

# גליון לידיעת מצוות השבוע

# והערב

ב"ה ובס"ד פרשת אחרי-קדושים ה'-י"ב אייר (שבועות ג'-ט') תשפ"ה לפ"ק

| המצוה |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | מקור בתנ"ך |    |   | רמב"ם |      |      |      |            |               |             |       |  |  |       | זכר                 | נקבה |      |       |           |        |      |            |          |      |      |                |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | פרשה       |    |   | פרק   | פסוק | בה"ג | רס"ג | אליהו הזקן | יצחק ברגליוני | שלמה גבירול | יראים |  |  | הלכות |                     | סמ"ג | רא"ם | רמב"ן | מאמר השכל | החינוך | סמ"ק | זוהר הרקיע | חפץ חיים | רבנן | נוהג |                |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | אחarei Mos | 16 | 2 |       |      |      |      |            |               |             |       |  |  | 68    | Entering the Temple |      | 303  | 332   | 70        | 288    | 184  | 278        |          |      |      | Bais Hamikdosh |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| מקור בתנ"ך |   | פרשה |  | פרק |          | פסוק   |    | בה"ג | רס"ג | ר' אליהו הזקן | ר' יצחק ברגליוני | ר' שלמה גבירול | יראים | רמב"ם |                        | סמ"ג | רא"ם | רמב"ן | מאמר השכל | החינוך | סמ"ק | זוהר הרקיע | חפץ חיים | רבנן | נוהג | זכר            | נקבה |   |
|------------|---|------|--|-----|----------|--|----|------|------|---------------|------------------|----------------|-------|-------|------------------------|------|------|-------|-----------|--------|------|------------|----------|------|------|----------------|------|---|
|            |   |      |  |     |          |  |    |      |      |               |                  |                |       | הלכות |                        |      |      |       |           |        |      |            |          |      |      |                |      |   |
| ✓          | ✓ |      |  | 10  | 18       |  | 10 |      | 98   |               |                  |                |       |       | Forbidden Relations    | 334  |      |       |           |        | 399  | 332        | 586      | 98   |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 10  | 18       |  | 10 |      | 99   |               |                  |                |       |       | Forbidden Relations    | 335  |      |       |           |        | 398  | 333        | 587      | 99   |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 10  | 18       |  | 10 |      | 100  |               |                  |                |       |       | Forbidden Relations    | 336  |      |       |           |        | 400  | 336        | 588      | 100  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 11  | 18       |  | 11 |      |      |               |                  |                |       |       | Forbidden Relations    | 333  |      |       |           |        | 404  | 331        | 589      | 104  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 12  | 18       |  | 12 |      | 107  |               |                  | 323            |       |       | Forbidden Relations    | 340  |      |       |           |        | 406  | 338        | 590      | 104  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 13  | 18       |  | 13 |      | 108  |               |                  |                |       |       | Forbidden Relations    | 341  |      |       |           |        | 407  | 339        | 591      | 107  |      | World          | ✓    | ✓ |
|            | ✓ |      |  | 14  | 18       |  | 14 |      |      |               |                  |                |       |       | Forbidden Relations    | 352  |      |       |           |        | 413  | 350        | 601      | 90   |      | World          |      | ✓ |
| ✓          | ✓ |      |  | 14  | 18       |  | 14 |      | 105  |               |                  |                |       |       | Forbidden Relations    | 342  |      |       |           |        | 410  | 340        | 582      | 110  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 15  | 18       |  | 15 |      | 95   |               |                  |                |       |       | Forbidden Relations    | 343  |      |       |           |        | 397  | 341        | 583      | 93   |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 16  | 18       |  | 16 |      | 104  |               |                  |                |       |       | Forbidden Relations    | 344  |      |       |           |        | 409  | 342        | 584      | 109  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 17  | 18       |  | 17 |      | 101  |               |                  |                |       |       | Forbidden Relations    | 337  |      |       |           |        | 401  | 335        | 592      | 101  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 17  | 18       |  | 17 |      | 102  |               |                  |                |       |       | Forbidden Relations    | 338  |      |       |           |        | 402  | 336        | 593      | 102  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 17  | 18       |  | 17 |      | 103  |               |                  |                |       |       | Forbidden Relations    | 339  |      |       |           |        | 403  | 337        | 594      | 103  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 17  | 18       |  | 17 |      |      |               |                  |                |       |       |                        |      |      |       |           |        |      |            |          |      |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 17  | 18       |  | 17 |      |      |               |                  |                |       |       |                        |      |      |       |           |        |      |            |          |      |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 18  | 18       |  | 18 |      | 109  |               |                  | 213            |       |       | Forbidden Relations    | 345  |      |       |           |        | 408  | 343        | 585      | 108  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 19  | 18       |  | 19 |      | 96   |               |                  | 212            |       |       | Forbidden Relations    | 346  |      |       |           |        | 417  | 344        | 595      | 111  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 20  | 18       |  | 20 |      | 97   |               |                  |                |       |       | Forbidden Relations    | 347  |      |       |           |        |      | 345        | 596      | 97   |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 21  | 18       |  | 21 |      | 118  |               |                  | 137            |       |       | Idolatry and Paganism  | 7    |      |       |           |        | 119  | 7          | 269      | 40   |      | World          | ✓    | ✓ |
|            | ✓ |      |  | 22  | 18       |  | 22 |      | 115  |               |                  |                |       |       | Forbidden Relations    | 350  |      |       |           |        | 411  | 348        | 599      | 94   |      | World          |      | ✓ |
|            | ✓ |      |  | 23  | 18       |  | 23 |      | 116  |               |                  |                |       |       | Forbidden Relations    | 348  |      |       |           |        | 414  | 346        | 598      | 95   |      | World          | ✓    | ✓ |
| ✓          |   |      |  | 23  | 18       |  | 23 |      | 117  |               |                  |                |       |       | Forbidden Relations    | 349  |      |       |           |        | 415  | 347        | 597      | 96   |      | World          | ✓    |   |
| ✓          | ✓ |      |  | 29  | 18       |  | 29 | 41   | 22   | 40            | 40               | 43             | 322   | 23    |                        |      |      |       |           |        |      |            |          |      |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 29  | 18       |  | 29 | 39   | 19   | 50            | 41               | 323            | 21    |       |                        |      |      |       |           |        |      |            |          |      |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 29  | 18       |  | 29 | 40   | 20   | 39            | 42               | 323            | 22    |       |                        |      |      |       |           |        |      |            |          |      |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 3   | 19       |  | 3  | 47   | 10   | 15            | 20               | 63             | 221   | 211   | Insurgents             | 211  |      |       |           |        | 265  | 210        | 24       | 113  |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 4   | 19       |  | 4  | 251  |      |               |                  | 159            | 351   | 10    | Idolatry and Paganism  | 10   |      |       |           |        | 82   | 10         | 272      | 14   |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 4   | 19       |  | 4  |      |      |               |                  |                |       | 3     | Idolatry and Paganism  | 3    |      |       |           |        | 87   | 5          | 264      | 21   |      | World          | ✓    | ✓ |
| ✓          | ✓ |      |  | 6   | 19       |  | 6  |      |      |               |                  |                |       | 131   | Disqualified Offerinas | 131  |      |       |           |        | 63   | 135        | 366      | 336  |      | Bais Hamikdosh | ✓    | ✓ |
|            |   |      |  | 19  | Kedoshim | Not to eat from that which was left over (from korban) |    |      |      |               |                  |                |       |       |                        |      |      |       |           |        |      |            |          |      |      |                |      |   |

|   |   | מקור בתנ"ך     | פרשה | פרק | פסוק | בה"ג | רס"ג | ר' אליהו הזקן | ר' יצחק ברגילוני | ר' שלמה גבירול | יראים | רמב"ם |  | סמ"ג | רא"ם | רמב"ן | השכל אמר | החינוך | סמ"ק | זוהר הרקיע | חפץ חיים | רבנן | נוהג | זכר | נקבה | המצוה   |
|---|---|----------------|------|-----|------|------|------|---------------|------------------|----------------|-------|-------|--|------|------|-------|----------|--------|------|------------|----------|------|------|-----|------|---|
|   |   |                |      |     |      |      |      |               |                  |                |       | הלכות |  |      |      |       |          |        |      |            |          |      |      |     |      |   |
| ✓ | ✓ | Bais Hamikdosh |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Kures-Who eats from sacrifices offered with improper timely intentions    |
| ✓ | ✓ | Bais Hamikdosh |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Kures-when one eats Kudushim leftover after time not allowed to eat       |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | To leave a corner of the field uncut for the poor                         |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to reap that corner of the field uncut for the poor                   |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | To leave gleanings  |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to gather the gleanings   |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | To leave the gleanings of a vineyard                                      |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to gather the gleanings of a vineyard                                 |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | To leave the unformed clusters of grapes                                  |
| ✓ | ✓ | Eretz Yisroel  |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to pick the unformed clusters of grapes                               |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to steal money stealthily   |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to deny possession of something entrusted to you                      |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to swear in denial of a monetary claim                                |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to swear falsely in God's Name  |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to withhold wages or fail to repay a debt                             |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to rob openly   |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to delay payment of wages past the agreed time                        |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to curse any Jew, man or woman  |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to put a stumbling block before a blind man (nor give harmful advice) |
| ■ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ■   | ✓    | A judge must not pervert justice  |
| ■ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ■   | ✓    | A judge must not respect the great man at the trial                       |
| ■ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ■   | ✓    | Judge righteously   |
| ■ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ■   | ✓    | A judge may not pity the poor man at the trial                            |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to speak derogatorily of others (not to bear tales)                   |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to stand idly by if someone's life is in danger                       |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to hate fellow Jews   |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | To reprove a fellow jew who isn't following the law of the Torah          |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to embarrass others   |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to take revenge   |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | Not to bear a grudge  |
| ✓ | ✓ | World          |      |     |      |      |      |               |                  |                |       |       |  |      |      |       |          |        |      |            |          |      |      | ✓   | ✓    | To love Jews  |

| המצוה |     |                |       |  |     |     |     |     |     |     |     |     |                                      |                       |     |     |     |     |     |     |     |     |          |  | מקור בתנ"ך  |  |  | בה"ג | רס"ג | ר' אליהו הזקן | ר' יצחק ברגילוני | ר' שלמה גבירול | יראים | רמב"ם |  | סמ"ג | רא"ם | רמב"ן | מאמר השכל | החינוך | סמ"ק | זוהר הרקיע | חפץ חיים | רבנן | נוהג | זכר | נקבה |
|-------|-----|----------------|-------|--|-----|-----|-----|-----|-----|-----|-----|-----|--------------------------------------|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|----------|--|---|--|--|------|------|---------------|------------------|----------------|-------|-------|--|------|------|-------|-----------|--------|------|------------|----------|------|------|-----|------|
| פרשה  | פרק | פסוק           | הלכות |  |     |     |     |     |     |     |     |     |                                      |                       |     |     |     |     |     |     |     |     |          |  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 142 | 36  | 166 | 244 | 609 | 208 | 457 | 281 | Mixed Species                        | 217                   | 332 | 272 | 120 | 233 | 247 | 98  | 19  | 19  | Kedoshim | Not to crossbreed animals  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Eretz Yisroel  |       |  | 107 | 300 | 165 | 245 | 606 | 206 | 455 | 279 | Mixed Species                        | 215                   | 390 | 273 | 119 | 115 | 246 | 99  | 19  | 19  | Kedoshim | Not to plant diverse seeds together  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | World          |       |  |     |     | 32  |     | 428 | 40  | 458 | 283 |                                      |                       | 333 |     | 122 | 210 |     | 100 | 19  | 19  | Kedoshim | Not to wear shatnez, a cloth woven of wool and linen even for protection purposes            |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  |     |     |     |     |     |     |     |     |                                      |                       |     | 180 | 31  | 51  |     | 17  | 20  | 19  | Kedoshim | Laws of a non jewish female half owned & half free slave engaged to a Jew                    |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | Bais Hamikdosh |       |  |     |     |     |     |     |     |     |     |                                      |                       |     |     |     |     | 150 |     | 21  | 19  | Kedoshim | To bring a Korban Asham if one has relations with a "Shifcha Charifa"                        |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 105 | 92  | 222 | 246 | 603 | 190 | 428 | 146 | Forbidden Foods                      | 192                   | 75  | 83  | 118 | 251 | 138 | 101 | 23  | 19  | Kedoshim | Not to eat fruit of a tree during its first three years                                      |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Eretz Yisroel  |       |  |     |     |     |     |     |     |     |     |                                      |                       |     | 213 | 29  | 12  |     | 18  | 23  | 19  | Kedoshim | Laws of the 1st four years of newly planted fruit bearing trees                              |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  |     |     |     |     |     |     |     |     |                                      |                       | 109 |     |     |     |     |     | 23  | 19  | Kedoshim | Not to profit from fruit of a tree during its first three years                              |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Eretz Yisroel  |       |  | 16  | 212 | 258 | 247 | 604 | 108 | 429 | 137 | Second Tithe and Fourth Year Produce | 119                   |     | 214 |     |     | 67  | 149 | 24  | 19  | Kedoshim | The fourth year crops must be totally for holy purposes like Ma'aser Sheni                   |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | Eretz Yisroel  |       |  | 106 | 119 | 225 | 248 | 384 | 192 | 432 | 220 |                                      | Insurgents            | 195 | 77  | 111 |     | 23  | 68  | 102 | 26  | 19       | Kedoshim   | Not to be a rebellious son  |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 165 | 196 | 138 | 249 | 109 | 31  | 295 | 51  | Idolatry and Paganism                | 33                    | 334 | 172 | 241 | 15  | 20  | 103 | 26  | 19  | Kedoshim | Not to be or do superstitious practices  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 166 | 201 | 137 | 250 | 110 | 30  | 294 | 53  |                                      | Idolatry and Paganism | 32  | 335 | 176 | 242 | 16  | 21  | 104 | 26  | 19       | Kedoshim   | Not to engage in astrology  |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | World          |       |  | 176 | 305 | 72  | 251 | 123 | 41  | 165 | 57  | Idolatry and Paganism                | 43                    | 336 | 281 | 163 | 195 | 27  | 105 | 27  | 19  | Kedoshim | Men must not shave the hair off the sides of their head                                      |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | World          |       |  | 177 | 208 | 71  | 252 | 423 | 42  | 166 | 58  |                                      | Idolatry and Paganism | 44  | 337 | 185 | 164 | 121 | 28  | 106 | 27  | 19       | Kedoshim   | Men must not shave their beards with a razor                            |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 163 | 171 | 73  | 253 | 122 | 39  | 302 | 61  | Idolatry and Paganism                | 41                    | 338 | 151 | 128 | 84  | 30  | 108 | 28  | 19  | Kedoshim | Not to tattoo the skin   |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  |     |     | 147 |     |     |     |     | 167 |                                      | 62                    |     |     | 337 | 130 | 129 | 76  | 29  | 107 | 28       | 19   | Kedoshim  | Not to scratch/lacerate the skin in mourning |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | World          |       |  |     | 20  | 187 |     | 394 | 353 |     | 85  |                                      |                       |     | 294 | 210 | 244 | 254 | 114 | 109 | 29  | 19       | Kedoshim   | A father should not "give" his daughter for a man when not for marriage |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  |     | 21  |     |     |     | 354 |     |     |                                      |                       |     | 16  | 245 | 183 |     | 110 | 29  | 19  | Kedoshim | One should not have relations without marriage   |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 18  | 48  | 6   | 254 | 276 | 21  | 52  | 164 | Temple                               | 21                    | 409 | 61  |     | 18  | 13  | 49  | 30  | 19  | Kedoshim | To show reverence to the Temple  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 170 | 324 | 140 | 255 | 117 | 8   | 270 | 38  | Idolatry and Paganism                | 8                     |     |     |     | 85  | 15  |     | 31  | 19  | Kedoshim | Not to perform ov (medium)   |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 171 | 324 | 141 | 256 | 118 | 9   | 271 | 39  |                                      | Idolatry and Paganism | 9   |     |     |     | 86  | 16  |     | 31  | 19       | Kedoshim   | Not to perform yidoni (magical seer)                                    |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 17  | 24  | 52  | 257 | 268 | 208 | 21  | 13  | Torah Study                          | 209                   | 233 | 35  | 156 | 152 | 12  | 160 | 32  | 19  | Kedoshim | To honor those who teach and know Torah  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  |     |     |     |     |     |     |     |     |                                      |                       |     | 34  | 155 | 153 | 11  | 159 | 32  | 19  | Kedoshim | To stand up for an older person  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 83  | 79  | 275 | 258 | 470 | 266 | 501 | 151 | Theft                                | 271                   | 218 |     |     | 245 |     | 111 | 35  | 19  | Kedoshim | Not to commit injustice with scales and weights  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  |     | 257 |     | 259 | 469 | 207 |     | 72  | Theft                                | 208                   |     |     | 163 | 186 | 22  | 147 | 36  | 19  | Kedoshim | Each individual must ensure that his scales and weights are accurate                         |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| □     | ✓   | Bais Hamikdosh |       |  |     |     |     |     |     |     |     |     |                                      |                       | 271 | 295 | 12  | 17  | 30  | 9   | 2   | 20  | Kedoshim | Death Penalty (G)(Stoning)-To someone who passes their child(ren) through the fire to Molech |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | World          |       |  | 46  | 321 |     | 260 | 267 |     | 565 | 218 | Insurgents                           | 318                   |     |     |     |     |     |     | 9   | 20  | Kedoshim | Not to curse your father and mother  |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Bais Hamikdosh |       |  |     |     |     |     |     |     |     |     |                                      |                       | 18  | 314 | 36  | 36  | 67  | 36  | 10  | 20  | Kedoshim | Death Penalty (G)(Strangulation)-To one who has relations with a married woman               |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Bais Hamikdosh |       |  |     |     |     |     |     |     |     |     |                                      |                       | 2   | 328 | 2   | 11  | 36  | 2   | 11  | 20  | Kedoshim | Death Penalty(G)(Stoning)-To someone having relations with his father's wife                 |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Bais Hamikdosh |       |  |     |     |     |     |     |     |     |     |                                      |                       | 1   | 316 | 1   | 1   | 34  | 1   | 11  | 20  | Kedoshim | Death Penalty(G)(Stoning)-To one who has relations with his mother                           |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |
| ✓     | ✓   | Bais Hamikdosh |       |  |     |     |     |     |     |     |     |     |                                      |                       | 3   | 311 | 5   | 2   | 35  | 3   | 12  | 20  | Kedoshim | Death Penalty(G)(Stoning)-To one having relations with son's wife                            |   |  |  |      |      |               |                  |                |       |       |  |      |      |       |           |        |      |            |          |      |      |     |      |

