

דף יומי • חזקוני • דף נ"ח

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

In this daf, we continue our deep dive into the halachos of a tereifa, focusing on the status of its offspring and eggs. The Gemara explores whether an egg laid by a tereifa bird is mutar, distinguishing between the first clutch of eggs that grew while the mother was already a tereifa and subsequent eggs fertilized by a kosher male. We also look into a major machlokes between Rabbi Eliezer and Rabbi Yehoshua regarding whether the offspring of a tereifa animal may be brought as a korban on the Mizbe'ach, which hinges on the fundamental question of whether a fetus is considered a part of its mother's body (ubar yerech imo).

Additionally, the Gemara transitions into the physical signs and lifespans of various creatures to determine their halachic status. We learn about the twelve-month rule for determining if a doubtful animal is a tereifa, and Rav Huna's famous principle regarding boneless creatures. This leads to practical halachic applications regarding the prohibition of eating worms found in fruits and vegetables, such as cucumbers and stored dates.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 58A

STATEMENT

שיח לא קמא אסירא, מפאן ואילך – הוה ליה זה וזה גורם, ומותר.

The **first clutch** of eggs that were in its body when it became a tereifa **is prohibited**, but **from here and onward**, any egg fertilized **is** a case of **this and that causing** it, i.e., a tereifa mother and a kosher father, **and** the rule is that it is **permitted**.

OBJECTION

איתיביה רב אשי לאמימר: ושיון בביצת טריפה שאסורה, מפני שגדלה באיסור!

Rav Ashi raised an objection to Ameimar from a Mishnah: **And they agree with regard to the egg of a tereifa bird that it is prohibited**, because **it grew in a state of prohibition!** This implies that even eggs that grew after it became a tereifa are prohibited.

ANSWER

התם בדספנא מארעא.

Ameimar answered: **There**, the Mishnah is dealing **with** a bird **that is warmed by the ground**, meaning it was not fertilized by a male, so the tereifa mother is the sole cause.

QUESTION

ולישני ליה בשיח לא קמא?

The Gemara asks: **And let him answer him** that the Mishnah is dealing **with the first clutch** of eggs, which were already in its body when it became a tereifa?

ANSWER

אם כן, "גדלה"? "גמרה" מיבעי ליה.

The Gemara answers: **If so**, why does the Mishnah say **"it grew"**? **"It was finished"** in a state of prohibition **it should have** said.

QUESTION

אלא, הא דתנן: ולד טרפה, רבי אליעזר אומר: לא יקרב לגבי מזבח, ורבי יהושע אומר: יקרב. במאי קא מיפלגי?

Rather, that which we learned in a Mishnah: The offspring of a tereifa animal, Rabbi Eliezer says: It shall not be sacrificed upon the Altar, and Rabbi Yehoshua says: It may be sacrificed. In what case do they disagree?

EXPLANATION

בשנטרפה ולבסוף עיברה, רבי אליעזר סבר: זה נזה גורם אסור, ורבי יהושע סבר: זה נזה גורם מותר.

They must disagree in a case where it became a tereifa and afterwards became pregnant from a kosher male, where Rabbi Eliezer holds: An offspring brought about by this and that causing it is prohibited, and Rabbi Yehoshua holds: An offspring brought about by this and that causing it is permitted.

QUESTION

אי הכי, אדמיפלגי לגבוה, ליפלגו להדיוט?

The Gemara asks: **If so**, rather than disagreeing regarding whether it may be offered to the Most High on the Altar, let them disagree regarding whether it is permitted for an ordinary person to eat!

ANSWER

להודיעה כחו דרבי יהושע, דאפילו לגבוה נמי שרי.

The Gemara answers: The Tanna chose this case to let you know the power of Rabbi Yehoshua, that even for the Most High it is also permitted.

QUESTION

וליפלגו להדיוט, להודיעה כחו דרבי אליעזר, דאפילו להדיוט נמי אסור!

The Gemara objects: **But let them disagree** regarding an ordinary person, to let you know the power of Rabbi Eliezer, that even for an ordinary person it is also prohibited!

ANSWER

כח דהיתרא עדיף ליה.

The Gemara answers: The power of leniency is preferable to the Tanna to emphasize.

STATEMENT

ומידים בביצת טרפה שאסורה, בדספנא מארעא, דחד גורם הוא.

And they agree with regard to the egg of a tereifa that it is prohibited, in a case where it is warmed by the ground, because it is a case of only one cause.

STATEMENT

רב אחא סבר לה כרב אחא בר יעקב, ומתני לה לדאמימר כדאמרן.

Rav Acha holds in accordance with Rav Acha bar Yaakov that a tereifa can give birth, and he teaches this statement of Ameimar as we have said.

STATEMENT

רבנא לא סבר לה כדרב אחא בר יעקב, ומתני לה לדאמימר בהאי לישנא:

Ravina does not hold in accordance with Rav Acha bar Yaakov, and he teaches this statement of Ameimar in this version:

STATEMENT

אמר אמרימר: הני ביצי דספק טרפה, דשיח לא קמא משהינן להו, אי הדרה וטענה – שריין, ואי לא – אסירן.

