make repairs on the House.

י וַיִּלָּח יְהוֹיָדָע הַכֹּהֵן אֲרוֹן אֶחָד וַיִּקֶּב חֹר בְּדִלְתּוֹ וַיִּתֵּן אֹתוֹ אֶצֶל הַמִּזְבֵּחַ (בִּימִין) [מִיְמִין] בְּבֹא-אִישׁ בֵּית יְהוָה וַיִּתְּנוּ-שָׁמָּה הַכֹּהֲנִים שְׁמֶרֶי הַסֵּף אֶת-כָּל-הַכֶּסֶף הַמוֹבָא בֵּית-יְהוָה: And the priest Jehoiada took a chest and bored a hole in its lid. He placed it at the right side of the altar as one entered the House of GOD, and the priestly guards of the threshold deposited there all the money that was brought into the House of GOD.

יא וַיְהִי כִּרְאוֹתָם כִּי-רַב הַכֶּסֶף בָּאֲרוֹן וַיַּעַל סֹפֵר הַמֶּלֶךְ וְהַכֹּהֵן הַגָּדוֹל וַיֵּצְאוּ וַיִּמְנוּ אֶת-הַכֶּסֶף הַנִּמְצָא בֵּית-יְהוָה: Whenever they saw that there was much money in the chest, the royal scribe and the high priest would come up and put the money accumulated in the House of GOD into bags, and they would count it.

יב וַיִּתְּנוּ אֶת־הַכֶּסֶף הַמִּתְּכֵן עַל־[יָדֵי] (יד) עֲשֵׂי הַמְּלָאכָה (הַפְּקָדִים) בֵּית־יְהוָה וַיּוֹצִיאוּהוּ לְחַרְשֵׁי הָעֵץ וְלַבְּנִים הָעֹשִׂים בֵּית־יְהוָה:

Then they would deliver the money that was weighed out to the overseers of the work, who were in charge of the House of GOD. These, in turn, used to pay the carpenters and the laborers who worked on the House of GOD,

יג וְלַגְּדָרִים וְלַחֲצָבֵי הָאֶבֶן וְלִקְנוֹת עֲצִים וְאֲבָנֵי מַחְצָב לְחַזֵּק אֶת־בֵּדֶק בֵּית־יְהוָה וְלִכְלֹל אֲשֶׁר־יֵצֵא עַל־הַבַּיִת לְחֻזְקָה:

and the masons and the stonecutters. They also paid for wood and for quarried stone with which to make the repairs on the House of GOD, and for every other expenditure that had to be made in repairing the House.

7. רד"ק

מדוע אינכם מחזקים. נראה שיהיו הכהנים שומרים עד שיהיה הכסף רב בידם ואחר יחזקו את בדק הבית והמלך חשד אותם שהיו לוקחים הכסף לעצמם לפיכך אמר להם שלא יקחו הכסף לעצמם אלא מיד שיבא לידם יתנוהו לבדק הבית:

It seems that the kohanim were holding onto the money until there was a large sum, and only then they would pay for repairs to the Temple. And the king suspected them of taking the money for themselves. Therefore, he said to them that they should not take the money for themselves. Rather, they should immediately hand it over for Temple maintenance when it reached their hands.

8. מעילה יח.-:

תנו רבנן... "כִּי תִמְעַל מַעַל", אֵין "מַעַל" אֵלָא שְׁנוּי, וְכֵן הוּא אוֹמֵר: "אִישׁ אִישׁ כִּי תִשָּׁטֵה אֶשְׁתּוֹ וּמַעַלָּה בּוֹ מַעַל", וְאוֹמֵר: "וַיִּמְעַלּוּ בָּאֱלֹהֵי אֲבוֹתֵיהֶם וַיִּזְנוּ אַחֲרֵי הַבְּעָלִים".

The Sages taught in a *baraita*: With regard to misuse of consecrated property, the verse states...: "If anyone commits a misuse [*ma'al*], and sins" (Leviticus 5:15). The term *ma'al* means nothing other than deviation from the norm. And similarly, the verse states with regard to a woman suspected of adultery: "If any man's wife goes aside, and acts unfaithfully [*ma'al*] against him" (Numbers 5:12). And it states with regard to idol worship: "And they broke faith [*vayimalu*] with the God of their fathers, and went astray after the gods of the peoples of the land, whom God destroyed before them" (I Chronicles 5:25). Likewise, one who misuses consecrated property deviates from the purpose for which the particular item was meant to be used.