| המצוה                               |                                     |                |          |            |      |        |           |       |      |      |                           |                       |       |                |                |               |      |      |      |    |          |   |   |  | מקור בתנ"ך |  |  |  |  |
|-------------------------------------|-------------------------------------|----------------|----------|------------|------|--------|-----------|-------|------|------|---------------------------|-----------------------|-------|----------------|----------------|---------------|------|------|------|----|----------|---|---|--|------------|--|--|--|--|
| נוהג                                |                                     | רבנן           | חפץ חיים | זוהר הרקיע | סמ"ק | החינוך | מאמר השכל | רמב"ן | רא"ם | סמ"ג | רמב"ם                     |                       | יראים | ר' שלמה גבירול | ר' יצחק ברגלני | ר' אליהו הזקן | רס"ג | בה"ט | פרשה |    |          | פרק   | פסוק  |  |            |  |  |  |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Bais Hamikdosh |          |            |      |        |           |       |      |      |                           |                       | 4     | 313            | 6              | 12            | 39   | 4    | 13   | 20 | Kedoshim | Death Penalty(G)(Stoning)-To one having homosexual relations                        |   |  |            |  |  |  |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | World          |          |            |      | 261    |           |       |      | 101  | Sanhedrin and Punishments | 228                   |       |                |                |               | 42   |      | 14   | 20 | Kedoshim | The court (R) must carry out the death penalty of burning                           |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Bais Hamikdosh |          |            |      |        |           |       |      |      |                           |                       | 17    | 331            | 28             | 28            | 50   | 28   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a wife's father's mother     |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 11    | 318            | 23             | 22            | 44   | 22   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a son's daughter             |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Bais Hamikdosh |          |            |      |        |           |       |      |      |                           |                       | 12    | 324            | 19             | 24            | 45   | 24   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a wife's daughter            |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 13    | 326            | 21             | 26            | 46   | 26   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a wife's daughter's daughter |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Bais Hamikdosh |          |            |      |        |           |       |      |      |                           |                       | 14    | 325            | 22             | 25            | 47   | 25   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a wife's son's daughter      |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Bais Hamikdosh |          |            |      |        |           |       |      |      |                           |                       | 15    | 321            | 26             | 21            | 48   | 19   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a wife's mother              |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Bais Hamikdosh |          |            |      |        |           |       |      |      |                           |                       | 16    | 330            | 27             | 27            | 49   | 27   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a wife's mother's mother     |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 10    | 319            | 24             | 23            | 43   | 23   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a daughter's daughter        |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 9     | 317            | 20             | 20            | 42   | 20   | 14   | 20 | Kedoshim | Death Penalty(G)(Burning)-To one having relations with a daughter                   |   |  |            |  |  |  |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 5     | 312            | 4              | 3             | 37   | 5    | 15   | 20 | Kedoshim | Death Penalty(G)(Stoning)-To a man having relations with a beast                    |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | World          |          |            |      |        |           |       |      |      |                           |                       | 6     | 309            | 3              | 13            | 38   | 6    | 16   | 20 | Kedoshim | Death Penalty(G)(Stoning)-To a woman having relations with a beast                  |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 20    | 320            | 40             | 38            | 18   | 38   | 17   | 20 | Kedoshim | Kures-who has relations with sister   |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 26    | 327            | 46             | 42            | 17   | 44   | 18   | 20 | Kedoshim | Kures-who has relations with a menstually impure woman                              |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 25    | 315            | 45             | 49            | 21   | 43   | 20   | 20 | Kedoshim | Kures-who has relations with your father's brother's wife                           |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 24    | 329            | 44             | 41            | 23   | 42   | 21   | 20 | Kedoshim | Kures-who has relations with your brother's wife                                    |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          | 21         | 213  |        | 262       | 108   | 28   | 292  | 50                        | Idolatry and Paganism | 30    | 313            | 189            |               | 69   | 12   | 59   | 23 | 20       | Kedoshim  | Not to imitate them (non-Jews)in customs and clothing |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 273   | 305            | 17             | 5             | 27   | 11   | 27   | 20 | Kedoshim | Death Penalty(G)(Stoning)-To one performing yidoni (magical seer)                   |   |  |            |  |  |  |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | World          |          |            |      |        |           |       |      |      |                           |                       | 272   | 304            | 16             | 4             | 26   | 10   | 27   | 20 | Kedoshim | Death Penalty(G)(Stoning)-To one performing ov (medium)                             |   |  |            |  |  |  |  |

| כל העולם | ארץ ישראל | בית המקדש | זכר | נקבה |
|----------|-----------|-----------|-----|------|
| 43       | 11        | 3         | 87  | 73   |
| 59       | 8         | 2         | 96  | 83   |
| 39       | 10        | 3         | 82  | 69   |
| 36       | 7         | 6         | 79  | 63   |
| 43       | 13        | 2         | 87  | 76   |
| 40       | 11        | 3         | 82  | 69   |
| 66       | 12        | 3         | 79  | 67   |
| 69       | 12        | 3         | 82  | 68   |
| 67       | 12        | 3         | 80  | 67   |
| 54       | 4         | 0         | 56  | 49   |
| 65       | 12        | 3         | 78  | 66   |
| 66       | 12        | 3         | 79  | 68   |
| 67       | 12        | 3         | 80  | 66   |
| 67       | 12        | 3         | 80  | 67   |

| שיטות                  | פרשה | עונש | עשה | לא תעשה | סך הכל |
|------------------------|------|------|-----|---------|--------|
| ( 757- 4517 )          | 2    | 30   | 17  | 39      | 88     |
| ( 882- 942 ) 4642-4702 | 0    | 30   | 13  | 55      | 98     |
| ( 939- 4699 )          | 2    | 30   | 16  | 35      | 83     |
| ( 1013- 4773 )         | 2    | 30   | 15  | 33      | 80     |
| ( 1040- 4800 )         | 0    | 30   | 18  | 40      | 88     |
| 4875-4958 (1115-1198)  | 0    | 30   | 14  | 39      | 83     |
| 4894-4964 (1134-1204)  |      |      | 15  | 65      | 80     |
| 4960-5020 (1200-1260)  |      |      | 15  | 68      | 83     |
| 4954-5030 (1194-1270)  |      |      | 14  | 67      | 81     |
| 4954-5030 (1194-1270)  |      |      | 8   | 49      | 57     |
| 4975-5053 (1215-1293)  |      |      | 15  | 64      | 79     |
| ( 1240- 5000 )         |      |      | 13  | 67      | 80     |
| ( 1240- 5000 )         |      |      | 14  | 67      | 81     |
| 5121-5204 (1361-1444)  |      |      | 14  | 67      | 81     |

| <u>זכר</u> | <u>נקבה</u> |
|------------|-------------|
| 71         | 63          |
| 0          | 0           |
| 80         | 69          |

| <u>כל העולם</u> | <u>ארץ ישראל</u> | <u>בית המקדש</u> |
|-----------------|------------------|------------------|
| 61              | 12               | 0                |
| 0               | 0                | 0                |
| 70              | 12               | 0                |

| <u>פרשה</u> | <u>עונש</u> | <u>עשה</u> | <u>לא תעשה</u> | <u>סך הכל</u> |
|-------------|-------------|------------|----------------|---------------|
|             |             |            |                | 72            |
|             |             |            |                | 0             |
| 0           | 0           | 12         | 69             | 81            |

| <u>שיטות</u>  |                             |
|---------------|-----------------------------|
| חפץ חיים      | 5598-5694 (1838-1933)       |
| רבנן          |                             |
| מכון והערב נא | מצות בזמן הזה לפי כל השיטות |

## **A Kohen must not enter the Temple indiscriminately**

Off-Limits Areas for the Priests  
Negative Commandment 68

The 68th prohibition is that [even] a kohen gadol may not always enter the Temple, due to its exalted status and the awe of the Divine Presence.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "He [Aaron] may not always enter the Sanctuary."

There are various categories within this prohibition: a kohen gadol may not enter the Holy of Holies even on Yom Kippur, except for times designated for the service.<sup>2</sup> Similarly, a regular kohen may not enter the Temple building (heichal) the entire year, except for when he is performing the Temple service.

In summary, this prohibition says that if not performing the Temple service, a kohen may not even enter an area he would be allowed to enter, and at a time he would be allowed to enter, unless he is performing a Temple service — whether a kohen gadol inside the Holy of Holies or a kohen outside.<sup>3</sup>

The punishment for entering such an area without performing the Temple service [varies]: if he entered the Holy of Holies, there is a [Divine] death penalty. If he entered the Temple building (heichal), he receives lashes.

In the words of the Sifra: "The phrase 'He may not always enter' refers to Yom Kippur [— that he may not enter except for the designated times]. The phrase 'the Sanctuary' comes to include the rest of the year. The phrase 'from inside the partition' comes to include the rest of the Temple.<sup>4</sup> One might think that the death penalty applies to the entire Temple — therefore the verse adds '[from inside the partition] which faces the Ark, so that he shall not die.' This means that [for entering the area] which faces the Ark [i.e. the Holy of Holies] the penalty is death, but [entering] the rest of the Temple is only a prohibition." Our Sages stated clearly in tractate Menachos,<sup>5</sup> "One who enters the Temple building receives 40 lashes."

### FOOTNOTES

1. Lev. 16: 2.
2. The kohen gadol entered the Holy of Holies four times on Yom Kippur. Entering a fifth time is prohibited by this commandment.
3. By this statement, the Rambam evidently wishes to explain why this counts as just one commandment rather than two. See Yad Halevi, footnote 4.
4. See Hilchos Bi'as HaMikdash, 2: 2 and commentaries. Heller, footnote 13.
5. 27b.

## **To follow the procedure of Yom Kippur in the sequence prescribed in Parshat Acharei Mot**

The Yom Kippur service  
Positive Commandment 49

And the 49th mitzvah is that we are commanded to perform the service of the fast day Yom Kippur — i.e. all the obligatory offerings and confessions — thereby achieving atonement for all transgressions, as stated in Scripture, i.e. all the laws written in the Torah portion Acharei Mos.<sup>1</sup>

The proof that the entire service counts as one single commandment is from the end of the 5th chapter of tractate Kippurim,<sup>2</sup> "The entire service of Yom Kippur must be performed in the order written; <sup>3</sup> if one action was performed out of order, everything is invalid."

All the details of this mitzvah have been explained in the tractate dealing with it exclusively, tractate Yoma.

### FOOTNOTES

1. Lev. 16.
2. Mishneh 7. When speaking of the Mishneh, the Rambam refers to the tractate as Kippurim; when referring to the Gemara, he writes Yoma, which is an Aramaic word.
3. In the Mishneh; see Rashi, ibid.

## **Not to slaughter sacrifices outside the courtyard**

Slaughtering Sacrifices outside the Holy Temple  
Negative Commandment 90

And the 90th prohibition is that we are forbidden from slaughtering any sacrifice outside [the courtyard of the Temple]. This prohibited action is called shochet bachutz.

In the beginning<sup>1</sup> of tractate Kerisus, where all those who are punishable by kares are listed, the one who does the slaughtering and the one who does the offering<sup>2</sup> [on the altar] are listed separately as two [commandments].

The<sup>3</sup> punishment of kares for one who just slaughters an animal outside, even if he didn't bring it as an offering, is stated by Torah itself in G-d's statement<sup>4</sup> (exalted be He), "[Any member of the family of Israel] who slaughters an ox, sheep or goat, whether in the camp or outside the camp, and does not bring it into the Communion Tent to be offered as a sacrifice to G-d, blood shall be counted for that man; he has spilled blood and shall be cut off (spiritually)." The actual prohibition for one who slaughters a sacrifice outside, however, is not written explicitly. It is derived from the principle,<sup>5</sup> "Scripture gives a punishment only when there is a prohibition," in accordance with the principles we established in the Introduction to these commandments.<sup>6</sup>

In the words of the Talmud in tractate Zevachim,<sup>7</sup> "One who does the slaughtering and the offering outside is guilty both for the slaughtering and the offering. The case of the offering is clear because both the punishment and the prohibition are written. The punishment is written in the verse,<sup>8</sup> 'If he does not bring it into the Communion Tent ... he shall be cut off,' and the prohibition is written in the verse<sup>9</sup> 'Be careful [hishomer] not to bring your burnt-offerings [in just any place that you may see fit]'" This is in accordance with Rav Avin, as Rav Avin said in the name of Rav Laya,<sup>10</sup> 'Every case where the Torah writes hishomer (be careful), pen (lest) or al (do not)

## **Not to slaughter sacrifices outside the courtyard**

indicates a prohibition.' For slaughtering, however, the punishment is clearly written in the verse, 'If he does not bring it into the Communion Tent ... he shall be cut off.' But what is the source for the prohibition?"

After lengthy and wide-ranging discussion, the conclusion is given as follows: "It is written,<sup>11</sup> 'There shall you offer ... and there shall you prepare.' This creates a comparison between offering and preparing: just as offering has both a punishment and a prohibition, so too preparing has both a punishment and a prohibition." Their reference to, "There shall you offer ... and there shall you prepare," is to G-d's statement<sup>12</sup> (exalted be He), "There shall you offer your burnt-offerings," which refers to burning them on the fire [of the altar]. "There shall you prepare all [the offerings] I have commanded you," includes both the offering and the slaughtering, since He also commanded the slaughtering.

You should be aware that one who slaughters outside unintentionally is also required to bring a sin-offering. You should also be aware that one who offers sacrifices outside the place of the Temple courtyard even now [when there is no Temple] is punishable by kares. Our Sages say explicitly,<sup>13</sup> "Rabbi Yochanan says, 'One who brings an offering even now is guilty.'" This is the final ruling, since the animal is actually fit to sacrifice, in accordance with our accepted principle,<sup>14</sup> "Sacrifices may be brought even if the Temple is not built."

The details of this mitzvah have been explained in the 13th chapter of tractate Zevachim.

### FOOTNOTES

1. Chapter 1, Mishneh 1.
2. See N89.
3. The following discussion is based on the well-known principle that each prohibition must have two components stated: a) the actual prohibition, and b) the punishment for its violation.
4. Lev. 17: 3-4.
5. See Yoma 81a; Sanhedrin 56b.
6. See immediately after the 14th Principle.
7. 106a.
8. Lev. 17: 3-4.
9. Deut. 12: 13.
10. Kapach, 5731, note 54, suggests that this is short for "Ilai".
11. Deut. 12: 14.
12. Ibid.
13. Zevachim 107b.
14. See Hilchos Ma'aseh HaKorbanos 19: 15.

## **To cover the blood (of a slaughtered beast or fowl) with earth**

Covering Blood

Positive Commandment 147

The 147nd mitzvah is that we are commanded to cover the blood when slaughtering a bird or a chaya.<sup>1</sup>

The source of this commandment is G-d's statement,<sup>2</sup> "When he spills its blood, he must cover [the blood] with earth."

The details of this mitzvah are explained in the 6th chapter of tractate Chulin.

### FOOTNOTES

1. An animal with antlers, such as a deer.
2. Lev. 17: 13.

## **Not to make pleasurable contact with any forbidden woman**

Provocative Behavior

Negative Commandment 353

The 353rd prohibition is that we are forbidden from deriving pleasure from any forbidden partner,<sup>1</sup> even without sexual relations, e.g. through kissing, hugging, and the like.

The source of this prohibition is G-d's statement,<sup>2</sup> "To a close relative, do not approach to have forbidden sexual relations," as if to say, "do not come close to them in any type of closeness which could lead to sexual relations."

The Sifra says, "The phrase, "Do not approach to have forbidden sexual relations," would seem only to prohibit actual sexual relations. How do we know that one may not have other types of closeness? From the verse,<sup>3</sup> 'Do not come close to a woman who is tameh from being in nidah.' This only proves that both relations and closeness are forbidden with a woman who is in nidah. How do we know that the same applies to all forbidden partners? From the verse, 'Do not approach to have forbidden sexual relations.' " There it also says, "What is the meaning of the phrase,<sup>4</sup> 'Those who do<sup>5</sup> [these sexual violations] shall be cut off spiritually'? Since it says, 'Do not approach,' one might think that kares is incurred even for other forms of closeness; the verse therefore says 'those who do,' not 'those who come close.' " The Torah repeats its prohibition of these vulgar acts in the verse,<sup>6</sup> 'Do not follow any of the perverted customs'?

However,<sup>7</sup> the two prohibitions,<sup>8</sup> "Do not follow the ways of Egypt where you once lived, nor the ways of Canaan..." do not just prohibit the "perverted customs" [and therefore repetitions of the prohibition against acts of closeness], but rather the perversions themselves which are listed in the subsequent verses. These two prohibitions therefore include all forbidden sexual relations; but since the prohibition against following "the ways of Egypt" and "the ways of Canaan" includes all their immoral acts,<sup>9</sup> and matters of agriculture, raising animals, and social life, the Torah therefore continued by specifying the specific type of sexual relation referred to — this type, another type, and so on. This is clear from the verse at the end of this section,<sup>10</sup> "The people who lived in the land before you did all these disgusting perversions." The Sifra says, "I would think [from the ban on following 'the ways of Egypt,' etc.] that one may not construct buildings or plant vineyards like theirs. The Torah therefore adds,<sup>11</sup> 'Do not follow [any] of their customs' — the prohibition covers only customs which have been practiced by them and their forefathers." And there it explains, "What did they used to do? A man would marry another man; a woman



## **Not to make pleasurable contact with any forbidden woman**

another woman; and one woman would marry two men."

This all proves that the prohibitions against following "the ways of Egypt" and "the ways of Canaan" are of a general nature, covering all forbidden sexual relations. Afterwards, the particular categories are each mentioned separately.

The details of this mitzvah are explained in the Commentary on the Mishneh to the seventh chapter of Sanhedrin, where it is also explained that the punishment is lashes.