Ameimar said: These eggs of a doubtful tereifa bird, of the first clutch, we set them aside; if it goes back and conceives again, they are permitted because she is clearly not a tereifa, and if not, they are prohibited.

OBJECTION

איתיביה רב אשי לאמימר: ומודים בכיצת טרפה שאסורה, מפני שגדלה באיסור.

Rav Ashi raised an objection to Ameimar: And they agree with regard to the egg of a tereifa that it is prohibited, because it grew in a state of prohibition. This implies a tereifa can lay eggs!

ANSWER

אמר ליה: התם בדשיח לא קמא.

Ameimar said to him: There, the Mishnah is dealing with the first clutch of eggs that were in its body before it became a tereifa.

QUESTION

אם כן, "גדלה"? "גמרה" מבעי ליה!

Rav Ashi asked: If so, why does it say "it grew"? "It was finished" in a state of prohibition it should have said!

ANSWER

תני: גמרה.

Ameimar replied: Teach the emended version: "It was finished."

QUESTION

אלא, הא דתנן: ולד טרפה, ר' אליעזר אומר: לא יקרב לגבי מזבח, ר' יהושע אומר: יקרב, במאי קא מיפלגי?

Rather, that which we learned in a Mishnah: The offspring of a tereifa animal, Rabbi Eliezer says: It shall not be sacrificed upon the Altar, Rabbi Yehoshua says: It may be sacrificed. In what case do they disagree?

EXPLANATION

כְּשֶׁעִיבְרָה וּלְבֶסוּף נִטְרָפָה, רַבִּי אֱלִיעֶזֶר סָבַר: עוֹבֵר יָרֵךְ אִמּוֹ הוּא, וְרַבִּי יְהוֹשֻעַ סָבַר: עוֹבֵר לֹא יָרֵךְ אִמּוֹ הוּא.

They must disagree in a case where it became pregnant and afterwards became a tereifa, where Rabbi Eliezer holds: A fetus is considered the thigh of its mother and becomes a tereifa with it, and Rabbi Yehoshua holds: A fetus is not considered the thigh of its mother.

QUESTION

אִי הָכִי, אֲדַמִּיפִּלְגִי לְגִבּוֹתָ, לִיפִלְגוּ לְהַדְיוּט!

The Gemara asks: If so, rather than disagreeing regarding whether it may be offered to the Most High, let them disagree regarding whether it is permitted for an ordinary person!

ANSWER

לְהוֹדִיעָהּ כַּחוֹ דְּרַבִּי יְהוֹשֻעַ.

The Gemara answers: It is to let you know the power of Rabbi Yehoshua, that it is permitted even for the Altar.

QUESTION

וְלִיפִלְגוּ בְּהַדְיוּט לְהוֹדִיעָהּ כַּחוֹ דְּרַבִּי אֱלִיעֶזֶר?

The Gemara asks: And let them disagree regarding an ordinary person, to let you know the power of Rabbi Eliezer that it is forbidden even to eat?

ANSWER

כַּח דְּהִיתִירָא עָדִיף לִיה.

The Gemara answers: The power of leniency is preferable to the Tanna.

STATEMENT

וּמוֹדִים וְדַאי בְּכִיצַת טְרִיפָה שְׁאִסוּרָה, בְּדָשִׁיחָלָא קָמָא, מַאי טַעְמָא? גּוֹפָה הִיא.

And they certainly agree with regard to the egg of a tereifa that it is prohibited, in a case of the first clutch. What is the reason? It is considered part of its body.

RULING

וְהִלְכְתָּא בְּזָכָר – כָּל שְׁנַיִם עָשָׂר חֳדָשׁ, בְּנִקְבָּה – כָּל שְׁאִינָה יוֹלָדָת.

And the halakha is: Regarding a male animal suspected of being a tereifa, if it lives all of twelve months it is kosher; regarding a female, any animal that does not give birth within twelve months is a tereifa.

STATEMENT

אָמַר רַב הוּנָא: כֹּל (בְּרִיָּה) שְׁאִין בּוֹ עֶצֶם אֵינוֹ מִתְקַיֵּים שְׁנַיִם עָשָׂר חֳדָשׁ.

Rav Huna said: Any creature that has no bone does not survive twelve months.

INFERENCE

אמר רב פפא: שמע מינה מדרב הונא, הא דאמר שמואל: קישות (שהתליע) [שהתליעה] באיפיה אסורה.

Rav Papa said: Learn from it, from this statement of Rav Huna, that which Shmuel said: A cucumber that became infested with worms while on its stalk is prohibited, because the worms must have developed while still attached to the ground.

צמוד ב' DAF 58B

STATEMENT

הני תמרי דכדא לבתר תריסר ירחי שתא שריין.

