



Meilat Bedek HaBayit and Korbanot

The *Mishnah* (5:1) teaches that if one derives a *perutah*'s worth of benefit from *hekdesh*, they violate the prohibition of *meilah*.

The *Grach* (*Meilah* 8:1) explains that the issue with *meilah* is that it is considered as if one stole from *hekdesh*. He uses this understanding to explain why the *Torah* needed a *pasuk* to teach that a worker may not eat from a field of *hekdesh* whilst he is working. Recall that normally a worker is allowed to eat from the food that he is working with. However, that is only in his "friend's" field and not in a field of *hekdesh*. If the issue with *meilah* related to being a slight on *hekdesh* (a *pegam*), the *Torah* would not need to teach that a worker is not able to eat in a field of *hekdesh*. That would be obvious. If however, the issue with *meilah* is stealing from *hekdesh* – a monetary issue – then since a worker is allowed to eat in the field in which he is working, it is not considered stealing from *hekdesh* when doing so. That is why the *Torah* needed to teach that a worker may nonetheless not eat in a field of *hekdesh*.

The *Netivot HaMishpat* (28:103) however explains that there is a difference between *hekdesh* that is the property of the temple treasury and a *korban*. While for *hekdesh* it can be as we explained, a *korban* is different. He cites the *Gemara* in *Keritut* (13b) that rules that the prohibition of *Meilah* is violated if one consumed part of a *korban* that was also *notar* (left beyond the required time it was meant to be consumed). *Notar* must be burnt and has no monetary value and therefore would not be considered stealing. He therefore explains that the *korban meilah* that is brought in that context is to atone for benefiting from something that is *kadosh*.

The *Shaarei Yosher* (3:23) however cites *Rashi* who explains that for a *korban* it does need to have any value, rather only some *kodesh* use to violate the prohibition, such that it can still be considered stealing.

A further proof may be brought from the earlier *Mishnah* (4:1) that taught that this minimum amount needed to violate the prohibition can be satisfied from multiple different *kodesh* items. The *Mishnah* also explains that this is even if

one of the items was the property of the temple treasury and the other was a *korban*. The *Bartenura* explains that the benefit derived from both these objects can combine to make the *perutah*'s amount such that one would violate the prohibition of *meilah*.

The *Shaarei Yosher* explains that this *Mishnah* proves that the reason for *meilah* for both *hekdesh* and *korbanot* must be the same. If the reasons were different then they would not be able to combine.

One could however present a different understanding of this *Mishnah*. The *Tosfot* (15a, s.v. *echad*) explains that *hekdesh* and *korbanot* can combine to the volume of a *kezayit*. The explanation at first is puzzling. For *meilah* the amount is a *perutah* in value and not a *kezayit* volume. The *Rashash* explains that that the *Tosfot* is referring to where one ate from both *hekdesh* and *korbanot*. He directs our attention to the *Gemara* in *Pesachim* (33a) where the *Gemara* derives the volume of *kezayit* for *meilah* from *terumah*.

The *Chazon Ish* (*Meilah* p340) notes that, according to *Rashi* and *Tosfot*, what is learnt from the connection to *terumah* is the prohibition of consuming *hekdesh* (as opposed to the prohibition of benefiting from *hekdesh*). These are two different things. Accordingly, if one benefited from *hekdesh* inadvertently, a *perutah*'s worth and even less than a *kezayit*, they would be liable to bring the *korban*. Conversely, if one were to deliberately eat a *kezayit* worth of *Kodesh*, even if it was not a *perutah*'s worth, one would be liable to lashes. It however must be a *kezayit* in size. Less than that, even if it were a *perutah*'s worth, one would not be liable to lashes despite violating the prohibition of benefiting from *hekdesh*.

With that said, one can suggest that no proof can be brought from our *Mishnah*, since, according to the *Tosfot*, our *Mishnah* is not referring to benefit from *hekdesh*. For that they would not combine. Instead, the *Mishnah* is referring to the other prohibition of consuming *hekdesh* that applies equally to be both *hekdesh* and *korbanot* and can combine to the volume of a *kezayit*.

Revision Questions

מעילה גי: בי – ה' א'

- Why does the prohibition of *meilah* not apply to money separated for the purpose of a *Nazir's korbanot*? (גי: ב')
- What is done with this money if the *Nazir* dies? Provide both scenarios. (גי: ב')
- In what way is the blood (of a *korban*) and the *nesachim* opposite from one another? (גי: ג')
- What is the law regarding *meilah* for the ashes from the *menorah*? (גי: ד')
- When does the law of *meilah* apply to the ashes from the inner altar? (גי: ד')
- What is the law regarding *meilah* for *Torin* that are too young to be offered and *bonei onah* that are too old to be offered? (גי: ד')
- About which of the above two cases does *R' Shimon* argue? (גי: ד')
- Regarding which form of *hekdesh* does *meilah* apply to the milk of the animal? (גי: ה')
- Can *meilah* apply to manure? (גי: ו')
- In what case would *meilah* not apply to the water in a designated water hole? (גי: ו')
- In what case is there a debate regarding whether *meilah* applies to the fruit of a *hekdesh* tree? (גי: ו')
- Can the off-spring of an animal set aside for a *korban* feed from its mother? (גי: ו')
- What is the law regarding spring water that has flowed from a *hekdesh* field into a regular field? (גי: ו')
- List the other three cases that are similar to the one in the previous question. (גי: ו')
- Which of those is the subject of debate? (גי: ז')
- What is the law regarding a nest in a *hekdesh* tree? An *asheira* tree? (גי: ח')
- To what "part" of *hekdesh* wood does *meilah* not apply? (גי: ח')
- To what four prohibitions can different sacrifices combine to make the minimum *shiur*? (גי: ט')
- Do *kodshei ha'mizbeach* and *kodshei bedek ha'bait* combine together for the prohibition of *meilah*? (גי: ט')
- What are the five parts of an *olah* that combine for the prohibition of *meilah*? (גי: י')
- Regarding the previous question, how many parts are there for a *korban todah* and what are they? (גי: י')
- Does *trumah* and *challah* combine? (גי: יא')
- Does *trumah ma'aser* and *bikurim* combine? (גי: יא')
- What general rule does *R' Yehoshua* provide for which types of *tumah* combine together and why is it important? (גי: יב')
- Do *pigul* and *notar* combine? (גי: יג')
- Do two *tameh* objects that are on different levels of *tumah* combine? Explain. (גי: יג')
- For what five laws do "all food combine"? (גי: יד')
- For what two laws do "all drinks combine"? (גי: יד')
- Explain the debate regarding whether *orlah* and *kilei kerem* combine. (גי: יה')
- Which fabrics combine and for what law is it important? (גי: יז')
- When is the prohibition of *meilah* violated? (Which case is debated?) (גי: יח')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
22 March ד' ניסן	23 March ה' ניסן	24 March ו' ניסן	25 March ז' ניסן	26 March ח' ניסן	27 March ט' ניסן	28 March י' ניסן
Meilah 5:2-3	Meilah 5:4-5	Meilah 6:1-2	Meilah 6:3-4	Meilah 6:5-6	Tamid 1:1-2	Tamid 1:3-4