It is also important to know that in any case where sexual relations are forbidden upon punishment of kares, a child conceived from that forbidden union is called a mamzer. G-d has called this child a mamzer, whether the forbidden union was intentional or accidental — with the exception of a child born from a union when the mother was in nidah. Then the child is not called a mamzer, but a ben nidah. This is explained in the fourth chapter of Yevamos.<sup>12</sup>

### **FOOTNOTES**

1. Literally, ervah, or any woman forbidden upon punishment of kares.
2. Lev. 18: 6.
3. Ibid. 18: 19.
4. Ibid. 18: 29.
5. Apparently the Sifra's question is based on the seemingly extra words hanefashos ha'osos. The verse could have said v'nich'rsu ('they shall be cut off'), and it would have obviously referred to the sexual relations discussed in the previous verses. "Those who do" therefore comes to limit this punishment only to actual sexual relations, not to other forms of closeness, which do not incur such a strict punishment.
6. Ibid. 18: 30.
7. In the following discussion, the Rambam proves that Lev. 18: 3 is unrelated to the prohibition against kissing, etc., but is rather a general prohibition covering forbidden sexual relations. Since it is general in nature, it is not counted among the 613 mitzvos (see Introductory Principle Four).
8. Ibid. 18: 3.
9. This term includes immorality in sexual relations, theft, dishonest weights and measures, etc. See Kapach, 5731, note 21.
10. Ibid. 18: 27.
11. Ibid. 18: 3. This is the conclusion of the verse which speaks of "the ways of Egypt," etc.
12. 49b.

## **Not to have homosexual relations with your father**

Father-Son Incest

Negative Commandment 351

The 351st prohibition is that one is forbidden from having [homosexual] relations with one's father.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit a sexual offense against your father."

One who transgresses this prohibition also is punished by stoning. One who has relations with his father is therefore guilty of homosexual relations<sup>2</sup> and of relations with one's father.

In tractate Sanhedrin,<sup>3</sup> the verse "do not commit a sexual offense against your father" is explained as meaning, "literally, your father."<sup>4</sup> On this they ask, "but this is already prohibited from the verse, 'do not lie with a man'! They answer, "[this verse comes] to make him guilty of two offenses, like Rav Yehudah said, 'a non-Jew who has relations with his father is guilty of two offenses.' " There they explain, "it is sensible to say that Rav Yehudah was really referring to the law of a Jew who has done the act unintentionally, and who must bring a sacrifice. He used the expression, "non-Jew" as a euphemism."<sup>5</sup> Therefore, if he had relations with his father unintentionally, he would bring two sin-offerings just as one who unintentionally committed two types of sexual prohibitions. This is not the case with [homosexual relations with] another male, where only one sin-offering would be brought.

### **FOOTNOTES**

1. Lev. 18: 7.
2. N350 above.
3. 54a.
4. Rather than translating "a sexual offense against your father" as incest with one's mother, which would automatically be an offense against one's father.
5. Rav Yehudah didn't even want to mention a Jew in reference to such an act.

## **Not to have relations with your mother**

Incest with a Mother

Negative Commandment 330

The 330th prohibition is that one is forbidden from having relations with one's mother.

The source of this commandment is G-d's statement,<sup>1</sup> "She is your mother; you must not commit incest with her."

The punishment for violating this prohibition is kares.<sup>2</sup> If there were witnesses, and the act was intentional, the punishment is execution by stoning.<sup>3</sup> If the act was unintentional, he must bring a sin-offering.<sup>4</sup>

### **FOOTNOTES**

1. Lev. 18: 7.
2. See note to N320.
3. Ibid.
4. Ibid.

## **Not to have relations with your father's wife**

Incest with a Step-Mother  
Negative Commandment 331

The 331st prohibition is that one is forbidden from having relations with one's father's wife.<sup>1</sup>

The source of this commandment is G-d's statement,<sup>2</sup> "You must not commit incest with your father's wife."

The punishment for violating this prohibition is kares.<sup>3</sup> If there were witnesses, and the act was intentional, the punishment is execution by stoning.<sup>4</sup> If the act was unintentional, he must bring a sin-offering.<sup>5</sup>

It is therefore clear that one who commits incest with his mother is culpable both for incest with one's mother [N330] and with one's father's wife [N331]. This is true both during the father's lifetime and after his death, as explained in Sanhedrin.<sup>6</sup>

### FOOTNOTES

1. . Even if she is not his mother.
2. Lev. 18: 8.
3. See note to N320.
4. Ibid.
5. Ibid.
6. 54a.

## **Not to have relations with your sister**

Incest with a Sister  
Negative Commandment 332

The 332nd prohibition is that one is forbidden from having relations with one's sister.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not commit incest with your sister, your father's daughter."

The punishment for violating this prohibition intentionally is kares.<sup>2</sup> If the act was unintentional, he must bring a sin-offering.<sup>3</sup>

### FOOTNOTES

1. Lev. 18: 9.
2. See N320, note 9.
3. Ibid. note 12

## **Not to have relations with your son's daughter**

Incest with a Son's Daughter  
Negative Commandment 334

The 334th prohibition is that one is forbidden from having relations with one's son's daughter.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not commit incest with your son's daughter."

### FOOTNOTES

1. Lev. 18: 10.

## **Not to have relations with your daughter's daughter**

Incest with a Daughter's Daughter  
Negative Commandment 335

The 335th prohibition is that one is forbidden from having relations with one's daughter's daughter.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with [your son's daughter or] your daughter's daughter, for they are your own nakedness.

### FOOTNOTES

1. Lev. 18: 10

## **Not to have relations with your daughter**

Incest with a Daughter  
Negative Commandment 336

The 336th prohibition is that one is forbidden from having relations with one's daughter.

This mitzvah is not explicitly stated in the Torah; it does not say, "do not commit incest with your daughter," for example. The Torah already prohibited relations with one's son's daughter and one's daughter's daughter, although they are more remotely related. It is therefore obvious [that a daughter is prohibited] and it is not mentioned.

In tractate Yevamos it is said, "the actual prohibition of [incest with] a daughter is learned by means of derivation,<sup>1</sup> as Rava said, 'Rabbi Yitzchok bar Avdimi said to me: "compare the two occurrences of the word heinah [they are] and the two occurrences of the word zimah [perversion].'" "

The explanation of this passage: regarding the incestual prohibition of one's son's daughter and one's daughter's daughter, the verse says,<sup>2</sup> "for they are [heina] your own nakedness." Regarding the prohibition [of marrying] a woman and her daughter, son's daughter, or

## **Not to have relations with your daughter**

daughter's daughter, the verse says,<sup>3</sup> "since they are [heinah] relatives, it is perversion."

[Since both verses have the word heinah, we can use the principle of gezeirah shavah,<sup>4</sup> and compare the two verses:] just as where there is a prohibition [against marrying] a woman together with her son's daughter or daughter's daughter, the same applies to her daughter<sup>5</sup> — so too where there is a prohibition [from having relations with] one's son's daughter or daughter's daughter, the same applies to one's daughter.<sup>6</sup>

Regarding the appropriate punishment, the verse states,<sup>7</sup> "if a man marries a woman and her mother, it is perversion [zimah], and both he and they<sup>8</sup> shall be burned with fire." So too, the punishment [for marrying] a woman and her daughter's daughter or son's daughter is burning, since regarding them the verse<sup>9</sup> says zimah,<sup>10</sup> just as it does by a woman and her daughter.<sup>11</sup>

Tractate Kerisus<sup>12</sup> says, "do not treat a gezeirah shavah lightly, because [the prohibition of incest with] a daughter is part of the main body of the Torah,<sup>13</sup> and nevertheless the verse does not teach it to us [explicitly] except through a gezeirah shavah<sup>14</sup> — 'compare the two occurrences of the word heinah and the two occurrences of the word zimah.' "

Think closely into the wording of the Sages, "the verse does not teach it to us," rather than, "we have not learned it." They said it in this way because all teachings of this category have been handed down to us through "The Emissary,"<sup>15</sup> and they are part of Torah tradition, as we explained in the introduction to our explanation of the Mishneh.

The verse does not mention this prohibition explicitly because it can be derived from a gezeirah shavah. This is their intention in saying, "the verse does not teach it to us [explicitly] except through a gezeirah shavah." And their statement, "main body of the Torah" is sufficient [to teach us that this mitzvah counts as one of the 613].

The conclusion of this discussion is that one who transgresses the prohibition of [incest with] one's daughter, daughter's daughter, or son's daughter is punished by s'reifah.<sup>16</sup> If the act was intentional, but no one knows of the transgression, or there was no valid testimony, the punishment is kares.<sup>17</sup> If one of them transgressed unintentionally, that person must bring a sin-offering.<sup>18</sup>

### **FOOTNOTES**

1. Not explicitly stated, as are the other incestual relationships, but learned by one of the principles of Torah derivation.

2. Lev. 18: 10.

3. Lev. 18: 17.

4. There is an Oral Tradition handed down from the time the Torah was given on Mt. Sinai, that when the same word occurs in two different contexts, the two laws can be compared. There must be a tradition for each particular instance.

5. As stated clearly in the verse, Lev. 18: 17.

6. Until here is the Rambam's explanation of the Gemara's statement, "compare the two occurrences of the word heinah." Now he explains the meaning of, "the two occurrences of the word zimah."

7. Lev. 20: 14.

8. Actually only the second one is executed; see Hilchos Isurei Biyah, 2: 7.

9. Lev. 18: 17.

10. See Heller edition, note 25.

11. I.e. a mother and her daughter, as in Lev. 20: 14.

12. 5a.

13. In the Second Introductory Principle, the Rambam stated that if a law is only derived, it does not count as one of the 613 mitzvos. However, there he says that when this expression — "main body of the Torah" [gufei Torah] — is used, the law does count as one of the 613. This is evidently his intention in quoting this passage.

14. Rather than with an explicit verse.

15. I.e. Moshe Rabbenu. If, however, the expression, "we have not learned" was used, this could imply that a gezeirah shavah could be derived by the Sages themselves. See Yad Halevi, note 5.

16. I.e. pouring molten metal down the person's throat. See P228.

17. See N320, note 9.

18. Ibid. note 12.

## **Not to have relations with your father's wife's daughter**

Incest with a Paternal Half-Sister  
Negative Commandment 333

The 333rd prohibition is that one is forbidden from having relations with the daughter of one's father's wife, if she is also a sister.<sup>1</sup>

The source of this commandment is G-d's statement<sup>2</sup> (exalted be He), "Do not commit incest with a daughter that your father's wife has borne to your father. She is your sister."

This prohibition comes to single out the daughter of your father's wife as a separate incestual prohibition. The proof that the daughter of your father's wife is a distinct prohibition is from the following law: if a man has relations with his sister, and her mother is married to his father,<sup>3</sup> he has transgressed two prohibitions — incest with his sister and with the daughter of his father's wife. This is like one who has relations with his mother, who has transgressed two prohibitions — incest with his mother and with his father's wife, as explained above.<sup>4</sup>

This is how our Sages expressed this idea in the second chapter of Yevamos<sup>5</sup>: "Our Sages taught, 'One who has relations with his sister, and she is also the daughter of his father's wife is culpable for committing incest with one's sister and for committing incest with the daughter of one's father's wife.' Rabbi Yossi the son of Rabbi Yehuda said, 'He is only culpable for the prohibition of incest with one's sister.' What is the reasoning of the Sages? They say, let us examine [the verses]: it is already written,<sup>6</sup> '[Do not commit] incest with your sister, your father's daughter.' Why do we need the verse,<sup>7</sup> '[Do not commit] incest with a daughter that your father's wife has borne to your father?' This verse makes him guilty on two counts: incest with one's sister and with the daughter of one's father's wife."

The punishment for violating this prohibition — i.e. incest with one's sister, the daughter of one's father's wife — is solely<sup>8</sup> kares<sup>9</sup> if done intentionally. If the act was unintentional, he must bring a sin-offering.<sup>10</sup>

## **Not to have relations with your father's wife's daughter**

### FOOTNOTES

1. This excludes one's stepmother's daughter from a man other than one's father. Such a woman is not related (she has a different father and mother), and is permitted. See Kapach, 5731, note 55.
2. Lev. 18: 11.
3. To exclude a case where she was born out of wedlock, for example.
4. N331.
5. . 22b.
6. Lev. 18: 9.
7. Lev. 18: 11.
8. However, the Beth Din does not execute him. See Kapach, 5731, note 58. Chavel translation, Soncino, 1967.
9. See note to N320.
10. Ibid.

## **Not to have relations with your father's sister**

Incest with a Paternal Aunt

Negative Commandment 340

The 340th prohibition is that one is forbidden from having relations with one's father's sister.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with your father's sister."

For this prohibition the punishment is kares if intentional, and a sin-offering if unintentional.

### FOOTNOTES

1. Lev. 18: 12.

## **Not to have relations with your mother's sister**

Incest with a Maternal Aunt

Negative Commandment 341

The 341st prohibition is that one is forbidden from having relations with one's mother's sister.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with your mother's sister."

For this prohibition the punishment is kares if intentional, and a sin-offering if unintentional.

### FOOTNOTES

1. Lev. 18: 13.

## **Not to have homosexual relations with your father's brother**

Uncle-Nephew Incest

Negative Commandment 352

The 352nd prohibition is that one is forbidden from having [homosexual] relations with one's father's brother.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit a sexual offense against your father's brother."

One who unintentionally has relations with his father's brother must also bring two sin-offerings, as we explained regarding one's father.<sup>2</sup> In tractate Sanhedrin they explain, "according to all opinions, one who has relations with his father's brother must bring two [sin-offerings], as the verse says, 'do not commit a sexual offense against your father's brother.' "

You should know<sup>3</sup> that when I use the phrase, "acceptable testimony," I mean that there were two or more valid witnesses who gave the warning; that the testimony was given before a valid Beth Din of 23 members; and that it took place during a time when capital cases could be judged.<sup>4</sup>

It is clear that Scripture explicitly dictates kares for all the sexual prohibitions mentioned above. After listing all these prohibitions, the verse<sup>5</sup> says, "anyone who does any of these disgusting perversions — their souls shall be cut off (v'nich'r'su)." So too, any prohibition where we mentioned execution by Beth Din, it is also explicitly stated in Scripture. However, regarding the varying types of execution — stoning, strangulation, or s'reifah — some have come through the Oral Tradition and some are explicit in Scripture.

The details of all these prohibitions are explained in tractates Sanhedrin and Kerisus, and in a number of passages in Yevamos, Kesubos, and Kiddushin.

In the beginning of Kerisus it is explained that any transgression for which one receives kares if intentional and must bring a sin-offering if unintentional — if he is not sure [whether or not he did the transgression],<sup>6</sup> he must bring an asham talui.<sup>7</sup> The sin-offering which is mentioned is an animal — either a female sheep or a female goat.

If you will examine the punishment mentioned regarding each prohibition, you will find that virtually every transgression where one receives kares if intentional and brings a sin-offering if unintentional — the sin-offering referred to is one of fixed value.<sup>8</sup> There are two exceptions for which one receives kares if done intentionally, but if done unintentionally, one must bring a sin-offering of adjustable value, an oleh v'yored.<sup>9</sup> These two transgressions are tumas mikdash<sup>10</sup> and tumas kadashav; <sup>11</sup> i.e. an impure person entering the Temple courtyard and an impure person eating meat from the sacrifices.

[If you examine all the punishments,] it will also be clear to you that for virtually every transgression where one receives kares if

## **Not to have homosexual relations with your father's brother**

intentional, one must bring a sin-offering if unintentional. There is one exception — cursing G-d's Name,<sup>12</sup> for which one receives kares if done intentionally, but there is no sin-offering if done unintentionally.

[If you examine all the punishments,] it will also be clear to you that virtually every person who is subject to some form of execution by the Beth Din receives kares if he is not executed or they do not know about the transgression. There are ten exceptions, where the punishment is execution, but there is no kares — one who incites others to worship idols; one who incites a city to worship idols; a false prophet; one who prophesizes in the name of an idol; a rebellious elder; a rebellious son; a kidnapper; a murderer; one who strikes his father or mother; and one who curses his father or mother. In each of these cases, if the testimony is accepted, the person is put to death. If, however, they were unaware of the transgression or were unable to execute him, he has exposed himself to the death penalty, but does not receive kares. You should understand these principles and keep them in mind.

### FOOTNOTES

1. Lev. 18: 14.
2. N351.
3. In the order of Sefer Hamitzvos, this mitzvah is the last of the sexual prohibitions punishable by kares (beginning with N330). The Rambam therefore summarizes a few points which apply equally to all these mitzvos (N330-352).
4. I.e. when the Holy Temple was in existence; when the Beth Din Hagadol was holding their sessions in the lishkas hagazis; and there was a Kohen who was bringing the sacrifices. See Hilchos Sanhedrin 4: 11.
5. Lev. 18: 29.
6. For example, there where two pieces of fat, one kosher and one not, and he is not sure which one he ate.
7. P70.
8. See P69.
9. See P72.
10. See N77.
11. See N129.
12. N60

## **Not to have relations with your father's brother's wife**

Incest with an Uncle's Wife  
Negative Commandment 342

The 342nd prohibition is that one is forbidden from having relations with one's father's brother's wife.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with his wife, for she is your aunt."

For this prohibition the punishment is kares if intentional, and a sin-offering if unintentional.

### FOOTNOTES

1. Lev. 18: 14.

## **Not to have relations with your son's wife**

Incest with a Daughter-in-Law  
Negative Commandment 343

The 343rd prohibition is that one is forbidden from having relations with one's son's wife.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with your daughter-in-law."

For this prohibition the punishment is stoning.<sup>2</sup> If the act was intentional, but there was no valid testimony or no one knew of the transgression, the punishment is kares. If it was done unintentionally, a sin-offering is brought

### FOOTNOTES

1. Lev. 18: 15.
2. See note to N320

## **Not to have relations with your brother's wife**

Incest with a Brother's Wife  
Negative Commandment 344

The 344th prohibition is that one is forbidden from having relations with one's brother's wife.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with your brother's wife."

For this prohibition the punishment is kares if intentional, and a sin-offering if unintentional.

### FOOTNOTES

1. Lev. 18: 16

## **Not to have relations with a woman and her daughter**

Incest with a Mother-in-Law or Wife's Daughter  
Negative Commandment 337

The 337th prohibition is that one is forbidden from having relations with a woman and her daughter.

The source of this commandment is G-d's statement,<sup>1</sup> "do not commit incest with a woman and her daughter."