These dates of a jar, which are stored in a jar, after twelve months of the year have passed are permitted to be eaten, even if they are found to contain worms. Since worms have no bones, they cannot survive twelve months, so any worms found must have hatched inside the jar after the dates were picked, and are therefore permitted.

STATEMENT

אמר רב: לית בקא בר יומא, ולית דיכא בת שתא.

Rav said: There is no mosquito that is a day old, because all mosquitoes die before they have lived a full day; and there is no fly that is a year old.

QUESTION

אמר ליה רב פפא לאביי, והא אמרי אינשי: שב שני אימראי בקתא מבקא. דאמרה ליה: חזיתיה לבר מחוזה דסחא במיא, וסליק ואיכרה בסדינין, ואיתיבת עליה ומצת מיניה, ולא הודעת לי.

Rav Pappa said to Abaye: But don't people say in a popular adage: For seven years the female mosquito rebelled against the male mosquito? As she said to him: I saw a resident of Mechoza who swam in the water, and he came up and wrapped himself in sheets, and you sat on him and sucked blood from him, and you did not inform me of this source of food! This indicates that some boneless creatures can live for seven years.

ANSWER

אמר ליה: וליתעמיה, הא דאמרי אינשי "שיתין מגי פרזלא תלו ליה לבקא בקורנסיה", מי איכא? איהו גופיה כמה הוי?

Abaye said to him: And according to your reasoning, that which people say: "Sixty maneh of iron hang for the mosquito in its mallet (its stinger)," is there really such a thing? The mosquito itself, how much does it weigh altogether?

ANSWER

אלא במני דידהו, הכא נמי בשני דידהו.

Rather, that adage must refer to their own maneh, i.e., the tiny units of weight of the mosquitoes themselves; here too, the adage of seven years refers to their own years, which are much shorter than human years.

MISHNAH

תִּנּוּ הָתָם: בְּהֶמָּה בַּעֲלַת חֲמִשׁ רַגְלִים, אוֹ שְׂאִין לָהּ אֶלָּא שְׁלֹשׁ – הֲרִי זֶה מוּם.

We learned in a Mishnah there in Maseches Bechoros: An animal that has five legs, or that has only three legs, behold, this is a blemish that disqualifies it from being offered as a korban.

גמרא GEMARA

STATEMENT

אָמַר רַב הוּנָא: לֹא שָׁנוּ אֶלָּא שְׁחָסֵר וְיֵתֵר בִּיד, אֲבָל חָסֵר וְיֵתֵר בְּרָגֶל – טְרֵפָה נִמְי הוּיָא.

Rav Huna said: They only taught this as a mere blemish where it was missing or had an extra foreleg; but if it was missing or had an extra hind leg, it is also a tereifa, which renders the animal forbidden to be eaten.

EXPLANATION

מַאי טַעְמָא? כָּל יֵתֵר כְּנֻטוּל דְּמִי.

What is the reason? Any extra limb is considered as if it were removed. Since an animal missing a hind leg is a tereifa, one with an extra hind leg is likewise a tereifa.

STATEMENT

הָהִיא חֵיוָתָא דִּהְוָה לָהּ פְּרִתִּי סְנִיָּא דִּיבִי, אֵייתוּהָ לְרַבִּינָא, וְטְרֵפָה מִדְּרַב הוּנָא.

There was a certain animal that had two ceca (blind guts). They brought it before Ravina, and he declared it a tereifa based on the principle of Rav Huna that an extra organ is like a missing organ.

RULING

וְאִי שְׁפָכוּן לְהֶדְדֵּי – כְּשֶׁרָה.

But if they empty into each other, so that food can pass freely between them, the animal is kosher, because they are considered a single organ.

STATEMENT

הָהִיא גּוּבָתָא דִּהְוָה נִפְקָא מִבֵּי כְּסִי לְהוֹבֵלִילָא, סָבַר רַב אֲשִׁי לְמִיטְרֵפָה.

There was a certain tube that exited from the reticulum (the second stomach) to the omasum (the third stomach). Rav Ashi thought to declare it a tereifa as an extra organ.

OBJECTION

אָמַר לִיה רַב הוּנָא מַר בַּר חִיּוּא לְרַב אֲשִׁי: כָּל הָנִי חֵיוִי בְּרִייתָא הָכִי אֵית לָהּ.

Rav Huna Mar bar Chiyya said to Rav Ashi: All these animals that graze in the wild have this kind of tube, and it is completely normal, so it does not render the animal a tereifa.

STATEMENT

הָהוּא גּוֹבֵהֶתָּא דִּהּוּה מְעַבְרָא מִבֵּי כֶסֶי לְכִרְסָא, סִבֵּר מַר בַּר רַב אֲשִׁי לְאַכְשׁוּרָהּ.

There was a certain tube that passed from the reticulum to the rumen (the first stomach). Mar bar Rav Ashi thought to declare it kosher, comparing it to the previous case.