יכול פגם ולא נהנה, או נהנה ולא פגם...

The *baraita* continues: One might have thought that the comparison between misuse and idol worship teaches that one is liable for misuse even if he damaged the

consecrated item but did not derive benefit from it, as that is the *halakha* with regard to idol worship, where one changes worship of God to idol worship without deriving benefit. Or, in light of the comparison between misuse and suspected adultery, it might have been thought that one would be liable for misuse if he derived benefit from the consecrated item but did not damage it, just as the adulteress derives benefit from the illicit act of intercourse without suffering any physical damage...

תלמוד לומר "וְחֵטְאָהּ". נֶאֱמַר: "חֵטְא" בְּתִרְוּמָה, וְנֶאֱמַר: "חֵטְא" בְּמַעֲלָהּ.

The *halakha* in these cases is derived from the fact that the verse states: "If anyone commits a misuse, and sins through error, in the sacred items of the Lord" (Leviticus 5:15). The word "sin" is stated with regard to *teruma*, in the verse: "And you shall bear no sin by reason of it, as you have set apart from it its best" (Numbers 18:32); and "sin" is also stated with regard to misuse of consecrated property.

מָה "חֵטְא" הָאֵמֹר בְּתִרְוּמָה, פֻּגֵם וְנִהְנֶה...

The *baraita* elaborates: Just as with regard to the word "sin" stated with regard to *teruma*, when someone sins by partaking of forbidden *teruma*, it is a circumstance in which one damages and derives benefit...

אִף "חֵטְא" הָאֵמֹר בְּמַעֲלָה, פֻּגֵם וְנִהְנֶה...

So too, the word "sin" stated with regard to misuse applies specifically when the individual both damages and derives benefit from consecrated items...

אִין לִי אֶלָּא אוֹכֵל, וְנִהְנֶה בְּדָבָר שֶׁאִין בּוֹ פֶּגֶם, מִנֵּין?...

The *baraita* continues: From the verbal analogy I have derived only that one is liable for misuse if he eats consecrated items when he is not permitted to do so, similar to the case of *teruma*. But with regard to one who derives benefit from an item that does not have the potential to be damaged, from where do I derive that this also constitutes misuse?...

תלמוד לומר: "תִּמְעַל מֵעַל" – מִכָּל מְקוֹם.

The verse states: "If anyone commits a misuse." This general and inclusive clause teaches that one is liable for misusing one *peruta* worth of consecrated property in any case, i.e., even if he gave it to another and one of them ate while the other derived benefit, and even if it took some time on that day to use the value of one *peruta*.

אין מעילה אלא שינוי - פירוש מקדש לחול על מרשות לרשות מרשות קדש לרשות חול ומייתי ראייה מסוטה שהיא עושה שינוי שמנחת בעלה ועוסקת ומדבקת בדבר שהוא חולין וגנאי לה:

10. תוספות מעילה יח: ד"ה מה תרומה פוגם ונהנה
...ולאפוקי פגם בלא נהנה היכא דליכא שינוי רשות כגון מזיק

Benefitting from/Betraying Kodesh?

11. רמב"ם הלכות מעילה ו:ט

נטל פרוטה של הקדש ונתנה לבן אף על פי שלא רחץ מעל שְהִירִי נִהְנֶה בְהִיּוּתוֹ רוּחָץ בְּכָל עֵת שְׂרִיצָה. וְכֵן אִם נִתְּנָה לְאַחַד מִבְּעָלֵי אֲמִנִיּוֹת מֵעַל אֶף עַל פִּי שְׂעָדִין לֹא עָשׂוּ מְלָאכָתוֹ:

If one took a consecrated *p'rutah* gave it to a bath attendant, he violates the prohibition against *me'ilah* even though he has not bathed yet, for he benefits in that he could bathe whenever he desires. Similarly, if he gives it to another type of craftsman as payment for his services, he violates the prohibition even though the craftsman has not performed any work.

12. ספרא, ויקרא דבורא דחובה, פרק כב ד'

ר' עקיבא אומר מה תלמוד לומר "ומעלה מעל בהשם"? לפי שהמלוה, והלוה, והנושא ונותן – אינו מלוה, ואינו לוה, ואינו נושא ואינו נותן אלא בשטר ובעדים. לפיכך בזמן שהוא מכחיש – מכחיש בעדים ובשטר. אבל המפקיד אצל חברו אינו רוצה שתדע בו נשמה אלא שלישי שביניהם! בזמן שהוא מכחיש – מכחיש בשלישי שביניהם!