## **Not to have relations with a woman and her daughter**

One who transgresses this prohibition — i.e. one of them is his wife, and he has relations with the other — and does so intentionally, is punished by s'reifa<sup>2</sup> if there is acceptable testimony, in addition to kares.<sup>3</sup> If he transgressed unintentionally, he must bring a sin-offering.<sup>4</sup>

### FOOTNOTES

1. Lev. 18: 17.
2. See note to N336.
3. See N320, note 9.
4. Ibid. note 12.

## **Not to have relations with a woman and her son's daughter**

Incest with a Wife's Paternal Grandmother or a Wife's Son's Daughter  
Negative Commandment 338

The 338th prohibition is that one is forbidden from having relations with a woman and her son's daughter.

The source of this commandment is G-d's statement,<sup>1</sup> "[do not commit incest with a woman and her daughter.] Do not even take her son's daughter."

For this prohibition, too, the punishment is s'reifah and kares for an intentional transgression, and a sin-offering if unintentional.

### FOOTNOTES

1. Lev. 18: 17.

## **Not to have relations with a woman and her daughter's daughter**

Incest with a Wife's Maternal Grandmother or a Wife's Daughter's Daughter  
Negative Commandment 339

The 339th prohibition is that one is forbidden from having relations with a woman and her daughter's daughter.

The source of this commandment is G-d's statement,<sup>1</sup> "[do not commit incest with a woman and her daughter. Do not even take her son's daughter] or her daughter's daughter."

For this prohibition the punishment is kares and s'reifah for an intentional transgression, and a sin-offering if unintentional.

### FOOTNOTES

1. Ibid.

## **Not to have relations with your wife's sister**

Incest with a Wife's Sister  
Negative Commandment 345

The 345th prohibition is that one is forbidden from having relations with one's wife's sister, during one's wife's lifetime.

The source of this commandment is G-d's statement,<sup>1</sup> "do not marry a woman and [then take] her sister."

For this prohibition the punishment is kares if intentional, and a sin-offering if unintentional.

### FOOTNOTES

1. Lev. 18: 18.

## **Not to have relations with a menstrually impure woman**

Relations with a Menstruating Woman  
Negative Commandment 346

The 346th prohibition is that one is forbidden from having relations with a woman when she is still menstrually impure, i.e. for seven days.<sup>1</sup>

The source of this commandment is G-d's statement,<sup>2</sup> "do not approach a woman who is menstrually impure." She remains in this state even longer than seven days as long as she does not immerse [in a mikvah].<sup>3</sup>

One who transgresses this prohibition intentionally receives kares; and if it was unintentional, must bring a sin-offering.

### FOOTNOTES

1. In terms of practical halachah, this prohibition continues for a minimum of 12 days from the onset of menstruation and continues until she immerses in a kosher mikvah. There are many details regarding these laws which require careful study.
2. Lev. 18: 19.
3. See previous note

## **Not to have relations with a married woman**

Adultery  
Negative Commandment 347

The 347th prohibition is that one is forbidden to have relations with one's neighbor's wife.

The source of this commandment is G-d's statement,<sup>1</sup> "do not lie carnally with your neighbor's wife."

## **Not to have relations with a married woman**

There are various forms of punishment for one who transgresses this prohibition. If she was a betrothed maiden [na'ara m'urasa],<sup>2</sup> she is executed by stoning, as explained in Scripture.<sup>3</sup> If she was the daughter of a kohen, she is executed by s'reifah. He, however, is executed by strangulation.<sup>4</sup> If she is not the daughter of a kohen and is fully married,<sup>5</sup> both of them are executed by strangulation.

This all refers to where the testimony was accepted. If it was not, the penalty is kares.

All the above<sup>6</sup> applies only if the transgression was done intentionally. If it was done unintentionally, a sin-offering must be brought.

This prohibition is repeated in the Ten Commandments in the verse,<sup>7</sup> "do not commit adultery," which refers to relations with a married woman.

The Mechilta<sup>8</sup> says, "Why does it say, 'do not commit adultery'? Because the verse,<sup>9</sup> 'both the adulterer and adulteress shall be put to death' teaches us only the punishment, not the actual prohibition.<sup>10</sup> Therefore it says, 'do not commit adultery.' " And the Sifra says, "the verse,<sup>11</sup> 'if a man commits adultery with a married woman, and she is the wife of a fellow Jew [both the adulterer and adulteress shall be put to death]' teaches us only the punishment, not the actual prohibition. Therefore it says, 'do not commit adultery' — [to serve as the prohibition] both for the man and for the woman."

These sources do not use the verse, "do not lie carnally with your neighbor's wife" as the actual prohibition since it applies only to the man instead of both the man and woman. Similarly, our Sages had to extend the other sexual prohibitions to the woman as well [as to the man],<sup>12</sup> as they said,<sup>13</sup> "The verse,<sup>14</sup> 'they shall not approach to commit a sexual offense' addresses itself to two people [since it says 'they']". This comes to prohibit the man through the woman and the woman through the man."

Tractate Sanhedrin<sup>15</sup> states, "all cases are included in the terms 'adulterer' and 'adulteress,' except that the daughter of a kohen was singled out for punishment by s'reifah, and the betrothed maiden for stoning." In our introduction<sup>16</sup> we have already explained this statement.

### **FOOTNOTES**

1. Lev. 18: 20.

2. I.e. she is after erusin but before n'suin (see P213), a virgin, and still in her father's house.

3. Deut. 22: 21.

4. This refers to the latter case of the daughter of a kohen. In the case of a betrothed maiden, he too is executed by stoning. See Hilchos Issurei Biyah, 3: 4.

5. Literally, "has had relations." This means that she is after n'suin — to exclude the case of a na'arah m'urasa.

6. I.e. that there is execution or kares.

7. Ex. 20: 14; Deut. 5: 17.

8. Parshas Yisro, ibid.

9. Lev. 20: 10.

10. In general, every prohibition has one verse which gives the punishment for the transgression, and another verse which tells you that the act is prohibited.

11. Lev. 20: 10.

12. Who is directly addressed in all these prohibitions.

13. Sifra, Acharei, Ch.13: 1.

14. Lev. 18: 6.

15. 51b.

16. Principle 7. There, the Rambam disagrees with those who count adultery with a regular woman, with the kohen's daughter, and with a maiden all as separate mitzvos. He proves this from the passage in Sanhedrin, which explains that the verse which serves as the actual prohibition ("do not commit adultery") and the one which gives the punishment ("both the adulterer and adulteress shall be put to death") are general and include all cases. the fact that the Torah later gives more detail as to which type of execution applies in which case does not make them separate mitzvos.

## **Not to pass your children through the fire to Molech**

Molech Worship

Negative Commandment 7

The 7th prohibition is that we are forbidden from handing over some<sup>1</sup> of our children to the idol Molech, which was well known in the time when the Torah was given.

The source of this commandment is G-d's statement (exalted be He),<sup>2</sup> "Do not give some of your children to be passed over [a fire] to Molech."

The Seventh chapter of Sanhedrin<sup>3</sup> explains the way in which this idol was worshipped: [They would] light a fire and increase it, and he would take some of his children and hand them over to those who took care of serving this idol, and he would pass him over the fire from one side to the other.<sup>4</sup>

The prohibition on this act is repeated in the verse,<sup>5</sup> "There shall not be found among you anyone who passes his son or daughter in fire."

One who transgresses this prohibition intentionally is executed by stoning; if he is not executed by stoning<sup>6</sup>, he is punished by karet; and if he did so unintentionally, he must bring a sin-offering.

The details of this mitzvah have been explained in the seventh chapter of Sanhedrin.

### **FOOTNOTES**

1. The Hebrew word, mi'zaracha, literally means, "from your offspring." The Talmud says that this wording alludes to the law that one is executed only if he give some of his children to Molech. If he gives all his children to Molech, he would not be punished.

It is interesting to note the commentary of the Smag (N40), who explains that offering all one's children to Molech is such a serious act that

## **Not to pass your children through the fire to Molech**

not even execution can atone for. This is consistent with the Torah's view of punishment as a correction and cleansing for the transgressor.

2. Lev. 18: 21.

3. 64b.

4. In Hilchos Avodah Zarah (6: 5), the Rambam writes, "He would take some of his children and hand them to the fire-worshipping priests, and after he was given over into their hands, those priests would give the child back to his father to pass him through the fire while under their authority. The father would be the one to pass his child over the fire while under the authority of the priests. He would pass him in the midst of the fire by foot to the other side, not actually burning him to the Molech as done by those who burn their sons and daughters to other idols."

5. Deut. 18: 10.

6. If there was no prior warning, or no witnesses, for example.

## **Not to have homosexual relations**

Male Homosexuality

Negative Commandment 350

The 350th prohibition is that [a male] is forbidden from having relations with another male.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not lie with a man as you would with a woman, since this is a disgusting perversion." The same prohibition is repeated a second time,<sup>2</sup> "there shall not be a prostitute among Jewish men."

This is the proper explanation of the repetition — that it was added to give additional stress, not to give a separate prohibition for the passive partner. From the statement, "do not lie," one derives the prohibition for both parties.

In tractate Sanhedrin,<sup>4</sup> it is explained that Rabbi Yishmael is the one who interprets the verse, "there shall not be a prostitute" as a prohibition to the passive partner. Therefore, according to Rabbi Yishmael, one who both has relations with a male and allows a male to have relations with him in the same helam<sup>5</sup> must bring two sin-offerings. But Rabbi Akiva says, "[a separate verse] is not necessary [to make a prohibition on the passive partner]. The Torah says, 'do not lie (lo sishkav) with a man' — it can also be read, 'do not allow another to lie with you (lo sishacheiv).'" Therefore, according to him, one who both has relations with a male and allows a male to have relations with him in the same helam must only bring one sin-offering. The reasoning given is "lo sishkav and lo sishacheiv are one prohibition," and according to him, "there shall not be a prostitute" comes only to add stress. This is similar to the prohibition,<sup>6</sup> "do not commit adultery," which is the same prohibition of a married woman,<sup>7</sup> "do not lie carnally with your neighbor's wife." We explained many similar cases in the Ninth Introductory Principle.

One who transgresses this prohibition [intentionally] is punished by stoning; if it was done intentionally but he did not receive stoning, he receives kares; and if it was done unintentionally, he must bring a sin-offering.

### FOOTNOTES

1. Lev. 18: 22.

2. Deut. 23: 18.

3. The Rambam now proceeds to prove that this counts as only one prohibition, and not two.

4. 54b.

5. Literally, a "concealment." One brings a sin-offering only if the transgression was done unintentionally. If one does the same prohibited act many times without realizing that the act was forbidden, only one sin-offering is brought.

This is known as helam echad, one concealment. However, if two different prohibitions are done, even in the same helam, two offerings must be brought.

6. N347.

7. Lev. 18: 20.

## **A man must not have relations with a beast**

Bestiality (for a man)

Negative Commandment 348

The 348th prohibition is that we are forbidden from having sexual relations with an animal, whether it be male or female.

The source of this commandment is G-d's statement,<sup>1</sup> "do not perform any sexual act with an animal."

One who transgresses this prohibition intentionally is punished by s'kila; if he does not receive stoning,<sup>2</sup> he is punished by kares; and if it was done unintentionally, he must bring a sin-offering.

### FOOTNOTES

1. Lev. 18: 23.

2. E.g. there were no witnesses

## **A woman must not have relations with a beast**

Bestiality (for a woman)

Negative Commandment 349

The 349th prohibition is that women are forbidden from allowing animals to have sexual relations with them.

The source of this commandment is G-d's statement,<sup>1</sup> "A woman shall not give herself to an animal and allow it to mate with her."

This counts as a separate commandment distinct from the previous one. [The proof of this is that] the prohibition on males from having relations with animals does not itself prohibit women from allowing animals to have relations with them, would it not be for a separate prohibition.



## **A woman must not have relations with a beast**

In the first chapter of Kerisus, 2 our Sages say, "there are 36 mitzvos in the Torah which are punishable by kares." They enumerate them, and include both a man and a woman committing bestiality. [These are counted separately,] even though the Sages only enumerate general categories, as we explained in our commentary. 3 We have therefore proven that this mitzvah counts as a separate prohibition.

One who transgresses this prohibition intentionally is punished by stoning; if it was done intentionally but there was no acceptable testimony, she receives kares; and if it was done unintentionally, she must bring a sin-offering.

### FOOTNOTES

1. Ibid.
2. Ch. 1, Mishneh 1.
3. In his Commentary to the Mishneh, the Rambam comments on the prohibition of having relations with a woman and her daughter, which is listed as one of the 36. Although relations with a woman and her granddaughter, etc. are also prohibited, the Mishneh just lists the one general idea of "parents" and "offspring" — counting it as just one of the 36 categories. Nevertheless, the two mitzvos mentioned here are listed separately, and count as two of the 36.

## **Fear your father and/or mother**

Revering Parents

Positive Commandment 211

The 211th mitzvah is that we are commanded to fear our parents. We should think of them as we do of someone who people fear, and who is able to administer punishment, 1 such as a king; and act towards them as we do with someone we fear can do us harm.

The source of this commandment is G-d's statement 2 (exalted be He), "A person shall fear his mother and his father."

The Sifra 3 says, "What constitutes 'fear'? Not to sit in their seat, not to speak instead of them, and not to contradict them."

The details of this mitzvah are also explained in tractate Kiddushin. 4

### FOOTNOTES

1. See Kapach, 5731, footnote 3, that the Rambam describes two categories of fear: one, due to honor, such as that of a king, due to his power and importance ("who is able to administer punishment"), and secondly, the actual fear of being punished. The Rav Kook edition, followed by Chavel, combine them into one category.
2. Lev. 19: 3.
3. Beginning of Parshas Kedoshim.
4. 30b ff.

## **Not to inquire into idolatry**

Studying Foreign Theologies

Negative Commandment 10

The 10th prohibition is that we are forbidden from investigating idolatry and looking into its contest, i.e. researching and studying the fantasies and foolishness that its founders claim, [for example,] "This spiritual force can be brought down in this way, and then you must do this; this star you must offer incense to, stand before it in this way, and then do this," and so on. Thinking into these matters and investigating these fantasies can cause a foolish person to pursue them and worship them.

The verse which contains this prohibition is G-d's statement, 1 "Do not turn away to false gods." In the words of the Sifra, "If you turn after them, you are making them into gods." There it is written, "Rabbi Yehuda says, 'You must not turn to them [even] to look at them.'" This means that it is prohibited even to gaze at the image's external appearance or to think about how it was made, in order to not spend even a moment of time on them.

In the [Talmudic] chapter "Sho'el adam mei'chavero" 2 it is written, "One who walks under an image or statue may not read [their caption] on Shabbat. One may not look at the statue itself even during the week, as the verse says, 3 'Do not turn away to false gods.' What does this verse imply? Rabbi Yochanan says [the same words can be read to mean,] 'do not turn away G-d from your minds.'" 4

This same prohibition — to think about idolatry — is repeated in G-d's statement, 5 "Be careful that your heart not be lured away, and you turn astray and worship [them]." This means that if your heart is lured away to think about them, this will cause you to turn away from the straightforward path and become involved in worship. This same concept is repeated, 6 "[Be very careful...] lest you raise your eyes to the sky, and see the sun, moon...[and worship them]." This does not prohibit one from lifting up one's head and looking at them with one's eye; rather, it prohibits from pondering in one's mind 7 what powers are attributed to them by those who worship them. The same is found in G-d's statement, 8 "[Be careful] lest you try to find out about their gods saying, 'Now, how do these nations worship their gods?'" Even if one does not worship them, it is prohibited to inquire about the nature of their worship since it can cause one to err after them.

You should be aware that one who transgresses this prohibition is punished by lashes. 9 It 10 has already been explained at the end of the first chapter of Eruvin 11 that one is punished by lashes for violating the Biblical prohibition of going beyond the Shabbat limit. 12 The Sages prove this by quoting G-d's statement, 13 "A person may not ['al'] leave his place." The Talmud then asks how it is possible to punish with lashes when the prohibition is stated with the word, "al" instead of the word, "lo" ["do not"]. It then answers with the [rhetorical] question, if there are no lashes whenever the word, "al," is used, are there no lashes for the prohibition, 14 "Do not ['al'] turn away to false gods?" This discussion implies that one does receive lashes for this prohibition.

### FOOTNOTES

1. Lev. 19: 4.
2. Shabbos 149a.
3. Lev. 19: 4.
4. The word, "to," in Hebrew ("el"), can also be read as one of G-d's names. Accordingly the phrase, "Do not turn away to," (in Hebrew, "al

## **Not to inquire into idolatry**

tifnu el") can be read, "Do not turn away G-d" ("al tifanu E-l"). (Kapach, 5731, note 58 from Moreh N'vuchim 3: 51.)

5. Deut. 11: 16.

6. Deut. 4: 15,19.

7. Literally, « gazing with your heart's eye. »

8. Deut. 12: 30.

9. If an action is performed (Hilchos Avodah Zarah 2: 2-3). It is apparent that even taking a book to read would also be considered to be an action according to the Rambam (see Kapach, 5731, note 65).

10. The regular way for the Torah to state a prohibition is to use the Hebrew word, "lo" (which means, "do not"). In some prohibitions, such as this one, the Torah uses the Hebrew word, "al" (which also means, "do not"). The Rambam now proves that even when the word, "al" is used, the prohibition is still punishable by lashes, and therefore is counted among the 613 commandments.

11. 17b.

12. See N321.

13. Exodus 16: 29.

14. Lev. 19: 4. Kapach, 5731 (note 64) points out that our version of the Talmud presents a different prohibition, namely Lev. 19: 31 (N8, N9). See Zohar HaRakiah, Yad HaLevi.

## **Not to make an idol for others**

## **Not to eat from that which was left over (from korban)**

Consuming Leftover Sacrificial Meat

Negative Commandment 131

And the 131st prohibition is that we are forbidden from eating nosar, i.e. the meat of a sacrifice which remains after the time for its consumption has passed.

The Torah does not explicitly prohibit consuming it, but it does state in Scripture that one who eats nosar is punished by kares. This is G-d's statement in the Torah portion Kedoshim,<sup>1</sup> when speaking of the peace offering, "But anything left over until the third day must be burned in fire. If one [even plans to] eat it on the third day, it is considered pigul and it is not acceptable. One who eats them has desecrated that which is holy to G-d, and he shall bear his guilt. This person shall be cut off [spiritually] from his people."

From here it is clear that [the punishment is] kares if one acts intentionally. If one ate unintentionally, he must bring a sin-offering.

The punishment is written in Scripture, but the actual prohibition is [derived] from what is written regarding the Inauguration sacrifices,<sup>2</sup> "Do not eat them, because they are holy." The expression, "them,"<sup>3</sup> includes any sacrifice which became invalid and thereby prohibited from consumption, such as nosar.