OBJECTION

אָמַר לִיה רַב אוֹשְׁעִיא: אִטּוּ כּוּלְהוּ בְּחֻדָּא מְחִיתָא מַחְתִּינָהוּ? הִיכָא דְאִתְמַר – אִתְמַר, הִיכָא דְלָא אִתְמַר – לָא אִתְמַר.

Rav Oshaya said to him: Is that to say that all of them are woven in one weave, that they are all the same? Where it was stated by the Sages that a tube is normal, it was stated; where it was not stated, it was not stated, and this animal is indeed a tereifa.

BRAISA

הָעִיד נָתַן בַּר שֵׁילָא רַב טַבְחָיָא דְצִיפּוֹרִי לְפָנֵי רַבִּי, עַל שְׁנֵי בְּנֵי מַעֲיִם הַיּוֹצְאִין מִן הַבֶּהֱמָה כְּאַחֶד, שֶׁהֵיא טֵרֶפָה, וְכִנְגֻדָּן בְּעוֹף – כְּשֶׁרָהּ.

Natan bar Sheila, the head of the butchers of Tzippori, testified before Rabbi Yehuda HaNasi regarding two intestines that exit from the abomasum of the animal as one, that it is a tereifa; but their counterpart in a bird is kosher, because this is common in birds.

BRAISA

בְּמָה דְּכָרִים אָמוּרִים? שְׁיוֹצְאִין בְּשְׁנֵי מְקוֹמוֹת, אֲבָל יּוֹצְאִין בְּמָקוֹם אֶחָד, וְכָלִין עַד כְּאַצְבָּע – כְּשֶׁרָהּ.

In what case are these words said, that two intestines render an animal a tereifa? When they exit from two different places; but if they exit from one place, and they end within a fingerbreadth, meaning they merge back into one, the animal is kosher.

STATEMENT

פְּלִיגִי בֵּה רַב אָמִי וְרַב אָסִי, חֵד אָמַר: הוּא דִּהְדְּרִי וְעָרְבִי, וְחֵד אָמַר: אִף עַל גַּב דְּלָא הִדְרִי וְעָרְבִי.

Rav Ami and Rav Asi disagree regarding this halacha. One says: It is kosher only where they return and merge into one; and one says: Even though they do not return and merge, it is kosher.

QUESTION

כְּשֶׁלְמָא לְמַאן דְּאָמַר הוּא דִּהְדְּרִי וְעָרְבִי, הִינֵנוּ דְקֻתְנִי "עַד כְּאַצְבָּע", אֲלֵא לְמַאן דְּאָמַר אִף עַל גַּב דְּלָא הִדְרִי וְעָרְבִי, מַאי "עַד כְּאַצְבָּע"?

Granted, according to the one who says: It is kosher only where they return and merge, that is consistent with that which the baraita teaches: "Within a fingerbreadth," meaning they must merge within that distance. But according to the one who says: Even though they do not return and merge they are kosher, what is the meaning of "within a fingerbreadth"?

ANSWER

עַד כְּאַצְבָּע מִלְמַטָּה.

It means that they remain separate until within a fingerbreadth from below, near the anus, where they finally join.

משנה MISHNAH

MISHNAH

רבי יהודה אומר: אם ניטלה הנוצה – פסולה.

We learned in the Mishnah: **Rabbi Yehuda says: If the down (the feathers) was removed from the bird's body, it is unfit** as a tereifa, just like an animal whose hide was removed.

גמרא GEMARA

STATEMENT

אמר רבי יוחנן: רבי יהודה ורבי ישמעאל אמרו דבר אחד.

Rabbi Yochanan said: Rabbi Yehuda and Rabbi Yishmael said the same thing, as both hold that the down of a bird is treated like the hide of an animal.

EXPLANATION

רבי יהודה – הא דאמרן, רבי ישמעאל – דתנן: רבי ישמעאל אומר: הנוצה מצטרפת.

Rabbi Yehuda said so in that which we just said in our Mishnah. Rabbi Yishmael said so, as we learned in a Mishnah elsewhere: Rabbi Yishmael says: The down joins with the meat of a bird offering to constitute an olive-bulk for the purpose of rendering the offering piggul if the Kohen had improper intent.

OBJECTION

אמר רבא: דילמא לא היא, עד פאן לא קאמר רבי יהודה הכא אלא לענין טרפה, דליכא מידי דמגין עליה, אכל לענין איפגול לי – כרבנן סבירא ליה, ועד פאן לא קאמר רבי ישמעאל התם אלא לענין איפגול לי, אכל לענין טרפה – אגוני לא מגין.

Rava said: Perhaps it is not so, and they do not agree. Perhaps **Rabbi Yehuda only says so here with regard to a tereifa**, because **there is nothing to protect** the bird once the down is gone, so its life is in danger; **but with regard to piggul**, he holds in accordance with the Rabbis that down is not considered food. **And perhaps Rabbi Yishmael only says so there with regard to piggul** because he holds down is fit for consumption; **but with regard to a tereifa**, he holds that the down **does not protect** the bird, and its removal does not make it a tereifa.