R. Akiva says: What is meant by "and commits a trespass against God"? Because the lender, borrower and those who do business do not do so without a contract and witnesses. Therefore, when a party denies having what is claimed, that person is contradicting the witnesses and the contract. But one who gives a deposit to their friend (to watch for them) does not want anyone to know other than the "third" one among them, namely God. And when a party denies the claim, that party is contradicting the third party among them - i.e., God!

13. רמב"ם הלכות מעילה ח:ח

רְאוּי לְאָדָם לְהִתְבּוֹנֵן בְּמִשְׁפָּטֵי הַתּוֹרָה הַקְדוּשָׁה וְלִידַע סוּף עֲנִינָם כְּפִי כָחוֹ. וְדָבָר שֶׁלֹא יִמָּצֵא לוֹ טַעַם וְלֹא יֵדַע לוֹ עֵלָה אֶל יְהִי קֵל בְּעֵינָיו וְלֹא יִהְיֶה לְעֵלּוֹת אֶל ה' פֶּן יִפְרֹץ בּוֹ. וְלֹא תִהְיֶה מִחֲשַׁבְתּוֹ בּוֹ כְּמִחֲשַׁבְתּוֹ בְּשֹׂאֵר דְּבָרֵי הַחֹל. בּוֹא וְרֵאָה כִּמָּה הִחְמִירָה תּוֹרָה בְּמַעֲלָהּ. וְמָה אִם עֲצִים וְאַבְנִים וְעֹפֹר וְאֶפֶר כִּיּוֹן שֶׁנִּקְרָא שֵׁם אֲדוֹן הָעוֹלָם עֲלֵיהֶם בְּדָבָרִים בְּלִבָּד נִתְקַדְּשׁוּ וְכָל הַנוֹהֵג בָּהֶן מְנַהֵג חַל מֵעַל בָּהֶם וְאֶפְלוּ הִיָּה שׁוֹגֵג צָרִיךְ כְּפָרָה. קֵל וְחֹמֶר לְמִצְוֹת שֶׁחֻקָּם לָנוּ הַקְדוּשָׁה בְּרוּךְ הוּא שֶׁלֹא יִבְעֹט הָאָדָם בָּהֶן מִפְּנֵי שֶׁלֹא יֵדַע טַעַמָּן. וְלֹא יִחְפֶּה דְּבָרִים אֲשֶׁר לֹא כֵן עַל הַשֵּׁם וְלֹא יִחְשַׁב בָּהֶן מִחֲשַׁבְתּוֹ כְּדָבָרֵי הַחֹל. הִרִי נֶאֱמַר בַּתּוֹרָה (וִיקְרָא יט לז) (וִיקְרָא כ כב) "וּשְׁמַרְתֶּם אֶת כָּל חֻקֹּתַי וְאֶת כָּל מִשְׁפָּטַי וַעֲשִׂיתֶם אֹתָם". אָמְרוּ חֲכָמִים לְתַן שְׁמִירָה וַעֲשִׂיָּה לְחֻקִּים כְּמִשְׁפָּטִים. וְהַעֲשִׂיָּה יְדוּעָה וְהִיא שִׁיעֲשֶׂה הַחֻקִּים. וְהַשְׁמִירָה שִׁיזְהָר בָּהֶן וְלֹא