The Mishneh<sup>4</sup> says, "Pigul and nosar are not counted together,<sup>5</sup> because they have different names."

Our Sages, in tractate Me'ilah,<sup>6</sup> say on this, "This statement only applies to impurity of the hands,<sup>7</sup> which is of Rabbinic origin. As far as eating is concerned, they are counted together,<sup>8</sup> as the Beraisa says, 'R. Eliezer says, the verse, "Do not eat them, because they are holy," adds a prohibition to eat any holy things which became invalid.'" Since both pigul and nosar are sacrifices which became invalid, the statement, "Do not eat them, because they are holy," prohibits the consumption of each one of them.

We have already explained that the punishment for [eating] nosar is kares.

### **FOOTNOTES**

1. Ibid., 19: 6-8.

2. Ex. 29: 33. These sacrifices inaugurated Aaron and his sons into the priesthood.

3. It is difficult to understand it literally as plural, because only one animal is discussed in the verse (the others having been completely burned). See Kapach 5731, note 71. Heller, 5706, note 12.

4. Me'ilah 17b.

5. I.e. if one has half an ounce of pigul and half an ounce of nosar, they are not counted together as one ounce of "invalid sacrificial meat."

6. 17b.

7. There is a Rabbinic decree that if one touches pigul or nosar, his hands are deemed impure. This is only if there is the minimum amount (either a kezayis or k'beitzah — see Pesachim 121b) of either pigul or nosar. But if it is half pigul and half nosar, they are not counted together and his hands remain pure.

8. Therefore, if one ate half a kezayis of pigul and half a kezayis of nosar, they are counted together as if he ate a full kezayis of prohibited meat.

## **To leave a corner of the field uncut for the poor**

Leaving the Edges of the Fields for the Poor

Positive Commandment 120

The 120th mitzvah is that we are commanded to leave over [for the poor] the corner (pe'ah) of [a field of] grain, [a tree of] fruit, etc.

The source of this commandment is G-d's statement<sup>1</sup> — after mentioning [several prohibitions, including taking for oneself] the corner of the field — "Leave them over [for the poor and the stranger]."

In tractate Makkos,<sup>2</sup> it is explained that this mitzvah of pe'ah is a prohibition with a remedial positive commandment (lav shenitak l'aseh). The prohibition<sup>3</sup> is contained in the verse,<sup>4</sup> "Do not completely harvest the corners of your field." The positive commandment is contained in the verse, "Leave them over for the poor and the stranger."

The details of this mitzvah are explained in tractate Pe'ah.

## **To leave a corner of the field uncut for the poor**

The Biblical prohibition applies only in Eretz Yisroel.<sup>5</sup>

### FOOTNOTES

1. Lev. 19: 10.
2. 16b.
3. See below, N210, N214.
4. Lev. 19: 9.
5. There is a Rabbinic requirement to give Pe'ah, as well as the following agricultural gifts, even outside Eretz Yisroel. See Hilchos Mat'nos Aniyim, 1: 14.

## **Not to reap that corner of the field uncut for the poor**

Reaping an Entire Harvest

Negative Commandment 210

The 210th prohibition is that we are forbidden from completely harvesting a field. Rather, we must leave over a portion of the end of the field for the poor.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not completely harvest the ends of your fields."

This prohibition is a lav shenitak l'aseh (a prohibition with a remedial positive commandment). Therefore, if one violated this law and harvested the entire field, he must give the poor enough of the harvested food to match what he should have left over to begin with. This positive commandment is contained in the verse, "Leave them for the poor and the stranger," as we previously explained.<sup>2</sup>

One must leave over the corner of a tree just like the corner of a field.

The Biblical prohibition applies only in Eretz Yisroel.<sup>3</sup>

The details of this mitzvah are found in the tractate devoted to this subject [i.e. Pe'ah].

### FOOTNOTES

1. Lev. 23: 22.
2. P120.
3. See note to P120 above.

## **To leave gleanings**

Fallen Stalks

Positive Commandment 121

The 121st mitzvah is that we are commanded to leave over leket [stalks<sup>1</sup> of grain which have fallen during the harvesting process].

The source of this commandment is G-d's statement,<sup>2</sup> "Do not pick up the stalks which fall during harvest. You must leave them for the poor and the stranger."<sup>3</sup>

This mitzvah is also in the category of lav shenitak l'aseh (a prohibition with a remedial positive commandment), as explained in tractate Makkos regarding pe'ah.<sup>4</sup>

The details of this mitzvah are explained in tractate Pe'ah.<sup>5</sup>

The Biblical prohibition applies only in Eretz Yisroel.<sup>6</sup>

### FOOTNOTES

1. This mitzvah applies only if one or two stalks were dropped. If three were dropped together, the owner can take them. See Hilchos Mat'nos Aniyim, 4: 1.
2. Lev. 23: 22.
3. The first part of the verse serves as the prohibition, N211. The second part is the positive commandment discussed here.
4. See N210, N214.
5. Ch.4.
6. See note to P120 above

## **Not to gather the gleanings**

Gathering the Fallen Stalks

Negative Commandment 211

The 211th prohibition is that we are forbidden from taking for ourselves the stalks which fall during the harvesting process. Rather, they must be left for the poor.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not pick up the stalks which fall during harvest."

This mitzvah is also in the category of lav shenitak l'aseh (a prohibition with a remedial positive commandment), as explained regarding pe'ah.<sup>2</sup>

The details of this mitzvah are explained in tractate Pe'ah.

### FOOTNOTES

1. Lev. 23: 22.

## **Not to gather the gleanings**

2. See above, N210, N214.

## **To leave the gleanings of a vineyard**

Defective Grape Clusters  
Positive Commandment 123

The 123rd mitzvah is that we are commanded to leave over for the poor those [poor-quality<sup>1</sup>] grape clusters which are normally<sup>2</sup> left in the vineyard during the harvesting process. These are called olelos.

The same verse,<sup>3</sup> "You must leave them for the poor and the stranger," also refers to this mitzvah, since it follows mention of olelos.

The details of this mitzvah are explained in tractate Pe'ah.

The Biblical prohibition applies only in Eretz Yisroel.<sup>4</sup>

### FOOTNOTES

1. In Hilchos Matnos Aniyim 4: 17-18, the Rambam defines olelos as clusters which are incompletely formed, either lacking grapes attached to the central stem, or grapes which lie on one another.

2. See Kapach, 5731, note 32 to N212.

3. Lev. 19: 10. See above, P120.

4. See note to P120 above.

## **Not to gather the gleanings of a vineyard**

Harvesting the Defective Grape Clusters  
Negative Commandment 212

The 212th prohibition is that we are forbidden from completely harvesting a vineyard.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not pick the olelos in your vineyard." You must instead leave them for the poor.<sup>2</sup>

This law does not apply to other trees, even though they are similar to grapevines. The prohibition,<sup>3</sup> "When you beat the fruit from your olive tree, do not go back over it" [is not related to this mitzvah of olelos but is] part of the prohibition against taking shik'cho (forgotten produce).<sup>4</sup> From this verse which prohibits taking shik'cho from olive trees we learn that shik'cho applies to all trees. [The law of olelos, however, only applies to grapes.]

This mitzvah is also in the category of lav shenitak l'aseh (a prohibition with a remedial positive commandment).

The details of this mitzvah are explained in tractate Pe'ah.<sup>5</sup>

### FOOTNOTES

1. Lev. 19: 10.

2. See Ibn Tibbon translation.

3. Deut. 24: 20.

4. See N214 below.

5. Ch. 7, Mishneh 4.

## **To leave the unformed clusters of grapes**

Fallen Grapes  
Positive Commandment 124

The 124th mitzvah is that we are commanded to leave over for the poor those grapes that have become detached and fall during the harvesting process.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not pick up peret (individual<sup>2</sup> fallen grapes) in your vineyard. You must leave them for the poor and the stranger."

The details of this mitzvah are also explained in tractate Pe'ah.<sup>3</sup>

The Biblical prohibition applies only in Eretz Yisroel.<sup>4</sup>

### FOOTNOTES

1. Lev. 19: 10.

2. I.e. a single grape or two grapes attached together. If a cluster of three grapes falls, it is not considered to be peret.

3. Ch. 6.

4. See note to P120 above

## **Not to pick the unformed clusters of grapes**

Gathering the Fallen Grapes  
Negative Commandment 213

The 213th prohibition is that we are forbidden from gathering the grapes which fall in the vineyard during the harvesting process. Rather, they must be left for the poor.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not pick up peret in your vineyard.

## **Not to pick the unformed clusters of grapes**

This mitzvah is also in the category of lav shenitak l'aseh (a prohibition with a remedial positive commandment).

The details of this mitzvah are explained in tractate Pe'ah.<sup>2</sup>

### FOOTNOTES

1. Lev. 19: 10.
2. Ch.7, Mishneh 3.

## **Not to steal money stealthily**

Stealing

Negative Commandment 244

The 244th prohibition is that we are forbidden from stealing money.

The source of this prohibition is G-d's statement,<sup>1</sup> "Do not steal."

In the words of the Mechilta, "The verse 'Do not steal' constitutes the prohibition of financial theft."<sup>2</sup>

One who transgresses this prohibition must pay back according to the formula written in the Torah — either two, four, or five times the amount stolen, or only the actual value.<sup>3</sup>

The Sifra says, "The verse<sup>4</sup> that says 'He must pay back double' [the value of the stolen object] teaches us the penalty. What teaches us that the act is prohibited?<sup>5</sup> The verse 'Do not steal' — even if just to disturb." This phrase ['just to disturb'] means when the intention is to [not really steal, but only to temporarily] anger and confuse the victim, and afterwards return it to him. The Sifra continues,] "the verse, 'Do not steal,' teaches that you may not do so, even if you intend to pay him back four or five times the value."

The details of this mitzvah are explained in the 7th chapter of tractate Bava Kama.

### FOOTNOTES

1. Lev. 19: 11.
2. In contrast with a similar phrase used in the Ten Commandments, which refers to the prohibition against kidnapping. See N243.
3. For a regular theft, he must pay double. For stealing sheep he must pay four times the amount, and for oxen, five times (Ex. 21: 37). If he admitted the theft before he was discovered, he pays only the principal.
4. Ex. 22: 3.
5. As explained on other occasions, each prohibition must have one statement that the act is prohibited and another dictating the penalty.

## **Not to deny possession of something entrusted to you**

Denying a Debt

Negative Commandment 248

The 248th prohibition is that we are forbidden to falsely deny that we owe money or that we were entrusted with an object.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not deny."

It is explained<sup>2</sup> that this refers to a financial claim. The Sifra says, "We learn what the punishment is from the verse,<sup>3</sup> 'If he denies [illegally withholding another person's money] and swears falsely [...he must pay the principal and add one-fifth.]' Which verse serves as the actual prohibition?<sup>4</sup> The verse, 'Do not deny.' "

You are aware that one who [falsely] denies possession of an object he was entrusted with — even if he does not swear falsely — is invalid to act as a witness. This is because he has transgressed the mitzvah, "Do not deny."<sup>5</sup>

The details of this mitzvah are explained in a number of passages in tractate Sh'vuos.

### FOOTNOTES

1. Lev. 19: 11.
2. Sanhedrin 86a.
3. Lev. 5: 22.
4. Since every prohibition must have one verse which is the actual prohibition and another to dictate the punishment.
5. The Torah disqualifies a person from testifying only if he has violated a Biblical law. Since the person is disqualified even though he has not sworn falsely, we see that the prohibition applies even where there was no oath.

## **Not to swear in denial of a monetary claim**

Swearing Falsely in Denial of a Debt

Negative Commandment 249

The 249th prohibition is that we are forbidden to swear falsely regarding money that we owe.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not lie to one another."

If, for example, one [falsely] denies possessing an object he was entrusted with, he transgresses the prohibition, "do not deny."<sup>2</sup> Should he swear falsely to substantiate his previous denial, he transgress the [present] prohibition "do not lie."

The Sifra says, "What does the Torah mean to teach us by saying 'do not lie'? The verse,<sup>3</sup> 'and he swears falsely' serves as the punishment. Which verse serves as the actual prohibition?<sup>4</sup> The verse, 'do not lie.' "

## **Not to swear in denial of a monetary claim**

The details of this mitzvah are explained in the fifth chapter of Sh'vuos, where it is explained that a person who makes a false oath in denying a financial claim transgresses two mitzvos — "do not swear falsely by My name"<sup>5</sup> and "do not lie to one another."<sup>6</sup>

### FOOTNOTES

1. Lev. 19: 11.
2. N248.
3. Lev. 5: 22.
4. See footnote 22.
5. Lev. 19: 12.
6. I.e. N248 and N249.

## **Not to swear falsely in God's Name**

Violating Oaths  
Negative Commandment 61

The 61st prohibition is that we are forbidden from violating the type of oath called a sh'vuas bitui.<sup>1</sup>

The source of this commandment is G-d's statement,<sup>2</sup> "Do not swear falsely in My name."

A sh'vuas bitui is an oath to do something (or to refrain from doing something) that the Torah does not prohibit (or require).<sup>3</sup> We are required to fulfill such an oath<sup>4</sup> and are prohibited from violating it by virtue of His statement, "Do not swear falsely in My name."

Our Sages said in tractate Sh'vuos,<sup>5</sup>

"What is a sh'vuas sheker?<sup>6</sup> When one swears to change [the truth.]"<sup>7</sup>

The Gemara amends this, "It should read, 'When one swears and changes,'" i.e. swearing to do something, and then doing the opposite of the oath.<sup>8</sup>

In the third chapter of Sh'vuos, as well as in tractate T'murah,<sup>9</sup> it is explained that a sh'vuas sheker is the non-fulfillment of a sh'vuas bitui. There our Sages say, "What kind of sh'vuas sheker is meant?" This refers to the Gemara's previous statement regarding a sh'vuas sheker where no action was performed [and the punishment is nevertheless lashes]. "If you say [it refers to a case where the person swore,] 'I will not eat,' and the person ate, then an action was performed. [Therefore, that case could not be what the Gemara was referring to.] If you say [it refers to a case where the person swore,] 'I will eat,' and the person didn't eat, is he punished by lashes? [This cannot be, for] it says explicitly..." [that there are no lashes in such a case.]<sup>10</sup>

One who transgresses this prohibition intentionally is punished by lashes. If it was done unintentionally, he must bring an offering of adjustable value, as explained in positive commandment 72. The source for this is the statement in the third chapter of Sh'vuos,<sup>11</sup> "This is a sh'vuas bitui, which, if one violates intentionally, is punished by lashes, and if unintentionally, must bring an offering of adjustable value." The details of this mitzvah are explained there.

You should be aware that when I said that this prohibition is punished by lashes if done intentionally, this does not mean that there is another prohibition for which there is lashes even if done unintentionally. Rather, you should keep in mind that every time I say that a certain prohibition is punishable by lashes (whether it was said in a previous mitzvah or in a following mitzvah), this is only when done intentionally, in the presence of witnesses, and after being warned — the conditions regarding the witnesses and the warning being found in tractate Sanhedrin.<sup>12</sup>

If, however, the transgression was done unintentionally, or if the person was forced, or if he made an error, he is not punished by lashes or kares, and certainly not by execution. You should keep this in mind, for it applies to all the mitzvos.

In those few mitzvos where we say explicitly that the punishment is lashes or execution when done intentionally, this is said in order to distinguish from the case where an unintentional violation necessitates a sacrifice. [This must be said] because not every unintentional prohibition entails a sacrifice.<sup>13</sup>

But every case of punishment by kares, lashes, or execution is carried out only where there were witnesses and a warning. You should keep this principle in mind so that it will not necessary to repeat it.

### FOOTNOTES

1. As defined immediately below. This is in contrast to a sh'vuas shav, discussed in the next mitzvah.
2. Lev. 19: 12.
3. If, however, someone swears to eat pork, or not to wear tefillin, the oath is called a sh'vuas shav rather than a sh'vuas bitui. See N62.
4. See P94.
5. 21a.
6. Although the commandment speaks of a sh'vuas bitui, and this passage speaks of a sh'vuas sheker, the Rambam soon explains that they are identical.
7. I.e. swearing that he did something in the past, although he really did not (for example, swearing that he ate, when in fact he did not).
8. The Rambam's intention in quoting this passage seems to be providing Talmudic proof for the definition he just gave for a sh'vuas bitui, i.e. swearing to do something in the future. The final conclusion is that swearing falsely about the past is also called a sh'vuas bitui. See Hilchos Shavuot 1: 3, Kesef Mishneh ibid.
9. 3b.
10. The Gemara concludes that the case referred to is where he swore that he ate, although in reality he had not. As mentioned previously, although this oath deals with the past, the Gemara concludes that this too is a sh'vuas sheker.

In any case, the point of this quote is to prove that the term, sh'vuas sheker, refers to violating a sh'vuas bitui.

11. 21a.

## **Not to swear falsely in God's Name**

12. 81b.  
13. Therefore, when no sacrifice is involved, the Rambam does not need to mention that lashes, etc. is for an intentional violation.

## **Not to withhold wages or fail to repay a debt**

Withholding Monies Owed  
Negative Commandment 247

The 247th prohibition is that we are forbidden to withhold payment of debts we owe — holding on to the money instead of paying it back.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "Do not withhold (lo sa'ashok) that which is due your neighbor."

[The distinction between the various forms of theft is as follows: ] geneivah refers to taking someone else's property through scheming and in secret. It is prohibited by the phrase, "lo tignovu," as explained previously.<sup>2</sup> Gezel refers to taking someone else's property against his will and with open force, as highway robbers do. It is prohibited by the phrase, lo sigzol.<sup>3</sup> Oshek refers to a case where you owe someone a certain amount of money — i.e. you have in your possession and control money — and you withhold it and do not hand it over. [This applies] whether or not force was involved, even just through pushing him off and deception. This too is prohibited, by G-d's statement (exalted be He), "Do not withhold that which is due your neighbor."

The Sifra says: "The prohibition lo sa'ashok refers to withholding money. In which case? Such as holding back a worker's wages" and anything similar. A worker was picked as an example since it involves a fixed debt that you owe, but he did not give you any money and no money came to you from him. Nevertheless, since you owe him money, you are prohibited from withholding it.

This prohibition is repeated<sup>4</sup> using this very example: "Do not withhold the wages due a worker who is poor and destitute." This means that you may not withhold his wages because he is poor and destitute, similar to the verse,<sup>5</sup> "[You must give him his wage on the day it is due,] and not let the sun set with him waiting for it, because he is poor."