משנה MISHNAH

MISHNAH

מתני' אחוזה הדם, והמעושנת, והמצוננת, ושאכלה הרדופני, ושאכלה צואת תרנגולים, או ששתת מים הרעים – כשרה.

MISHNAH: An animal that is congested with blood, or that was smoked (suffered smoke inhalation), or that was chilled, or that ate oleander (which is poisonous), or that ate chicken excrement, or that drank foul water—it is kosher, even though it is in danger of dying.

MISHNAH

אֲכָלָהּ סֵם הַמָּוֶת, אוֹ שֶׁהִפִּישָׁה נָחָשׁ – מוּתָּרָת מִשּׁוּם טְרֵפָה, וְאַסוּרָה מִשּׁוּם סַכְנַת נַפְשׁוֹת.

If it ate deadly poison, or if a snake bit it, it is permitted from the standpoint of the laws of tereifa, but it is forbidden because of danger to human life if one eats its meat.

גְּמָרָא GEMARA

STATEMENT

גְּמִי אָמַר שְׁמוּאֵל: הֲלַעֲיטָה חֲלִיתִית – טְרֵפָה, מֵאִי טַעְמָא? דְּמִינְקָבָה לָהּ לְמַעְיָנָה.

GEMARA: Shmuel said: If one fed it asafoetida, it is a tereifa. What is the reason? Because it perforates its intestines due to its extreme sharpness.

QUESTION

מֵתִיב רַב שִׁיזְבִּי: אַחוּזַת הַדָּם, וְהַמְעוּשָׁנָה, וְשָׂאֲכָלָה הֶרְדוּפָנִי, וְשָׂאֲכָלָה צִוְּאֵת תְּרִנְגוּלִים, וְשָׂתֵת מִיָּם הָרָעִים, הֲלַעֲיטָה תִיעָה, חֲלִיתִית וּפְלִפְלִין, אֲכָלָה סֵם הַמָּוֶת – כְּשֶׁרָה.

Rav Sheizvi raised an objection from a baraita: An animal that is congested with blood, or that was smoked, or that ate oleander, or that ate chicken excrement, or that drank foul water, or if one fed it ti'ah, asafoetida, or peppers, or if it ate deadly poison—it is kosher! This contradicts Shmuel's ruling regarding asafoetida.

BRAISA

הַפִּישָׁה נָחָשׁ, אוֹ שֶׁנִּשְׁכָּה כָּלָב שׁוּטָה – מוּתָּרָת מִשּׁוּם טְרֵפָה, וְאַסוּרָה מִשּׁוּם סַכְנַת נַפְשׁוֹת.

The baraita continues: If a snake bit it, or if a mad dog bit it, it is permitted from the standpoint of the laws of tereifa, but it is forbidden because of danger to human life.

QUESTION

קָשְׁיָא חֲלִיתִית אַחֲלִיתִית, קָשְׁיָא סֵם הַמָּוֶת אֶסֶם הַמָּוֶת!

The Gemara notes: There is a difficulty between one ruling on asafoetida and the other ruling on asafoetida (Shmuel vs. the baraita), and there is a difficulty between one ruling on deadly poison and the other ruling on deadly poison (our Mishnah, which says it is forbidden only due to danger, vs. the baraita, which says it is kosher)!

ANSWER

חֲלִיתִית אַחֲלִיתִית לֹא קָשְׁיָא: כָּאן בְּעָלִין, כָּאן בְּקֶרְטִין.

The Gemara answers: The contradiction between asafoetida and asafoetida is not a difficulty: Here, where the baraita rules it is kosher, it refers to the leaves of the plant; there, where Shmuel rules it is a tereifa, it refers to the resinous resin-drops, which are extremely sharp and perforate the organs.

ANSWER

סֵם הַמָּוֶת אֶסֶם הַמָּוֶת לֹא קָשְׁיָא: הָא דִּידָהּ, הָא דְאִדָּהּ.

The contradiction between deadly poison and deadly poison is also not a difficulty: This case, where the baraita rules it is kosher, refers to a poison that is deadly to her (the animal); that case, where our Mishnah rules it is forbidden only due to danger,

refers to a poison that is deadly **to man** but not to the animal.

QUESTION

סם המות דבֿהמָה הָיִינוּ הָרְדוּפִינִי?

The Gemara asks: But is **a poison that is deadly to an animal not the same as oleander**, which was already mentioned separately in the baraita?

ANSWER

תְּרֵי גִּוּוֹנֵי סָם הַמָּוֶת.

The Gemara answers: There are **two types of deadly poison** that affect animals, and both had to be mentioned.