יְדֻמָּה שֶׁהֵן פְּחוּתֵינָן מִן הַמִּשְׁפָּטִים. וְהַמִּשְׁפָּטִים הֵן הַמִּצְוֹת שֶׁטַעֲמָן גָּלוי וְטוֹבוֹת עֲשִׂיתָן בְּעוֹלָם הַזֶּה יְדוּעָה כְּגוֹן אֲסוּר גִּזְל וְשִׁפְכוֹת דָּמִים וְכַבּוּד אָב וָאִם. וְהַחֲקִים הֵן הַמִּצְוֹת שֶׁאֵין טַעֲמָן יָדוּעַ. אָמְרוּ חֲכָמִים חֲקִים חֲקִיתִי לָךְ וְאֵין לָךְ רְשׁוּת לְהַרְהֵר בָּהֶן. וַיֵּצְרוּ שֶׁל אָדָם נִזְקָפוּ בָּהֶן וְאִמּוֹת הָעוֹלָם מְשִׁיבִין עָלֵיהֶן כְּגוֹן אֲסוּר בָּשָׂר חֲזִיר וּבָשָׂר בְּחֶלֶב וְעִגְלָה עֲרוּפָה וּפְרָה אֲדָמָה וְשִׁעִיר הַמִּשְׁתַּלַּח. וְכַמּוֹה הִיָּה דָּוִד הַמֶּלֶךְ מִצְטַעֵר מִן הַמִּינִים וּמִן הָעֲכוּ"ם שֶׁהֵיוּ מְשִׁיבִין עַל הַחֲקִים. וְכָל זְמַן שֶׁהֵיוּ רוֹדְפִין אוֹתוֹ בְּתַשׁוּבוֹת הַשֶּׁקֶר שֶׁעוֹרְכִין לִפִּי קֶצֶר דַּעַת הָאָדָם הִיָּה מוֹסִיף דְּבָקוֹת בַּתּוֹרָה. שֶׁנֶּאֱמַר (תהילים קיט סט) "טָפְלוּ עָלַי שֶׁקֶר זָדִים אֲנִי בְּכָל יָלֵב אֲצִר פְּקוּדֶיךָ". וְנֶאֱמַר שֵׁם בְּעִנְיָן (תהילים קיט פו) "כָּל מִצְוֹתֶיךָ אֲמוֹנָה שֶׁקֶר רָדְפוּנִי עֲזָרְנִי". וְכָל הַקְּרִבּוֹת כָּלֵן מְכַלֵּל הַחֲקִים הֵן. אָמְרוּ חֲכָמִים שֶׁבִּשְׁבִּיל עֲבוֹדַת הַקְּרִבּוֹת הָעוֹלָם עוֹמֵד. שֶׁבַעֲשִׂית הַחֲקִים וְהַמִּשְׁפָּטִים זֹכִין הַיִּשְׂרָאֵל לַחַיִּי הָעוֹלָם הַבָּא. וְהַקְּדִימָה תּוֹרָה צוּי עַל הַחֲקִים. שֶׁנֶּאֱמַר (ויקרא יח ה) "וְשִׁמַּרְתֶּם אֶת חֲקֵיתִי וְאֶת מִשְׁפָּטִי אֲשֶׁר יַעֲשֶׂה אֲתֶם הָאָדָם וְחֵי בָהֶם".

It is appropriate for a person to meditate on the judgments of the holy Torah and know their ultimate purpose according to his capacity. If he cannot find a reason or a motivating rationale for a practice, he should not regard it lightly. Nor should he break through to ascend to God, lest God burst forth against him. One's thoughts concerning them should not be like his thoughts concerning other ordinary matters.

See how severe the Torah rules concerning misappropriating sacred property. Now if wood, stones, earth, and ash become holy because the name of the Lord of the world was called upon them through speech alone and anyone who treats them as ordinary articles violates the prohibition against *me'ilah* and even if he acted unknowingly, he is required to secure atonement, how much more so with regard to the mitzvot which God ordained for us should a person not treat them derisively, because he does not understand their rationale. He should not conjure up matters that are not true concerning God, nor should he think about them with his mind as he would ordinary matters. For Leviticus 19:37 states: "And you shall guard all My decrees and all My judgments and perform them." Our Sages commented: This adjures us to guard and perform both the decrees and the judgments. The meaning of "performing" is well known, i.e., that one should observe the decrees. "Guarding" means to treat them with caution and not think that they are any less than the judgments.

The judgments are those mitzvot whose motivating rationale is openly revealed and the benefit of their observance in this world is known, e.g., the prohibitions against robbery and bloodshed and honoring one's father and mother. The decrees are the mitzvot whose motivating rationales are not known. Our Sages said: "I ordained decrees and you have no license to question them." A person's natural inclination confronts him concerning them and the nations of the world challenge them, e.g., the prohibition of the meat of a pig, milk and meat, the calf whose neck is broken, the red heifer, and the goat sent to Azazel. To what degree did King David suffer because of the heretics and the idolaters who would issue challenges concerning the decrees! As long as they would pursue him with false retorts that they would arrange according to man's limited knowledge, he would increase his clinging to the Torah, as Psalms 119:69 states:

"Willful transgressors have stacked falsehoods against me, but I guard Your precepts

with a full heart." And *ibid.*: states concerning this matter: "All of Your mitzvot are faithful; they pursue me with falsehood; help me."

All of the sacrifices are in the category of decrees. Our Sages said: "The world exists for the sake of the service of the sacrifices." For through the performance of the decrees and the judgments the righteous merit the life of the world to come. And between the two of them, the Torah gave precedence to the command for the decrees, as Leviticus 18:5 states: "And you shall heed My decrees and judgments which a person will perform and live through them."