The Sifri says, " 'Do not withhold the wages due a worker who is poor and destitute.' But the Torah already said, 'Do not steal' (lo sigzol)! This teaches that anyone who withholds wages due a worker transgresses 'do not withhold,' 'do not steal,' 'do not go to sleep before paying your worker,' and 'pay your worker on that same day.' " There it clearly explains why the verse mentions the "poor and destitute" — because G-d said, "I administer punishment swiftly when the victim is poor and destitute."

The punishment for one who transgresses this prohibition (lo sa'ashok) is identical to that of a robber.<sup>6</sup> [We see this from] G-d's statement<sup>7</sup> (exalted be He), "...if he lied to his neighbor regarding an article left for safekeeping, a business deal, robbery (gazel), withholding payment (oshak) from his neighbor..."<sup>8</sup>

### FOOTNOTES

1. Lev. 19: 13.
2. N244.
3. N245.
4. Deut. 24: 14.
5. Ibid., 24: 15.
6. See N245.
7. Lev. 5: 21.
8. The following verses describe the punishment: that he must remedy the misdeed by returning the proper amount, add one-fifth, and bring a sacrifice.

## **Not to rob openly**

Robbery  
Negative Commandment 245

The 245th prohibition is that we are forbidden from committing robbery, i.e. taking something which isn't ours by open force and violence.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "Lo sigzol" ["You may not commit robbery"] — as explained in the Oral Tradition,<sup>2</sup> "The phrase 'Lo sigzol' is similar to 'Vayigzol [and he forcibly grabbed] the spear from the Egyptian's hand.' " <sup>3</sup>

This prohibition is a lav she'nitak l'aseh (a prohibition with a remedial positive commandment), i.e. the verse,<sup>4</sup> "He must return the article that he stole." However, even if he nullified the positive commandment,<sup>5</sup> he still does not receive lashes [unlike the regular lav she'nitak l'aseh] because a person cannot be penalized both by repayment and lashes.

[He must anyway repay] because it is a lav shenitan l'tashlumin (a prohibition that can be repaid): if he burned the object or threw it into the sea, he must pay back the value. If he denied stealing the object and swore falsely to that effect, he must pay back an additional fifth<sup>6</sup> and bring a guilt-offering, as explained in the proper place.<sup>7</sup> This is also explained in the end of tractate Makkos.<sup>8</sup>

The details of this mitzvah are explained in the 9th and 10th chapters of tractate Bava Kama.

### FOOTNOTES

1. Lev. 19: 13.
2. Bava Kama 79b.
3. Shmuel II, 23: 21.
4. Lev. 5: 23.
5. If he destroyed the stolen object, for example, and it therefore cannot be returned. See Hilchos Gezeilah V'Aveidah 1: 1.
6. Of the total payment, i.e. 1/4th of the value.
7. P71.
8. 16a.

## **Not to delay payment of wages past the agreed time**

Postponing Payment for a Hired Worker  
Negative Commandment 238

The 238th prohibition is that we are forbidden from withholding and delaying payment of a hired worker's wages.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "Do not let a worker's wages remain with you overnight until morning."

When does this verse apply? If he is a day worker he collects his wages the following night, as the verse says, "until morning." If he is a night worker he collects his wages during that night or the following day. He must receive his wages by the time the sun sets, as it is written,<sup>2</sup> "You must give him his wage on the day it is due, and not let the sun set with him waiting for it."

In the words of the Mishneh<sup>3</sup>: "A day worker can collect his wages the following night and that a night worker can collect his wages the following day."

They<sup>4</sup> do not count as two mitzvot, but are rather two prohibitive statements that complete one mitzvah, i.e. from these two prohibitive statements we know when he must be paid.

The details of this mitzvah are explained in the 9th chapter of tractate Bava Metzia. There it is explained that this prohibition applies only to a hired worker who is Jewish — that if one delays paying him, he transgresses the prohibition. However, if the worker is not Jewish,<sup>5</sup> one violates only the positive commandment<sup>6</sup> "You must give him his wage on the day it is due."

### FOOTNOTES

1. Lev. 19: 13.
2. Deut. 24: 15.
3. Bava Metzia 9: 11.
4. I.e. Lev. 19: 13 and Deut. 24: 15.
5. I.e. a ger toshav. See note to P200 above.
6. P200

## **Not to curse any Jew, man or woman**

Cursing One's Fellow  
Negative Commandment 317

The 317th prohibition is that we are forbidden from cursing any Jew.

The source of this prohibition is G-d's statement,<sup>1</sup> "You shall not curse the deaf."

I will now explain why only "the deaf" are mentioned.

When a person, in accordance with his impression of the damage he has suffered, is aroused to take revenge against the person who harmed him, he will not rest until he takes revenge to match the damage he feels. Only then will his desire be put to rest and the impression erased from his mind.

Some people will calm down after just cursing and shaming the other person, keeping in mind the extent of damage and shame that they feel is "due" the other person. Sometimes it is more serious, and he won't be calmed until he destroys all the person's possessions, realizing the pain he will cause him through this destruction. At times it is even more serious, and he won't be calmed until he takes physical revenge through beating the person, or causing him loss of limb. Sometimes it could reach the most serious level, when he won't be calmed until he kills the person and nullifies his very existence.

And sometimes the transgression is so small that he doesn't even want to punish the other person. He will be calmed merely by yelling, getting angry at him or cursing him — even [so quietly] that if the person was present he wouldn't hear. It is well known that hot-tempered people will calm down even with this reaction when the offense was very minute, although the other person will not know of his anger nor hear his curse.

We might think that the Torah prohibits cursing a Jew only when he will hear it, because of the shame and pain he feels, but there is nothing wrong with cursing a deaf person, since he doesn't hear it and doesn't feel any pain as a result. The Torah therefore told us that this too is forbidden, because it is concerned not only with the one who is being cursed, but with the one who is uttering the curse. A person is prohibited from gearing himself for revenge and becoming accustomed to getting angry.

We indeed find that our Sages used this verse, "Do not curse the deaf," to prove that it is prohibited to curse any Jew. The Sifra<sup>2</sup> says, "This verse speaks only of a deaf person. How do we know that all Jews are included? From the phrase,<sup>3</sup> '[A Nasi] of your people do not curse.'<sup>4</sup> If so, why does this verse mention specifically the deaf? To teach you that [cursing] the dead is excluded: Just as the deaf are alive, the prohibition likewise includes anyone who is alive." And the Mechilta<sup>5</sup> says, "The phrase, 'Do not curse the deaf,' refers to even the most downtrodden human beings."

When we say that this transgression is punishable by lashes, it is only when the curse was uttered using G-d's Name.<sup>6</sup> Even if a person curses himself, he is punished by lashes.

In summary, one who curses a person using G-d's Name transgresses the prohibition, "Do not curse the deaf." One who curses a judge transgresses two prohibitions and receives two sets of lashes.<sup>7</sup> One who curses a Nasi receives three sets of lashes.<sup>8</sup> The Mechilta<sup>9</sup> says, "The phrase, 'A Nasi of your people [do not curse],' includes both a Nasi and a judge. Why does the Torah also say, 'Do not curse a judge?' To punish the person for each prohibition separately."

From here our Sages said<sup>10</sup> that a person could transgress four prohibitions with a single statement: the son of a Nasi who cursed his father. He transgresses the following four prohibitions: cursing his father,<sup>11</sup> a judge,<sup>12</sup> a Nasi,<sup>13</sup> and a Jew.<sup>14</sup>



## **Not to curse any Jew, man or woman**

We have therefore explained what we set out to do.

The details of this mitzvah are explained in the 4th chapter of tractate Shavuot.<sup>15</sup>

### FOOTNOTES

1. Lev. 19: 14.
2. Kedoshim 2: 13.
3. Ex. 22: 27.
4. The verse could have simply said, "A Nasi do not curse." The extra words, "of your people," comes to include everyone.
5. Ex. 21: 17.
6. Any of the 7 Divine names or even a descriptive name, such as "Merciful One" (Chanun). See Hilchos Sanhedrin 26: 3.
7. One for cursing a Jew, and one for cursing a judge.
8. The two above (since a Nasi is also a judge) and for cursing a Nasi.
9. Parshas Mishpatim.
10. Mechilta, ibid.
11. N318.
12. N315.
13. N316.
14. N317.
15. 35a.

## **Not to put a stumbling block before a blind man (nor give harmful advice)**

Misleading Advice

Negative Commandment 299

The 299th prohibition is that we are forbidden from giving misleading advice. When someone asks you for advice regarding something he is not expert in, this mitzvah prohibits misleading or deceiving him. Rather you should guide him towards the choice you think is proper.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "Do not place a stumbling block before the blind."

In the words of the Sifri: "Before someone who is 'blind' regarding a particular thing, and is asking your advice — do not give him advice which will harm him."

Our Sages said that this prohibition includes one who assists or causes another to commit a transgression, because the person's vision is obstructed by his desire [to sin] and he has become "blind", and he comes to assist him in his wrongdoing or provide him with the ability to perform the transgression.

Similarly, our Sages said that both the lender and the borrower in an interest-bearing loan also transgress the prohibition of placing a stumbling block before the blind. This is because each one assists the other and makes it possible for him to complete the forbidden act.<sup>2</sup> There are many similar cases where our Sages said "One transgresses the prohibition, 'Do not place a stumbling block before the blind.' " The simple meaning of the verse, however, is as mentioned above [i.e. giving misleading advice].

### FOOTNOTES

1. Lev. 19: 14.
2. There is one prohibition for lending with interest (N235) and another for borrowing with interest (N236). One who lends with interest transgresses that prohibition, N235, and also this prohibition, N299, since he is causing the borrower to transgress N236. The same applies to the borrower — he transgresses N236 and also N299, since he is causing the lender to violate N235.

## **A judge must not pervert justice**

Dispensing Proper Justice

Negative Commandment 273

The 273rd prohibition is that a judge is forbidden from judging unjustly.

The source of this prohibition is G-d's statement,<sup>1</sup> "Do not pervert justice."

This prohibition means that the judge may not violate any rulings established by the Torah regarding when a person is guilty or innocent

### FOOTNOTES

1. Lev. 19: 15.

## **A judge must not respect the great man at the trial**

Favoring a Litigant

Negative Commandment 275

The 275th prohibition is that a judge is forbidden from favoring one of the litigants during a trial. Even if he is very important and distinguished, he shall not accord him any honor when he comes to court with the other litigant, and not show him any special respect.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "Do not show respect to the great."

The Sifra<sup>2</sup> says, "One should not think, 'He is wealthy and from a distinguished family — how can I embarrass him and witness his shame?' Certainly [one who thinks this way] will not shame him. The Torah therefore says, 'Do not show respect to the great.' "

The details of this mitzvah are explained in many passages in tractates Sanhedrin and Shavuot.<sup>3</sup>

## **A judge must not respect the great man at the trial**

### FOOTNOTES

1. Lev. 19: 15.
2. [Kedoshim 4: 3.
3. 30a.

## **Judge righteously**

Equal Treatment for Litigants  
Positive Commandment 177

The 177th mitzvah is that judges are commanded to treat both litigants equally. Both must be allowed [to speak], whether it takes a long time or a short time.

The source of this commandment is G-d's statement,<sup>1</sup> "Judge your people fairly."

The Sifra<sup>2</sup> explains, "He should not allow one to speak as long as he needs and then tell the other, 'Speak for a short time.' " This is one of the laws included in this commandment.

It also includes the law that if one is qualified to judge, and the litigants have begun to present their case, one is required to complete hearing the case. Our Sages explicitly said,<sup>3</sup> "One is required by the Torah to act as a judge, as the verse says, 'Judge your people fairly.' "

This mitzvah also includes the law<sup>4</sup> that one is required to judge other people favorably, and to explain their words and actions only in a good and kind way.

The details of this mitzvah are explained in a number of passages in the Talmud.

### FOOTNOTES

1. Lev. 19: 15.
2. Kedoshim 4: 4.
3. Sanhedrin 3a. See Kapach, 5731, footnote 98, that this passage of Sefer HaMitzvos answers the questions of the Kesef Mishneh and Maggid Mishneh, Hilchos Sanhedrin 2: 10.
4. Sifra, Lev. 19: 15.

## **Not to speak derogatorily of others (not to bear tales)**

Gossiping  
Negative Commandment 301

The 301st prohibition is that we are forbidden from gossiping.

The source of this commandment is G-d's statement (exalted be He),<sup>1</sup> "Do not go around as a gossip among your people."

Our Sages<sup>2</sup> explained, "Do not speak softly to one and harshly to another. Another explanation: Do not act like a traveling salesman by traveling around carrying words."<sup>3</sup>

This prohibition includes<sup>4</sup> not to publicize a shem ra.<sup>5</sup>

### FOOTNOTES

1. Lev. 19: 16.
2. Sifra.
3. The Hebrew word for gossip is "rachil." The first explanation of the Sifra finds an allusion to the word "rach", meaning "soft." In the context of the previous verse, which speaks of how a judge should treat his litigants, this means not to speak softly to one and harshly to another. The second explanation is based on the word, "rocheil," which means a traveling salesman.
4. Ketuvot 46a..
5. Literally, "bad name." "Motzi shem ra" refers to false gossip. "Lashon ha'ra" (literally, "evil tongue") refers to gossip which is true, but negative. "R'chilus" (translated here as "gossiping") refers to any gossip. See Hilchos De'os 7: 2.

## **Not to stand idly by if someone's life is in danger**

Saving a Person in Mortal Peril  
Negative Commandment 297

The 297th prohibition is that we are forbidden from not saving a Jew's life in a case where we see that his life is in danger and we have the ability to save him. For example, when someone is drowning in the sea and we can swim well to be able to save him; or a non-Jew wants to kill him and we are able to change his mind or to protect him from harm. [In such cases] there is a prohibition to refrain from saving him.

The source of this prohibition is G-d's statement<sup>1</sup> (exalted be He), "Do not stand still when your neighbor's life is in danger."

Our Sages say that even someone who denies that he has testimony is included in this prohibition, since he sees his brother's money being lost and is able to return it to him by testifying the truth. Another verse<sup>2</sup> also refers to this: "and if he does not testify, he must bear his guilt." In the words of the Sifra: "What is the source of the law that when you can testify for someone, that you are forbidden from remaining silent? From the verse, 'Do not stand still when your neighbor's life is in danger.' What is the source of the law that if you see him drowning in the river, being attacked by robbers or by a wild animal that you are obligated to save him? From the verse, 'Do not stand still when your neighbor's life is in danger.' What is the source for the law that when a rodef is trying to kill someone, that you are obligated to save him even with the life [of the rodef]? From the verse, 'Do not stand still when your neighbor's life is in danger.' "

The details of this mitzvah are explained in tractate Sanhedrin. <sup>3</sup>

## **Not to stand idly by if someone's life is in danger**

### FOOTNOTES

1. Lev. 19: 16.
2. Ibid. 5: 1.
3. 73a.

## **Not to hate fellow Jews**

### Harboring Hate

#### Negative Commandment 302

The 302nd prohibition is that we are forbidden from hating one another.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not hate your brother in your heart." In the words of the Sifra, "I have only spoken [in this verse] about hatred, which is in the heart. But if you reveal to him this hatred and he realizes that you hate him, you do not transgress this prohibition.<sup>2</sup> But you do transgress the prohibitions,<sup>3</sup> 'Do not take revenge nor bear a grudge,' and a positive commandment, namely,<sup>4</sup> 'You must love your neighbor as [you love] yourself.'" However, the sin of hatred in one's heart is most serious of them all.

### FOOTNOTES

1. Lev. 19: 17.
2. The expression, "this prohibition," proves that it counts as one of the 613 commandments.
3. Lev. 19: 18. N304, N305.
4. Lev. Ibid. P206.

## **To reprove a fellow Jew who isn't following the law of the Torah**

### Rebuking

#### Positive Commandment 205

The 205th mitzvah is that we are commanded to admonish a person who is performing a transgression or who is preparing to do so. One must verbally warn him and admonish him. We are not allowed to say, "I will not sin; and if someone else sins, that is between him and G-d." This [attitude] is contrary to Torah. Rather, we are commanded not to transgress, nor to allow another Jew to transgress. If a person is preparing to transgress, each individual is commanded to admonish him and to prevent him [from transgressing], even if there has not been testimony which would be sufficient for him to be punished.

The source of this commandment is G-d's statement (exalted be He),<sup>1</sup> "You must admonish your neighbor."

Also included in this commandment is that we should complain to a person who has done wrong to us. We should not bear a grudge and consider him to be a sinner. Rather, we are commanded to verbally complain to him in order that nothing should remain in our heart [against him].

In the words of the Sifra, "What is the source of the law that even if you admonish someone four or five times that you should continue to admonish him? From the phrase, 'hochei'ach to'chiach.'<sup>2</sup> One might think that one could admonish him to the point that his facial features change<sup>3</sup> — the verse therefore continues,<sup>4</sup> "And not bear sin because of him."

Our Sages<sup>5</sup> explained that this commandment is incumbent on every individual; even a person on a low level to someone on a higher level.<sup>6</sup> Even if one is cursed or insulted he should not desist, nor stop admonishing unless he is struck physically, as explained by our Sages from the Oral Torah,<sup>7</sup> "[One must reprimand] until one receives physical blows."

This mitzvah has conditions and laws which are explained in various places in the Talmud.

### FOOTNOTES

1. Lev. 19: 17.
2. The doubled expression for admonishment teaches us that one is commanded to admonish even many times.
3. I.e. to admonish him in the presence of other people, thereby causing him embarrassment See N303, below.
4. Lev. 19: 17.
5. Bava Metzia 31a.
6. Compare with Tanya, chapter 32.
7. Arachin 16b.

## **Not to embarrass others**

### Shaming

#### Negative Commandment 303

The 303rd prohibition is that we are forbidden from embarrassing one another. This transgression is the one referred to as, "publicly humiliating one's fellowman."

The source of this commandment is G-d's statement,<sup>1</sup> "You must admonish your neighbor and not bear sin because of him."

In the words of the Sifra, "From where do we learn that even if you admonish someone four or five times that you should continue to admonish him? From the phrase, 'hochei'ach to'chiach.'<sup>2</sup> One might think that one could admonish him to the point that his facial features change<sup>3</sup> — the verse therefore continues,<sup>4</sup> "And not bear sin because of him."