QUESTION

מֵאִי תִיעָה? אָמַר רַב יְהוּדָה:

The Gemara asks: **What is "ti'ah"** mentioned in the baraita? **Rav Yehuda said:**

SUMMARY

The Gemara begins by analyzing the status of eggs from a tereifa bird, debating whether they are prohibited as having grown in a state of prohibition, or permitted if they were fertilized by a kosher male under the principle of "zeh v'zeh gore'm" (two factors causing the outcome). This discussion connects to the dispute between Rabbi Eliezer and Rabbi Yehoshua regarding the offspring of a tereifa animal on the Mizbe'ach, highlighting the rule that the power of leniency (kocha d'heteira) is preferred by the Tanna of the Mishnah. Finally, the Gemara establishes that a boneless creature cannot survive for twelve months, a rule that Shmuel and Rav Papa apply to permit worms found in stored dates after a year has passed, while also discussing the lifespans of mosquitoes and flies.

In today's daf, we encounter a beautiful and famous principle of our Sages: "Koach d'heteira adif" —the power of leniency is preferable. When the Gemara asks why the Mishnah frames a dispute around the high standard of the Altar rather than the everyday standard of common food, it answers that the Tanna preferred to teach us the view of Rabbi Yehoshua, who permits the offering. Our Sages went out of their way to find the path of permission and purity wherever the halakha truthfully allowed it, showing us that Torah is a pathway of life, not of unnecessary restriction.

This is a profound lesson for our own daily avodah, especially in how we view ourselves and other Yidden. The yetzer hara loves to make us adopt a posture of strictness and negativity, constantly looking for the "treif" in our neighbor or the flaws in our own neshama. We can easily become spiritual prosecutors, finding reasons why a situation is hopeless or why a person is beyond repair. But the Torah teaches us that the true strength of a Torah perspective is the "koach d'heteira" —the holy effort to find the merit, the permission, and the spark of goodness.

To live with the "koach d'heteira" means looking at a struggling child, a difficult neighbor, or even your own flawed self, and actively searching for the kosher element. It takes no wisdom to simply declare everything forbidden or ruined. The real greatness, the way of Rabbi Yehoshua, is to find the path of connection and elevation, even when things look compromised.

Today, when you feel tempted to judge someone harshly or write off a situation as hopeless, pause and look for the "koach d'heteira" —find one genuine merit or positive point in them, and focus your mind on that.

הלכות יסודי התורה • פרק חמישי

Learned like the daf, the literal words in bold, flowing with the elucidation

CHAPTER PREVIEW

In this chapter, the Rambam brings us to the very heart of our avodah in this world: the great mitzvos of Kiddush Hashem, sanctifying Hashem's name, and the severe prohibition of Chillul Hashem. We learn the fundamental guidelines of when a Yid must be ready to give up his very life, to be "yehreg v'al ya'avur," and when Hashem wants us to live by His mitzvos and yield to coercion rather than die.

The Rambam carefully maps out the boundaries of these halachos, distinguishing between the three cardinal sins—avodah zarah, giluy arayos, and shefichus damim—and other mitzvos. We will learn how these halachos change depending on whether the coercion is for the non-Jew's personal benefit or to force a rebellion against Hashem, whether it occurs in public before ten Jews, or during a time of shmad when decrees are issued against our emunah.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

הלכה א

Halacha 1: The Mitzvah of Sanctifying God's Name and the Law Under Duress

כל בית ישראל מצוין על קדוש השם הגדול הזה

All the house of Yisrael are commanded regarding the sanctification of this great Name of Hashem,

שנאמר ויקרא כב לב "ונקדשתי בתוך בני ישראל".

as it is said in the pasuk in Vayikra 22:32, "And I shall be sanctified among the children of Yisrael."

ומזהרין שלא לחללו

And they are warned not to desecrate it,

שנאמר ויקרא כב לב "ולא תחללו את שם קדשי".

as it is said in the same pasuk, "And you shall not desecrate My holy name."

כיצד.

How so? What are the guidelines for these mitzvos?

כשיעמד עובד כוכבים ויאנס את ישראל לעבר על אחת מכל מצות האמורות בתורה או יהרגנו

When there stands a worshiper of stars and forces and forces a Jew to transgress against one of all the commandments that are stated in the Torah, or else he will kill him,

יעבר ואל יהרג

he should transgress and not be killed,

שְׁנַיִמָּר בְּמִצְוֹת וַיִּקְרָא יְהוָה "אֲשֶׁר יַעֲשֶׂה אוֹתָם הָאָדָם וְחַי בָּהֶם".

as it is said regarding the commandments in Vayikra 18:5, "which man shall perform them and live by them."

וְחַי בָּהֶם וְלֹא שְׂיָמוּת בָּהֶם.

This means and live by them, and not that he should die by them.

וְאִם מֵת וְלֹא עָבַר הָרִי זֶה מִתְחַיֵּב בְּנַפְשׁוֹ:

And if he died and did not transgress in a case where the halacha rules he must yield, behold this one is liable for his own life for throwing it away needlessly.

הִלְכָּה ב

Halacha 2 · Sacrificing One's Life for Sanctification of the Name in Private and Public

בְּמָה דְּבָרִים אֲמֹרִים

In what cases are these words said?

