

If a person sins and commits a breach of trust against G-d by lying to his friend... so it shall be when he will sin and become guilty, he shall return the robbed item that he robbed. (5:21,23)

The *pasuk* appears to be redundant, “He should return the robbed item that he robbed.” The words *asher gazal*, “which he robbed,” are superfluous. Obviously, the item which he robbed is what he is presently returning. What else? He is certainly not returning something which he did not rob. The *Sefer Chassidim* asks this question and offers an insightful answer which sheds light on the nadir of theft. One who steals from someone and later has a change of heart, and – immediately that same day – returns the item – he will not have to add to the principle. If, however, he allowed time to slip by, time during which the pain of the loss can take a harmful effect on the victim, he should be relegated to add to the principle. A day – a week – a year – any amount of time past the immediate day that the theft was executed adds extra to the amount the thief should return, because, over time, the loss of the object becomes more profound and has a greater effect.

He adds that there are circumstances in which, as a result of his loss, the victim of the theft is forced to alter his lifestyle, cut back on his expenditures, and diminish his lifestyle. He no longer has the money that he once had. Furthermore, the victim’s loss goes far beyond the economics aspect. There is also an emotional aspect to be considered. When a person takes a monetary hit, the ramifications are all-encompassing, often taking an emotional toll on the victim’s entire family.

This should serve as a powerful admonishment for anyone whose actions have caused a fellow Jew a loss of money. Everything must be considered: the financial ruin; physical and emotional toll on the victim, and, by extension, his family. For someone who once had money, poverty can be a serious affliction. It can destroy a family. Children who have been raised to “have” cannot deal with “not having.” For some it is an emotional stigma, a taint, smeared by a society that measures success by how much one is “worth” rather than by how “worthy” one is. Children growing up in a home where trips and vacations are non-existent; where going to a restaurant represents a major family milestone; where a *Yom Tov* means another hand-me-down, have difficulty with a society – regardless of its varied affiliation with Torah Judaism – which places a great premium on material possessions.

The *ganov* is not much different than the murderer, claims **Horav Chaim Zaitchik, zl**. One who murders a fellow Jew is punished not only for the death of the victim, but also for every potential offspring that could have emerged from him. We see the present victim; we see the actual monetary loss. Hashem sees it all, and He factors in the appropriate punishment to suit the sin.

Horav S. R. Hirsch, zl, expounds on the words *v'moalah maal b'Hashem*, “and commits a breach of trust against G-d.” Any breach of trust between man and man is viewed as a breach of trust

against G-d. As it states in *Toras Kohanim*, Hashem is the unseen Third Party Who is present wherever and whenever one has dealings with another, even if no other witnesses are on hand. Hashem Himself is guarantor for the integrity of dealings between men. Thus, if the guarantor is “called upon” to attest when any aspect of these dealings has been disavowed, it is not viewed as an ordinary act of faithlessness, *begidah*. This act involves the Jew’s relationship with G-d, his priestly character which is a surety for maintaining his honesty. By breaking his word, he has shown that his involution of G-d was nothing more than a sham, a false pretense. Thus, the most apt designation of this mendacious act would have to mean the transgression of *meilah*.

Rav Hirsch distinguishes between two terms: *begidah*, faithfulness; and *meilah*, breach of trust. *Meilah* is related to *meil*, the term used to describe the Robe of the *Kohen Gadol*, High Priest. *Begidah* is closely related to *begeg*, a garment. He explains that here we have a classic example of the harmonious logic on which the roots of Hebrew words are based. In other words, the choice of a specific Hebrew term to define a situation or subject is by design, because of its relationship with the subject. A *begeg* is the garment worn by an ordinary person. Thus, *begidah* describes an act of faithlessness in ordinary human affairs. The *Meil* is the Robe worn by the *Kohen Gadol*. Thus, *meilah* represents a breach of trust in sacred, priestly affairs or matters. *Beged* implies that the promise one made to his fellow man has turned out to be nothing more than a “garment,” a covering, a sham. It was not real; it does not represent the real person. *Meilah*, however, indicates a lack of integrity committed beneath the “Robe,” “*Meil*,” of the Priestly office. This breach of trust is an act of *meilah*.

Perhaps we can take this idea further. There are two types of breach of trust. An individual sins against his fellow man. The fellow is hurt, angry, has lost money, but a *chillul Hashem*, desecration of G-d’s Name, has not been committed. He understands that he was the victim of a con man posing as someone whose honesty was impeccable. There is another level, however, in which Hashem’s Name is impugned, because the act of faithlessness was carried out by those who represent Him, by those who speak His Name. When a *chillul Hashem* is involved, it is no longer an act of *begidah*; rather, it is a full scale *meilah*, since now the sin is also against G-d.

If I may be so bold as to add that *meilah* is a legal dictum applied to the unintentional misuse of a sacred object. Judaism is as much concerned with indifference as it is with deliberate desecration. One who commits an unintentional act does so because he has forgotten the sacredness of the object, the enviable sanctity of that with which he was entrusted. One forgets what he considers unimportant; one ignores that to which he is indifferent. At times, one feels that his goals are so sublime, so lofty, that he becomes indifferent to the means of achieving these goals. He might be so driven to achieve his goal that a breach of trust might occur, albeit unintentionally – but a breach of trust, no less. Someone was hurt, because someone else did not care. He was involved in something holy. That is *meilah*.