The simple meaning of the verse, however, is to warn that you should not think of him

### FOOTNOTES

## **Not to embarrass others**

1. Lev.19: 17.
2. The doubled expression for admonishment teaches us that one is commanded to admonish even many times.
3. I.e. to admonish him in the presence of other people, thereby causing him embarrassment .
4. Lev. 19: 17.

## **Not to take revenge**

Revenge  
Negative Commandment 304

The 304th prohibition is that we are forbidden from taking revenge upon each other.

This would be, for example if one person did something [against another]; and the other person doesn't stop pursuing him until he pays him back in the same way, or causes him the same pain which he caused. G-d has prohibited this, in His statement,<sup>1</sup> "Do not take revenge."

In the words of the Sifra, "How far does the prohibition against taking revenge go? If a person requests, 'Lend me your sickle,' and the other won't lend it, and tomorrow [the latter] requests, 'Lend me your ax,' and he answers, 'I won't lend to you just as you didn't lend me your sickle.' In this case the Torah says,<sup>2</sup> 'Do not take revenge.'"

From this example one can derive all other cases.

### FOOTNOTES

1. Lev.19: 18.
2. Ibid.

## **Not to bear a grudge**

Bearing a Grudge  
Negative Commandment 305

The 305th prohibition is that we are forbidden from bearing a grudge, even if we don't take revenge. This means we remember the wrongdoing that the person did to us, and mention it to him.

The source of this commandment is G-d's statement (exalted be He),<sup>1</sup> "Do not take revenge nor bear a grudge."

In the words of the Sifra, "How far does the prohibition against bearing a grudge go? If a person requests, 'Lend me your sickle,' and the other won't lend it, and tomorrow [the latter] requests, 'Lend me your ax,' and he answers, 'Here it is — I'm not like you, who wouldn't lend me your sickle.' In this case the Torah says,<sup>2</sup> 'Do not bear a grudge.'"

### FOOTNOTES

1. Ibid.
2. Ibid.

## **To love Jews**

Loving Our Fellow  
Positive Commandment 206

The 206th mitzvah is that we are commanded to love each other as we love ourselves. I should have mercy for and love my brother as faithfully as I love and have mercy for myself. This applies to his financial and physical state, and whatever he has or desires. What I want for myself I should want for him, and whatever I don't want for myself or my friends, I shouldn't want for him.

The source of this commandment is G-d's statement,<sup>1</sup> "You must love your neighbor as [you love] yourself."

### FOOTNOTES

1. Lev.19: 18.

## **Not to crossbreed animals**

Interbreeding Animals  
Negative Commandment 217

The 217th prohibition is that we are forbidden from crossbreeding different species of animals.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not crossbreed your livestock with other species."

The punishment for crossbreeding an animal is lashes, provided that the person actually placed the organ of the male animal in that of the female by hand, [as the Talmud puts it,] "like an applicator<sup>2</sup> in its tube." Our Sages<sup>3</sup> said this clearly: "For adultery, [the witnesses] only need to see them in the position of sexual relations. For crossbreeding, they must see 'like an applicator in its tube.' " Only then does the person receive lashes.

The details of this mitzvah are explained in the eighth chapter of tractate Kilayim.

### FOOTNOTES

1. Lev. 19: 19.
2. Mak'chol, literally a stick, etc. used to apply k'chol (a medication or cosmetic) to the eye. The k'chol was stored in a tube, and the mak'chol was dipped in the tube in order to apply the k'chol to the eye.
3. Baba Metzia 91a.

## **Not to plant diverse seeds together**

Planting a Mixture of Seeds  
Negative Commandment 215

The 215th prohibition is that we are forbidden from planting a combination of species of seeds (kilai z'raim).

The source of this commandment is G-d's statement,<sup>1</sup> "Do not plant your field with kilayim."

This prohibition of planting a mixture of seeds applies only in Eretz Yisroel, where one is punished by lashes for violating this Biblical prohibition. Outside Eretz Yisroel, however, it is permissible.

The details of this mitzvah are explained in tractate Kilayim.

### FOOTNOTES

1. Lev. 19: 19.

## **Not to eat fruit of a tree during its first three years**

Young Fruit  
Negative Commandment 192

The 192nd prohibition is that we are forbidden from eating orlah [fruit which grows in a tree's first three years].

The source of this prohibition is G-d's statement,<sup>1</sup> "For three years it [the fruit] shall be a forbidden growth, and it may not be eaten."

One who eats a kezayis is punished by lashes.

The details of this mitzvah are explained in tractate Orlah.

It is a halachah l'Moshe miSinai that orlah may not be eaten outside the land of Israel; but the wording in the Written Torah refers only to the land of Israel.

### FOOTNOTES

1. Lev. 19: 23

## **The fourth year crops must be totally for holy purposes like Ma'aser Sheni**

Fruit of the Fourth Year  
Positive Commandment 119

The 119th mitzvah is that we<sup>1</sup> are commanded to treat as holy the fruit which grows in the fourth year [from when the tree was planted, called neta revai].

The source of this commandment is G-d's statement,<sup>2</sup> "[And in the fourth year,] all its fruit shall be holy, and it shall be something for which G-d is praised."

The law is that it must be brought to Jerusalem and eaten there by its owners, just like ma'aser sheni. The kohanim have no share in it, as the Sifri says: "The statement<sup>3</sup> 'The sacred offerings of each individual remain his own property, [and those which are given to the kohen become his]' gives all sanctified objects to the kohen except for the thanksgiving-offering, the peace-offering, the Pesach-offering, the ma'aser-offering, ma'aser sheni, and neta revai, which belong to the owner."

The details of this mitzvah are completely explained in the final chapter of tractate Ma'aser Sheni.

### FOOTNOTES

1. Regarding the fulfillment of this mitzvah outside Eretz Yisroel, see Kapach, 5731, note 73.

2. Lev. 19: 24.

3. Num. 5: 10.

## **Not to be a rebellious son**

Gluttonous Eating and Drinking  
Negative Commandment 195

The 195th prohibition is that we are forbidden from being a glutton and a drunkard in our youth, according to the specific conditions<sup>1</sup> which define a ben sorer u'moreh [rebellious son].

The source of this prohibition is G-d's statement<sup>2</sup> (exalted be He), "Do not eat on the blood."<sup>3</sup>

The explanation [of why this is counted as a prohibition instead of a positive commandment to punish the ben sorer u'moreh] is that the ben sorer u'moreh is included among those who are executed by the High Court. The Torah states clearly<sup>4</sup> that the method of execution is stoning. We already explained in the Introduction to this work<sup>5</sup> that whenever the Torah indicates a punishment of kares or execution, the mitzvah is a prohibition, except for the Pesach sacrifice and circumcision. We therefore know that the present mitzvah is a prohibition, since this glutton and drunkard is punished by stoning if all the conditions are present.

We have mentioned the source for the punishment, but according to our principle that the Torah gives a punishment only if there is another verse which states the actual prohibition, we still need to find the actual prohibition. The Gemara says in Sanhedrin,<sup>6</sup> "Which verse serves as the prohibition of ben sorer u'moreh? The verse, 'Do not eat on the blood.' " It is as if the verse says, "Do not eat in a way that will cause bloodshed," i.e. the eating of this glutton and drunkard which is punishable by execution. If a person would eat this wicked meal with all the negative conditions, he would transgress this prohibition.

## **Not to be a rebellious son**

It doesn't matter that this is a lav she'b'klalus,<sup>7</sup> as explained in the Ninth Introductory Principle, because since there is a separate verse stating the punishment, we are not concerned whether the actual prohibition comes from a separate law or a lav she'b'klalus. We have already explained this many times and given many examples.<sup>8</sup>

The details of this mitzvah are explained in the eighth chapter of tractate Sanhedrin

### **FOOTNOTES**

1. For example, he must buy and consume 50 dinars worth of meat with money stolen from his father. It must be cooked rare, and eaten outside his father's property in bad company. It must be done in the three month period after he reaches bar mitzvah. See Hilchos Mamrim, Ch. 7.
2. Lev. 19: 26.
3. See below, where the Rambam explains the connection of this verse to this prohibition.
4. Deut. 21: 21.
5. End of Introductory Principle 14.
6. 63a.
7. An "inclusive prohibition," i.e. one which includes several distinct prohibitions. The general rule regarding a lav she'b'klalus is that it counts as just one commandment even though it includes several distinct prohibitions. (See Introductory Principle Nine and N299.)

This verse, "Do not eat on the blood," is explained in Sanhedrin to include other prohibitions, such as eating sacrificial meat before the blood is spilt on the altar (N182). Although usually the separate aspects of a lav she'b'klalus are included in one single prohibition, N195 does not have this problem, as the Rambam explains further.

8. See, for example, N26; N60.

## **Not to be or do superstitious practices**

### **Interpreting Omens**

#### **Negative Commandment 33**

The 33rd prohibition is that we are forbidden from acting on the basis of omens [l'nachesh],<sup>1</sup> for example when people say, "Since I just come back from a trip, my will won't be carried out"<sup>2</sup>; or, "The first thing I saw today was such-and-such — certainly I will earn something today." This kind of behavior is very widespread among the masses of the foolish nations.<sup>3</sup>

Anyone who acts based on an omen is punished by lashes, in accordance with G-d's statement (exalted be He),<sup>4</sup> "Among you there shall not be found anyone...who divines auspicious times, who divines by omens [menachesh]." This prohibition is repeated in G-d's statement,<sup>5</sup> "Do not act on the basis of omens."

In the words of the Sifri, "Examples of a menachesh are one who says, 'my bread fell from my mouth'<sup>6</sup>; 'my staff fell from my hand'; 'a snake passed on my right'; 'a fox passed on my left.'<sup>7</sup>" The Sifra says, "Examples of the prohibition, 'Do not act on the basis of omens,' are those who divine omens from a weasel, birds, stars, etc."

The details of this mitzvah have been explained in the seventh chapter of Shabbos,<sup>8</sup> and in Tosefta Shabbos.<sup>9</sup>

### **FOOTNOTES**

1. The Arabic term has a dual connotation: doing something if one thing happens, and refraining from something if another thing happens. (Kapach 5731, note 79)
2. Chavel, based on the earlier "Kapach" translation, writes, "I will not be favored with success."
3. Kapach 5731 (note 80) writes that the Arabic term for "foolish," denotes a foolish belief that an idol can do something supernatural.
4. Deut. 18: 10.
5. Lev. 19: 26.
6. In Hilchos Avodah Zarah 11: 4, the Rambam adds, "therefore I won't go to a certain place today, because if I go, my will won't be carried out."
7. In Hilchos Avodah Zarah ibid., "Since a fox passed on my right, I won't leave my house the entire day, because if I do, I will be harmed by a dishonest person."
8. 67b. In our versions, chapter six.
9. Chapters 7-8.

## **Not to engage in astrology**

### **Astrology and Divination**

#### **Negative Commandment 32**

The 32nd prohibition is that we are forbidden from acting according to the guidelines of astrology, i.e. "this day is auspicious for doing this action, and we will therefore do it," or "this day is not auspicious for doing this action, and we will therefore not do it."

The source of this commandment is G-d's statement (exalted be He),<sup>1</sup> "Among you there shall not be found anyone...who divines auspicious times [m'onen]." This prohibition has been repeated in G-d's statement,<sup>2</sup> "Do not act on the basis of auspicious times [lo t'oneinu]."

In the words of the Sifra, "Lo t'oneinu means that you may not assign times." The root of the [Hebrew] word is onah [time], and the meaning is that a person should not establish times and say one time is good and another time is bad.

One who transgresses this prohibition is also<sup>3</sup> punished by lashes. This refers to the one who advises<sup>4</sup> regarding the times, not the one who asked. Asking [the astrologer], however, is also prohibited, in addition to [the entire practice] being false. One who thinks that a particular time is lucky, or that it will bring him success in a particular action, and acts based on that belief is punished by lashes, since he performed an action.

## **Not to engage in astrology**

Included in this prohibition is making optical illusions. In the words of our Sages,<sup>5</sup> "A m'onen refers to one who deceives through optical illusions.<sup>6</sup> This covers a broad category of tricks and sleight of hand, causing people to believe things which are untrue. We frequently see people who perform in this way — he takes a rope, puts it in his pocket for everyone to see, and then pulls out a snake; or he throws a ring into the air and then removes it from the mouth of a person standing before him, and similar optical illusions well known to the masses. All these are forbidden, and one who performs any of them is called "ocheiz es ha'eina'im" [one who does optical illusions"], which is a type of witchcraft, and he is therefore punished by lashes.

He is also deceiving people,<sup>7</sup> and causes tremendous damage by leading fools, women, and children to view things which are impossible as being possible. Their mind then becomes accustomed to accept the impossible, and to think that it is also possible.

This should be well understood.

### FOOTNOTES

1. Deut. 18: 10.

2. Lev. 19: 26.

3. As with the previous commandment, N31.

4. Kapach (note 76) asks why the astrologer himself should receive lashes; lashes are given only when the person performed an action, and here the astrologer only speaks. In Hilchos Avodah Zarah 11: 9, he notes, the Rambam only says it is prohibited, and says that lashes are given only when an action is performed. He suggests that perhaps taking the astrological books and making the calculations could be considered in the realm of action.

5. Sanhedrin 65b.

6. The source of this interpretation is that the word m'onen can also be read as containing the word, "ayin," meaning, "eye."

7. See Hilchos De'ot 2: 6. Hilchos Mechirah 18: 1.

## **Men must not shave the hair off the sides of their head**

Sideburns

Negative Commandment 43

The 43rd prohibition is that we are forbidden from shaving<sup>1</sup> the temples of our heads.

The source of this commandment is G-d's statement (exalted be He),<sup>2</sup> "Do not round off the corners of your head."

This prohibition also<sup>3</sup> has the goal of preventing us from emulating idol worshippers, since it was the practice of idol worshippers to shave only the sides [of their heads]. For this reason the Sages had to explain in Tractate Yevamos<sup>4</sup> that, "Shaving the entire head is also included in the prohibition of 'rounding,'" so that you should not say that the actual prohibition is shaving the temples and leaving the rest of the hair, as the idolatrous priests do; but if you shave the entire head, you are not emulating them. The Sages therefore informed us that it is prohibited to shave the temples in any manner — not by themselves and not with the rest of the head.

One is punished by lashes separately for each side; therefore one who shaves his entire head receives two sets of lashes. We do not count them as two separate commandments although there are two sets of lashes because there are no two phrases [in Scripture] for the one prohibition. If Scripture would say, "Do not round off the right corner of your head nor the left corner of your head," and we would find [that our Sages] stipulated two sets of lashes, then we could count them as two commandments. But since there is only one expression and one type of action, it counts as one commandment. And even though this prohibition is explained as including different parts of the body, and that one receives lashes for each part separately, this does not require it to be counted as more than one commandment.

The details of this mitzvah have been explained at the end of tractate Makkos.<sup>5</sup> Women are exempt from this prohibition.<sup>6</sup>

### FOOTNOTES

1. See Kapach 5731, footnote 13.

2. Lev. 19: 27.

3. As with the previous prohibitions.

4. 5a.

5. 20a.

6. In Hilchos Avodah Zarah 12: 2, the Rambam quotes tractate Kiddushin 35b, and explains that this prohibition is in the same verse as the prohibition against shaving the beard. Just as the prohibition of shaving does not apply to women, so too this prohibition does not apply to women. See Kesef Mishneh, ibid.

## **Men must not shave their beards with a razor**

Shaving

Negative Commandment 44

The 44th prohibition is that we are forbidden from shaving the beard, which has five sections: the upper right jaw, the upper left jaw, the lower right jaw, the lower left jaw, and the chin.

This prohibition is contained in the following expression,<sup>1</sup> "Do not destroy the corner of your beard," because all [the parts] are included in the term, "beard." Scripture does not write, "Do not destroy your beard," but, "Do not destroy the corner of your beard," meaning that one may not destroy even one corner from the entire beard.

The Oral Tradition explains that there are five corners, as we have categorized, and that one is punished by five sets of lashes if he shaves them all, even if he shaved them all at once. In the words of the Mishneh,<sup>2</sup> "For [shaving] the beard [one receives] five [sets of lashes]: two for one side, two for the other side, and one for the bottom. Rabbi Eliezer says, 'If they were all shaved at once, one receives only one [set of lashes].'" The Talmud<sup>3</sup> says, "We see that Rabbi Eliezer holds that it is all one prohibition." This is a clear proof that the first opinion holds that they constitute five separate prohibitions, and that is the law.

This [shaving of the beard] was also<sup>4</sup> the practice of the idolatrous priests, as is well known today that among the adornments of the

## **Men must not shave their beards with a razor**

European ascetics<sup>5</sup> is that they shave their beards.

It does not count as five separate commandments, since the prohibition is expressed in the singular [“beard”] and there is only one type of action, as we explained in the previous commandment.

The details of this mitzvah have been explained in the end of Makkos. This prohibition is also not binding upon women.

### FOOTNOTES

1. Lev. 19: 27.
2. Makkos 3: 5.
3. Ibid. 21a.
4. As was the case with the previous prohibitions.
5. The Rambam L’am edition translates, “European priests. Ibn Tibbon translates, “idolatrous priests.” This seems to be the source of the vernacular reference, “galach,” for a priest

## **Not to tattoo the skin**

Tattoos

Negative Commandment 41

The 41st prohibition is that we are forbidden from tattooing our bodies with blue, red or other markings, as is done by idol worshippers and common among the Copts to this day.

The source of this prohibition is G-d’s statement (exalted be He),<sup>1</sup> “Do not make any tattoo marks.”

One who transgresses this prohibition is punished by lashes.<sup>2</sup>

The details of this mitzvah have been explained in the end of tractate Makkos.

### FOOTNOTES

1. Lev. 19: 28.
2. In Hilchos Avodah Zarah 12: 11, the Rambam adds that this applies to the one who engraves the tattoo. The one who receives it is punished by lashes only if he actually helps in the engraving (rather than sitting passively).

## **To show reverence to the Temple**

Respecting the Temple

Positive Commandment 21

The 21st mitzvah is that we are commanded to have a tremendous amount of awe for the Holy Temple, to the extent that the fear and trembling becomes set in our hearts. This mitzvah is known as mora’as HaMikdash.

The source of this mitzvah is G-d’s statement<sup>1</sup> (exalted be He), “Revere My Sanctuary.”