בְּשָׂאָר מִצְוֹת חוּץ מִעֲבוֹדַת כּוֹכָבִים וְגִלּוּי עֲרִיּוֹת וּשְׁפִיכַת דָּמִים.

Regarding other mitzvos, except for worship of stars (idolatry), and uncovering of nakedness (forbidden sexual relations), and spilling of blood (murder).

אָבָל שֶׁלֹּשׁ עֲבֻרוֹת אֵלּוּ

But regarding these three transgressions,

אִם יֹאמֶר לוֹ עֹבֵר עַל אַחַת מֵהֶן אוֹ תִּהְיֶה.

if a non-Jew says to him, "Transgress one of them or be killed,"

יִהְיֶה וְאֵל עֹבֵר.

he should be killed and not transgress.

בְּמָה דְּבָרִים אֲמֹרִים

In what cases are these words said that he may transgress other mitzvos to save his life?

בְּזִמְנֵי שֶׁהָעוֹבֵד כּוֹכָבִים מִתְכַּוֵּן לְהִנָּאת עַצְמוֹ.

In a time that the worshiper of stars intends for the benefit of himself,

כְּגֹן שֶׁאֵנְסוֹ לְכַנּוֹת לוֹ בֵּיתוֹ בְּשַׁבָּת אוֹ לְבָשֵׁל לוֹ תַּבְשִׁילוֹ.

such as that he forced him to build for him his house on Shabbos, or to cook for him his food,

אוֹ אִם אֵנֶס אִשָּׁה לְבַעֲלָהּ וְכִיוֹצֵא בָּזָה.

or if he forced a woman to cohabit with her, and similar to this.

אָבֵל אִם נִתְפָּנוֹן לְהַעֲבִירוֹ עַל הַמִּצְוֹת בְּלִבְדּוֹ.

But if he intended to make him transgress the mitzvos alone, out of sheer malice against Hashem's Torah,

אִם הָיָה בֵּינוֹ לְבֵין עַצְמוֹ וְאִין שָׁם עֲשָׂרָה מִיִּשְׂרָאֵל יַעֲבֹר וְאֵל יִהְיֶה.

if it was between him to himself in private, and there is not there ten of Israel, he should transgress and not be killed.

וְאִם אֲנָסוֹ לְהַעֲבִירוֹ בְּעֲשָׂרָה מִיִּשְׂרָאֵל יִהְיֶה וְאֵל יַעֲבֹר.

And if he forced him to make him transgress among ten of Israel, which is a public desecration of Hashem's Name, he should be killed and not transgress.

וְאִפְּלוּ לֹא נִתְפָּנוֹן לְהַעֲבִירוֹ אֶלָּא עַל מִצְוָה מִשְׁאָר מִצְוֹת בְּלִבְדּוֹ:

And this is even if he did not intend to make him transgress except a single mitzvah from other mitzvos alone.

הִלְכָּה ג

Halacha 3 · Giving One's Life During a Decree for Any Mitzvah

וְכָל הַדְּבָרִים הָאֵלֶּה

And all of these matters that we have discussed, where one is permitted to transgress a mitzvah to save his life,

שֶׁלֹּא בְּשַׁעַת הַגְּזֵרָה

apply specifically when it is not in a time of the government decree against Torah observance.

אָבֵל בְּשַׁעַת הַגְּזֵרָה

But in a time of the decree,

וְהוּא שִׁיעֶמֶד מֶלֶךְ רָשָׁע כְּנֻכַּדְנֶצַּר וְחֻבְרִי

and that is when there arises a wicked king like Nevuchadnezzar and his colleagues,

וַיִּגְזֹר גְּזֵרָה עַל יִשְׂרָאֵל

and he decrees a decree against Yisrael

לְבַטֵּל דָּתָם אוֹ מִצְוָה מִן הַמִּצְוֹת.

to nullify their religion or even a single mitzvah from the mitzvos,

יִהְיֶה וְאֵל יַעֲבֹר

he should be killed and not transgress,

אִפְּלוּ עַל אַחַת מִשְׁאָר מִצְוֹת

even if they force him to violate one of the rest of the mitzvos which are not the three cardinal sins,

בין נאָנס בתוך עשרה

whether he is coerced among ten Jews,

בין נאָנס בינו לבין עובדי כוכבים:

whether he is coerced between him and between worshipers of stars in private.

הלכה ד

Halacha 4 · The Law of One Who Transgresses Under Duress or Sacrifices His Life Unnecessarily

כל מי שנאמר בו יעבר ואל יהרג

Anyone who, concerning him, it is said that he should transgress and not be killed,

ונהרג ולא עבר

and yet he was killed and did not transgress,

הרי זה מתחייב בנפשו.

behold, this person is liable for his own life because he threw it away needlessly.

וכל מי שנאמר בו יהרג ואל יעבר

And anyone who, concerning him, it is said that he must be killed and not transgress,

ונהרג ולא עבר

and indeed he was killed and did not transgress,

הרי זה קדש את השם.

behold, this person sanctified the Name of Hashem.

