

Insights from the Meshech Chochma

רב מאיר שמחה הכהן מדווינסק זצ"ל

פָּרָשַׁת כִּי תָבוֹא תִשָּׁפ"ו

Shulie Plawes

לֹא אָכַלְתִּי בְּאֹכְלִי מִמֶּנּוּ וְלֹא בִעֲרַתִּי מִמֶּנּוּ בְּטֻמְאָה וְלֹא נָתַתִּי מִמֶּנּוּ לְמֵת... (פרק כו' יד)

I have not eaten of it in my intense mourning, I did not consume it in a state of contamination and I did not give of it for the needs of the dead...

Our pasuk is part of the confession that accompanies the three-year crop tithing cycle. As explained by the Artscroll Stone Edition Chumash editors: "...every year, the first tithe is given to the Levi; during the first and second years, *maaser sheni*, the second tithe, is taken. It has a degree of sanctity and must be eaten in Yerushalayim. During the third year, instead of the second tithe, a tithe known as *maaser ani*, the tithe of the poor, is taken. This cycle is repeated every three years, except for the seventh (*Shemitah*) and fiftieth (*Yovel*) years, when no tithes are required. By the day before *Pesach* of the year after each three-year cycle, an owner must make sure that he has delivered all tithes to their proper destination, and then, on the last day of *Pesach* of the fourth and seventh years, he recites the confession in this passage."

Our pasuk contains a three-part confession and its translation is as per Rashi and based on Sifrei. All three apply to *maaser sheni* i.e., it may not be eaten during אֲנִיּוֹת, on the day of a close relative's death; it may not be eaten if either it or the eater is contaminated; it may not be used to purchase shrouds or other needs of a dead person.

Of note, from a פְּשׁוּטוֹ שֶׁל מִקְרָא standpoint, these three admissions appear random and disjointed. Although as mentioned, they are *maaser sheni* rules, there is no real common thread among them. And from one whose *raison d'être* is championing the פְּשׁוּטוֹ שֶׁל מִקְרָא, this casts a huge shadow. Perhaps that is why Rav Meir Simcha is drawn to the Rashbam's interpretation of לֹא אָכַלְתִּי בְּאֹכְלִי מִמֶּנּוּ: "The word אֵין is used here in the same sense as in אִיבּוֹ, where it refers to the proceeds of a robbery, וְאֵין.../...his own hands must give back his wealth i.e., because it was *illegally acquired*. And in הוֹשַׁע יב' ט, אֵין is also used in connection to funds obtained dishonestly: מִצָּאִתִּי אֵין לִי /.../A trader who uses false balances, who loves to deceive... I have become rich." Rashbam does not elaborate further except to say that this is לְפִי פְּשׁוּטוֹ i.e., this is the plain meaning of the phrase. It would appear that he would explain לֹא אָכַלְתִּי בְּאֹכְלִי מִמֶּנּוּ as the owner telling the Kohen that "I have not eaten of produce which is not mine." The *maaser* is above reproach. And לְפִי פְּשׁוּטוֹ are words that Rav Meir Simcha certainly appreciates.

With this starting point, Rav Meir Simcha continues with his own explanation of the next phrase, וְלֹא בִעֲרַתִּי מִמֶּנּוּ בְּטֻמְאָה. He feels that בְּטֻמְאָה in this context is referring to the impurity associated with illicit relations. As the Torah writes in ויקרא יח' כד, עֲרִיּוֹת, in the Parshah of אֶל, וְלֹא בִעֲרַתִּי מִמֶּנּוּ בְּטֻמְאָה /Do not defile yourselves in any of those ways. would then

mean that the owner did not touch the *maaser* after becoming impure through a *שבִּעְרוּהָ*. Or possibly, and this would be along the same lines as *לֹא אָכַלְתִּי בְּאֵזִי מִמֶּנּוּ*, this *maaser*, for example, was not connected in any way to the wages of a *זֹנֶה*, *אֱלֹקֶיךָ*, *זֹנֶה* *as it is an abomination of Hashem, your G-d*. So that once again, the owner is telling the Kohen that the *maaser* is “clean.”

Concluding the triad, *וְלֹא נָתַתִּי מִמֶּנּוּ לְמַת*, Rav Meir Simcha prefers the alternative explanation of Ibn Ezra: “Others say the reference is to idol worship i.e., offerings to idols are called sacrifices to the dead as in *כַּח* *תְּהִלִּים* *קו'* *ה' בְּנִי יִשְׂרָאֵל* (The *ate sacrifices offered to the dead*. And Rav Meir Simcha points out that it was not an uncommon practice to give of their *maasros* to *עֲבֹדָה זָרָה*, as the *Navi* in *ד' ד'* lambasts his people concerning *לְשִׁלְשֶׁת יָמִים* *your tithes on the third day*. Radak explains that *יָמִים* should be understood as years and is referring to the three-year cycle of tithes and that the people were giving them to the priests of Baal! So that *וְלֹא נָתַתִּי מִמֶּנּוּ לְמַת* is the owner of the *maaser* telling the Kohen that he was not involved in any sort of idol worshipping.

Our pasuk's confessions are therefore focusing on three cardinal *עֲבֵרוֹת* i.e., *חָמֵס/גָּזֵל*, *עֲרִיּוֹת*, and *עֲבֹדָה זָרָה*. Sins that are unfortunately easy to be ensnared by. The owner is declaring that, as Rav Meir Simcha puts it, *לֹא עָשִׂיתִי בְּהִרְמוֹת הָאֱלֹהִים* -none of those *עֲבֵרוֹת* were committed when I brought to you these *הִרְמוֹת*-*liftings-maasros*. And the *צֶדֶק הַשְׁפָּוָה* is that the owner is declaring that they are untainted from all three. In fact, as the pasuk continues to tell us, on the contrary, *אֶלְקִי עָשִׂיתִי כְּכֹל אֲשֶׁר צִוִּיתִנִּי* *I have hearkened to the voice of Hashem, my G-d; I have acted according to everything You commanded me*. And it is only after passing such a rigorous self-examination that one could have the temerity to tell Hashem, *הַשְׁקִיפָה מִמַּעַן קִדְשְׁךָ מִן הַשָּׁמַיִם וּבִרְךָ אֶת עַמְּךָ אֶת יִשְׂרָאֵל* *Gaze down from Your holy abode, from the Heavens, and bless Your people, Israel*. Combining his approach with those of Rashbam and Ibn Ezra gives a beautiful, added continuity to these pesukim. *נֶפְשׁוֹטוֹ נָשַׁל מִקֶּרֶא*, indeed!

לזכר נשמת אבי מורי ר' ישראל מנחם בן ר' שלום ז"ל
לזכר נשמת אמי מורתי רחל בת ר' אלחנן אביגדור ע"ה
לזכר נשמת חמי מורי ר' יעקב נתן בן ר' ישראל שלמה ז"ל
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