The exact nature of this mitzvah is described in the Sifra: 2 “What constitutes awe? Do not enter the Temple Mount carrying a walking stick, or wearing shoes, or clad in an undershirt,<sup>3</sup> or with dirt on one’s feet. Do not use it as a shortcut and certainly do not spit there.” It is explained in many Talmudic passages<sup>4</sup> that it is absolutely forbidden for one to sit down in the Temple courtyard, with the exception of a king from the House of David. All of these laws are included in this that G-d (exalted be He) said, “Revere My Sanctuary.”

This commandment applies forever, even now when — due to our many sins — it has been destroyed. The Sifra<sup>5</sup> says, “From this verse [‘Revere My Sanctuary’] I only know that the mitzvah applies when the Sanctuary is standing. What verse tells us that it applies even when there is no Sanctuary? From [the two phrases,] ‘Keep My Sabbaths and revere My Sanctuary.’ Just as the mitzvah of keeping the Sabbath is forever, so too the mitzvah of having awe for the Sanctuary.” They also explain there, “The awe is not for the Sanctuary itself, but for the One who gave the command regarding the Sanctuary.”<sup>6</sup>

### FOOTNOTES

1. Lev. 19: 30.
2. Kedoshim 7: 9.
3. See Commentary on the Mishneh, Berachos 54a.
4. See Yoma 25a and sources referenced there.
5. Kedoshim 7: 8.
6. This final statement explains how one can have awe for the Sanctuary even when it is not standing.

## **Not to perform ov (medium)**

Ov

Negative Commandment 8

The 8th prohibition is that we are forbidden from performing the practice of ov. This<sup>1</sup> consists of burning a specific type of incense and performing certain actions. The person who does this then imagines<sup>2</sup> that he hears a voice speaking from under his armpit answering his questions. This is a form of idolatry.

The source of this commandment is G-d’s statement,<sup>3</sup> “Do not turn to the idols called ov.”

In the words of the Sifra, “Ov refers to a Pitom<sup>4</sup> who speaks from his armpit.” One who transgresses this prohibition intentionally is executed by stoning; if he is not executed by stoning<sup>5</sup>, he is punished by karet; and if he did so unintentionally, he must bring a sin-offering. This applies to the one who actually performed the actions himself.<sup>6</sup>



## **Not to perform ov (medium)**

The details of this mitzvah have been explained in the seventh chapter of Sanhedrin.<sup>7</sup>

### FOOTNOTES

1. See Hilchos Avodah Zarah 6: 1 and Commentary to the Mishneh, Sanhedrin 7: 7, for other categories of the ov service.
2. Kapach, 5731, note 39. Hilchos Avodah Zarah 6: 1. Chavel translates, "pretends."
3. Lev. 19: 31
4. The Pitom is the one who performs this ritual (Rashi, Sanhedrin 65a). In Greek, this word refers to "one who tells the hidden" (Tiferes Yisrael, Sanhedrin 7: 7).
5. If there was no prior warning, or no witnesses, for example.
6. The one who came to the sorcerer to ask the question, however, is not executed. He transgresses a separate prohibition, N36.
7. 65a

## **Not to perform yidoni (magical seer)**

Yid'oni

Negative Commandment 9

The 9th prohibition is that we are forbidden from performing the practice of yidoni. It is also a form of idolatry, in which the person takes a bone from the bird called yadu'a,<sup>1</sup> places it in his mouth, burns incense, utters certain words, and performs certain actions, until he reaches a state similar to unconsciousness, when he goes into a deep sleep and predicts the future. Our Sages said,<sup>2</sup> "Yidoni is when the person places a bone from a yadu'a in his mouth, and it speaks by itself."<sup>3</sup>

This prohibition is contained in the verse,<sup>4</sup> "Do not turn to the idols called ov or yidoni."

Do not think that this prohibition is a in the category of a "general prohibition."<sup>5</sup> This is because when mentioning the punishment,<sup>6</sup> they were separated, as it is written,<sup>7</sup> "[Any man or woman who is involved in] the idolatry called ov or yidoni [shall be put to death]."

One who transgresses either of them intentionally is executed by stoning and karet, as written in G-d's statement (exalted be He),<sup>9</sup> "Any man or woman who is involved in the idolatry called ov or yidoni shall be put to death."

In the words of the Sifri,<sup>10</sup> "The verse,<sup>11</sup> 'Any man or woman who is involved in the idolatry called ov or yidoni shall be put to death,' designates the punishment. Which verse serves as the actual prohibition itself? The verse,<sup>12</sup> 'Do not turn to the idols called ov or yidoni.'"

One who transgresses this commandment unintentionally must also<sup>13</sup> bring a sin-offering.

The details of this mitzvah have been explained in the seventh chapter of Sanhedrin.<sup>14</sup>

### FOOTNOTES

1. See Kapach, 5731, note 44, where he relates the tradition received from his teachers regarding the pronunciation of this word.
2. Sanhedrin 65b.
3. As with ov, the Rambam learns that the person imagines that the bone is speaking (Kapach, 5731, note 45).
4. Lev. 19: 31
5. Such a "general prohibition," in which one prohibitive statement covers more than one act, may not be counted among the 613 commandments, as set forth in the Ninth Introductory Principle. In this case, the verse which states the prohibition says, "Do not turn to the idols called ov or yidoni," with the word "or," written with the Hebrew letter, "vav," which normally means, "and." The verse would then literally read, "Do not turn to the idols called ov and yidoni," and be considered a single "general prohibition" containing two prohibited acts. The Rambam now explains why this is not the case.
6. As mentioned many times, each prohibition has one verse designating the punishment, and another for the actual prohibition.
7. Lev. 20: 27.
8. In this verse, the word "or," is written with the Hebrew word, "oh," which normally means, "or" (unlike the verse which states the prohibition using the Hebrew letter which means, "and"). In doing so, it splits the two acts into two separate prohibitions.
9. Lev. 20: 27.
10. Kapach, 5731, (note 49) points out that this quote is not in our version of the Sifri, but in Sifra, Kedoshim.
11. Lev. 20: 27.
12. Lev. 19: 31.
13. As is the case with N8 above.
14. 65a and b.

## **To honor those who teach and know Torah**

Respecting the Sages

Positive Commandment 209

The 209th mitzvah is that we are commanded to honor the Sages<sup>1</sup> and to stand up before them as a sign of respect.

The source of this commandment is G-d's statement (exalted be He),<sup>2</sup> "Stand up before the elderly, and give respect to the old."

The Sifra<sup>3</sup> says, "The words, 'stand up' and 'give respect' [when taken together] teach you to stand up when it shows respect."<sup>4</sup>

The details of this mitzvah have been explained in the first chapter of Kidushin.<sup>5</sup>

You should be aware that although this is a general obligation on everyone to honor the Sages, and even one Sage to another equal to him in stature, as explained in the statement,<sup>6</sup> "The Sages in Bavel stand up one before the other"; nevertheless there is a special additional requirement for a student, i.e. that the honor that a student must show his teacher is much greater than the honor he must show another Sage.

In addition to honoring your teacher you must revere<sup>7</sup> him, since it is already explained that your obligation to your teacher is even greater

## **To honor those who teach and know Torah**

than that to your father, whom Scripture obligates you to honor and revere.<sup>8</sup> Our Sages said explicitly,<sup>9</sup> "Between [honoring] his father and his teacher, his teacher comes first."

The Sages have already explained<sup>10</sup> that it is forbidden for a student to dispute his teacher, i.e. to reject his authority, to give separate interpretations, and to teach or issue rulings without his permission. It is forbidden for him to argue with him, or speak angrily to him, or to judge him harshly, i.e. to give any kind of [non-literal<sup>11</sup>] explanation to his action or speech, since it is possible that this was not his intention.

Our Sages said in the Talmudic chapter "HaChelek",<sup>12</sup> "Anyone who goes against his teacher is as if he went against the Divine Presence., as it is written<sup>13</sup> [regarding Korach], 'when they rebelled against G-d,'" ; "Anyone who makes a dispute against his teacher is as if he made a dispute against the Divine Presence, as it is written,<sup>14</sup> 'These are the Waters of Dispute where the Israelites disputed with G-d'" ; "Anyone who speaks against his teacher is as if he speaks against the Divine Presence, as it is written,<sup>15</sup> 'Your complaints are not against us but against G-d'" ; and "Anyone who has second thoughts about his teacher is as if he had second thoughts about the Divine Presence, as it is written,<sup>16</sup> 'The people spoke out against G-d and Moses.'" All this is clear, since the rebellion of Korach, and the dispute, complaints and wicked thoughts<sup>17</sup> of the Jewish people were against Moses, leader of the entire Jewish people, yet Scripture considers each of them to have been committed against G-d. Our Sages said explicitly,<sup>18</sup> "You should fear your teacher as you fear G-d."

All this<sup>19</sup> is derived from the Scripture's command of honoring our Sages and our parents, rather than counting as a separate commandment,<sup>20</sup> as explained in the Talmudic text.

### **FOOTNOTES**

1. Here, the Rambam explains the phrases, "elderly" and "old," as referring to those who are "elderly" in terms of their Torah knowledge (see Kidushin ibid.). In Mishneh Torah (Hilchos Talmud Torah 6: 9), he rules that the elderly most also be honored, regardless of their Torah knowledge.
2. Lev. 19: 32.
3. Our versions of the Sifra do not contain this passage. Similar statements are found in Kidushin 33a and Yerushalmi Bikurim 3: 3.
4. This excludes standing up in a bathhouse, for example. See Kidushin ibid.
5. Kidushin 32b and thereafter.
6. Bava Metzia 33a.
7. Literally "fear." The Bahag counts fear of the Sages as a distinct commandment. The Rambam here includes the obligations of honor and fear in one commandment. See the Second Introductory Principle quoted below.
8. Ex. 20: 12. Deut. 5: 16. Lev. 19: 3.
9. Bava Metzia 2: 11.
10. Sanhedrin 56.
11. See Kapach 5731, note 87.
12. Sanhedrin 110a.
13. Num. 26: 9.
14. Num. 20: 13.
15. Exodus 16: 8.
16. Num. 21: 5.
17. E.g. that Moses had himself appointed his brother as priest, rather than at G-d's command.
18. Avos 4: 12.
19. I.e. all these statements from the Talmudic chapter HaChelek (Kapach 5731, note 97).
20. As is the opinion of the Bahag mentioned above.

## **Not to commit injustice with scales and weights**

Falsifying Measurements  
Negative Commandment 271

The 271st prohibition is that we are forbidden to be dishonest in measurement of land, [liquid and dry] measures, or weights.

The source of this prohibition is G-d's statement,<sup>1</sup> "Do not be dishonest in law, measure, weight or volume."

The Oral Tradition explains that the verse means "Do not be dishonest in the law of measures." Our Sages<sup>2</sup> said regarding the phrase "Do not be dishonest in law, " "It cannot refer to passing judgment, because that was already stated.<sup>3</sup> What, then, is the meaning of the word 'law'? To teach that one who measures is called a judge."

There our Sages also explained that the word "measure" refers to the measurement of land — that the measurement and calculation should be done according to the principles of engineering and methods of exact measurement, and not through inaccurate estimates, as is done by most officials.

The word "weight" includes both the weights and the balances.

### **FOOTNOTES**

1. Lev. 19: 35.
2. Sifra, ibid.
3. In Lev. 19: 15. See N273.

## **Each individual must ensure that his scales and weights are accurate**

Honest Measurements  
Positive Commandment 208

The 208th mitzvah is that we are commanded to have accurate weights, scales, and measures, and to insure that they are exact.

The source of this commandment is G-d's statement<sup>1</sup> (exalted be He), "You must have an honest balance, honest weights, an honest eifa,

## **Each individual must ensure that his scales and weights are accurate**

and an honest hin.”

In the words of the Sifra: “The phrase ‘an honest balance’ means that you must insure that the balances are totally accurate. ‘Honest weights’ means that you must insure that the weights are totally accurate. ‘An honest eifa’ means that you must insure that all eifas are totally accurate. ‘An honest hin’ means that you must insure that all hins are totally accurate.” You are already aware that an eifa is a dry measure and a hin is a liquid measure.

Although<sup>2</sup> the actual type of measure varies, they serve a single function, since what is weighed or measured is just a particular quantity of something. All these categories, i.e. scales, weights, and dry and liquid measures are collectively called middos. So too, the commandment to insure that each corresponds exactly to the commonly accepted amount is called mitzvas middos.

In the words of the Sifra: “On this condition I brought you out of Egypt — on condition that you accept upon yourselves mitzvas middos; because whoever acknowledges mitzvas middos acknowledges the redemption from Egypt and whoever denies mitzvas middos denies the redemption from Egypt.”

The details of this mitzvah are explained in the 5th chapter of tractate Bava Basra.<sup>3</sup>

### FOOTNOTES

1. Lev. 19: 36.
2. The Rambam now explains why it counts as just one mitzvah, even though the verse mentions four categories.
3. 88a

## **Not to curse your father and mother**

Cursing a Parent

Negative Commandment 318

The 318th prohibition is that all people are forbidden from cursing their father or mother. The punishment for this transgression is stated explicitly in the Torah, in G-d's statement,<sup>1</sup> “Whoever curses his father or mother shall be put to death.” The transgressor is executed by stoning.<sup>2</sup> One who intentionally curses a parent using G-d's Name is punished by stoning, even if the parent was already dead.

The source of the actual prohibition itself, however, is not written explicitly in the Torah.<sup>3</sup> It does not say, “Do not curse your father,” for example. But there is already a general prohibition against cursing any Jew,<sup>4</sup> and it includes cursing both one's father and everyone else.

The Mechilta<sup>5</sup> says, “The verse, ‘Whoever curses his father or mother shall be put to death,’ tells us the punishment. What is the source of the actual prohibition? The verse, ‘Do not curse the judges.’ If your father is a judge, he is included in [the prohibition of cursing] judges. If he is a Nasi, he is included in [the prohibition of cursing] the Nasi. If he is a regular Jew, [he is included in the prohibition of cursing a regular Jew,] as it is written, ‘Do not curse the deaf.’ From all three verses you can derive a general principle: just as these verses come to prohibit cursing any Jew, they also come to prohibit cursing your father.”

The Sifra<sup>6</sup> says the same as the Mechilta: “The verse,<sup>7</sup> ‘Whoever curses his father or mother [shall be put to death]’ tells us the punishment but not the actual prohibition. It is derived from the verse, ‘Do not curse the judges.’ ”

The details of this mitzvah are explained in the seventh chapter of tractate Sanhedrin.<sup>8</sup>

### FOOTNOTES

1. Ex. 21: 17.
2. See P229.
3. Each prohibition in the Torah normally needs two verses: one to actually state the prohibition, and another to state the punishment. In this mitzvah, we have only one verse, which has the second element, the punishment.
4. N317.
5. Parshas Mishpatim.
6. Parshas Kedoshim, 9: 7.
7. Lev. 20: 9.
8. 53a

## **The court (R) must carry out the death penalty of burning**

Execution by Burning

Positive Commandment 228

The 228th prohibition is that we are commanded to execute by burning<sup>1</sup> those who transgress certain mitzvos.

The source of this prohibition is G-d's statement<sup>2</sup> (exalted be He), “both he and they shall be burned with fire.” I will point out the mitzvos which are punishable by sereifa when listing the prohibitions.

The details of this mitzvah are explained in the 7th chapter of tractate Sanhedrin.

### FOOTNOTES

1. Although literally translated as “burning,” it actually consisted of pouring molten metal down the convict's throat.
2. Lev. 20: 14.

## **Not to imitate them (non-Jews) in customs and clothing**

The Practices of the Heathens

Negative Commandment 30

The 30th prohibition is that we are forbidden from walking in the ways of the heretics and from acting as they do — even in their clothing

## **Not to imitate them (non-Jews) in customs and clothing**

and their gatherings in halls.

The source of this commandment is G-d's statement,<sup>1</sup> "Do not follow the customs of the nation that I am driving out before you." This prohibition is repeating in G-d's statement,<sup>2</sup> "Do not follow their customs," which is explained,<sup>3</sup> "I [G-d] have prohibited only customs which have been established by them and their ancestors.

In the words of the Sifra, "The verse,<sup>4</sup> 'Do not follow their customs,' teaches that you may not follow the social customs which they have established, such as [attending] theaters, circuses and arenas, which are places where they would gather for idol worship. Rabbi Meir says that these [customs] are the 'ways of the Amorites'<sup>5</sup> which our Sages have listed. Rabbi Yehuda ben Beteira says that [this teaches that] one may not nocher,<sup>6</sup> nor grow one's hair long, nor cut one's hair in "kumi"<sup>7</sup> style."

One who does any of these is punished by lashes.

This same prohibition is repeated in a different way,<sup>8</sup> "Be very careful lest you be entrapped after them." In the words of the Sifri, "'Be very careful' [hishomer], indicates a prohibition; 'lest' [pen], indicates a prohibition; 'you be entrapped after them,' that you might imitate them and act as they do, and it will be a stumbling block to you. One should not say, 'Since they go out wearing purple, so too I will go out wearing purple. Since they go out wearing telusin (which is a type of military ornamentation), so too I will go out wearing telusin.'"

You are certainly aware of the words of the prophet,<sup>9</sup> "[I shall punish...] all who are wearing non-Jewish clothing." All this is to keep us far away from them, and to despise all their customs, even their dress.

The details of this mitzvah have been explained in the sixth chapter of Shabbos,<sup>10</sup> and in Tosefta Shabbos.<sup>11</sup>

### **FOOTNOTES**

1. Lev.20: 23.

2. Lev.18: 3.

3. Sifra

4. Lev.18: 3.

5. These are types of superstition. See Shabbos 67a.

6. This word normally refers to slaughtering an animal in a non-kosher manner. This being the case, it is difficult to understand why the Sifri should prohibit it as a non-Jewish custom — it is already prohibited due to the laws of kosher slaughter! Others (see Bach, Yoreh Deah 178) learn that it refers to a distinctive non-Jewish hairstyle. Kapach 5731 (note 51) rejects this interpretation, and learns that it does refer to killing animals. He explains that the reason it is mentioned in this prohibition is because it refers to an idolatrous practice in which the animal (particularly a camel) is slaughtered in a way that causes it to make unusually loud noises.

7. A non-Jewish hairstyle in which hair from the front half of the head is cut off from one ear to the other, leaving hair only on the rear half of the head.

8. Deut. 12: 30.

9. Tzefaniah 1: 8.

10. 67a.

11. Ch. 7-8.