

Introduction to Tractate Me'ilah

From the moment that an animal is designated as an offering (“sanctified”), the sacrificer—the one who benefits from the offering, as distinct from the sacrificer, the one who carries out the rite—may make no use of the beast. What happens when Holy Things unintentionally are used for ordinary purposes, that is, what happens when God’s property is used for the common Israelite’s benefit? If the sacrilege was not deliberate, the value received must be returned, along with a penalty of a fifth more; no further penalty is imposed (Lev. 5:15–16)

The law in *Me'ilah* lays stress on the phrase, “through error.” The law rests upon the principle that people do not deliberately steal from God. The law does not conceive “the Holy” to inhere in such a way that sacrilege of an unintended character bears the same dire results as sacrilege which is intended. The governing distinction is in line with the principle that sanctification is not a matter of substance, but of status.

- I. Sacrilege committed against sacrifices in particular
 - A. When the laws of sacrilege apply to an offering
 - B. Stages in the status of an offering: the point at which the laws of sacrilege apply to various offerings
 - C. Cultic property that is not subject to sacrilege but that also is not to be used for non-cultic purposes
- II. Sacrilege of Temple property in general
 - A. Sacrilege has been committed only when the value of a *perutah* of Temple property has been used for secular purposes
 - B. Sacrilege is defined by the one who does it or by the thing to which it is done
 - C. Sacrilege effects the secularization of sacred property
 - D. Agency in effecting an act of sacrilege

The premise of the law rests on an understanding of Israel’s proper intentionality. Israelites are assumed not to wish to appropriate for their own use what belongs to God and will not intentionally do so. If they err, and realize it, they make amends. In this way they make manifest their correct attitude; they realize and embody by their actions what the sacrificial process is meant to nurture: their full and free acceptance of God’s dominion.

God responds to right intention with its counterpart, graciousness. That is why he readily gives up what is his. Once the priest has a right to part of an offering, God’s claim to the offering is set aside, and sacrilege no longer pertains. As a result, the act of sanctification effects a change in the status of what is sanctified, though only for a limited period and for a highly restricted purpose. In imposing such a narrow construction to the matter of sacrilege—the inadvertent misuse of what God alone may use—the law underscores a now-familiar principle. Sanctification is related to Israel’s condition and is not intrinsic to the condition of what is consecrated. How better to demonstrate this principle than by treating as secular what was once subject to sacrilege?

Balancing sacrilege against sanctification, *Me'ilah* weighs what is done by inadvertence against what is done with full deliberation. The act of sanctification vastly outweighs the act of sacrilege. That is because by the Torah's definition, sacrilege subject to an atoning offering takes place by inadvertence, not by an act of will. Sanctification, by contrast, comes about by an act of praiseworthy will. The law has not only recapitulated the familiar notion of sanctification as a matter that is relative to circumstance, it has also made an eloquent statement that in the cult Israel relates to God in full sincerity. The occasion of unintended sacrilege, its discovery and atonement, match the moment of sanctification. Its disposition of both transactions underscores what the law finds important in the meeting of God and Israel at the altar: Israel's exemplary love and loyalty to God.