ואם היה בעשרה מישראל

And if this was in the presence of ten of Israel,

הרי זה קדש את השם בפרים

behold, this person sanctified the Name in public,

כדניאל חנניה מישאל ועזריה ורפי עקיבא וחבריו.

like Daniel, Chananiah, Mishael, and Azariah, and Rabbi Akiva and his colleagues.

ואלו הן הרוגי מלכות

And these are the ones known as those slain by the kingdom,

שאין מעלה על מעלתו.

that there is no level above their level in Gan Eden.

וְעַלֵּיהֶן נֶאֱמַר תִּהְיוּ מֵד כַּג "כִּי עָלֶיךָ הִרְגָנוּ כָּל הַיּוֹם נִחַשְׁכֵנוּ כְּצֹאן טִבְחָה".

And concerning them it is said in the verse, "For Your sake we are slain all the day, we are considered as sheep for slaughter."

וְעַלֵּיהֶם נֶאֱמַר תִּהְיוּ נֵה "אֶסְפוּ לִי חֲסִידֵי כְרִיתִי בְרִיתִי עָלֶי זִבְח".

And concerning them it is also said, "Gather to Me My pious ones, who make My covenant by sacrifice."

וְכָל מִי שֶׁנֶּאֱמַר בּוֹ יִהְרַג וְאֵל יַעֲבֹר

And anyone who, concerning him, it is said that he must be killed and not transgress,

וְעֹבֵר וְלֹא נִהְרַג

and instead he transgressed and was not killed,

הֲרִי זֶה מְחַלֵּל אֶת הַשֵּׁם.

behold, this person desecrates the Name.

וְאִם הָיָה בְּעֶשְׂרֵה מִיִּשְׂרָאֵל

And if this was in the presence of ten of Israel,

הֲרִי זֶה חֵלֵל אֶת הַשֵּׁם בְּרַבִּים

behold, this person desecrated the Name in public,

וּבִטֵּל מִצְוַת עֲשֵׂה שֶׁהִיא קְדוּשַׁת הַשֵּׁם

and he has nullified the positive commandment which is sanctification of the Name,

וְעֹבֵר עַל מִצְוַת לֹא תַעֲשֶׂה שֶׁהִיא חֵלוּל הַשֵּׁם.

and transgressed the negative commandment which is desecration of the Name.

וְאִף עַל פִּי כֹן מִפְּנֵי שֶׁעֲבָר בְּאַנָּס

And even so, because he transgressed under duress,

אֵין מִלְקִין אוֹתוֹ

there is no lashing him,

וְאֵין צָרִיךְ לוֹמַר שֶׁאֵין מְמִיתִין אוֹתוֹ בֵּית דִּין

and there is no need to say that the court of law does not execute him,

אֶפְלוּ הָרַג בְּאַנָּס.

even if he killed another Jew under duress.

שְׂאִין מִלְקִין וּמִמִּיתִין אֶלָּא לְעוֹבֵר בְּרִצּוֹנוֹ

For we do not lash or execute except one who transgresses by his own free will,

וּבְעֵדִים וְהִתְרָאָה

and with witnesses and warning,

שֶׁנֶּאֱמַר בְּנוֹתָן מִזְרְעוּ לַמֶּלֶךְ וִיקְרָא כֹה "וְנִתַּתִּי וְשִׁמַּתִּי אֲנִי אֶת פְּנֵי בְּאִישׁ הַהוּא".

as it is said regarding one who gives of his offspring to Molech, "And I will set, and I will place, I, My face against that man."

מִפִּי הַשְּׁמוּעָה לְמַדּוּ

From the mouth of the tradition, the Sages learned:

הָהוּא לֹא אָנוּס וְלֹא שׁוֹגֵג וְלֹא מְטָעָה.

"That" man—excluding one under duress, and excluding one who acts inadvertently, and excluding one who is misled.

וּמָה אִם עֲבוּדַת כּוֹכָבִים שֶׁהִיא חֲמוּרָה מִן הַכָּל

And what if regarding worship of stars, which is more severe than all other sins,

הָעוֹבֵד אוֹתָהּ בְּאָנוּס אֵינוֹ חַיֵּב כְּרֵת

one who worships it under duress is not liable for spiritual excision,

וְאֵין צָרִיךְ לוֹמַר מֵיִתֵּת בֵּית דִּין.

and there is no need to say he is not liable to death by a court of law;

קָל וְחֹמֶר לְשֹׂאֵר מִצְּוֹת הָאֲמוּרוֹת בַּתּוֹרָה.

how much more so does this apply to the rest of the commandments mentioned in the Torah.

וּבְעֵרִיּוֹת הוּא אוֹמֵר דְּבָרִים כֹּכֵי "וְלִנְעָרָה לֹא תַעֲשֶׂה דְּבָר".

And regarding forbidden relations, it says, "And to the maiden do not do anything" because she was forced.

אֲבָל אִם יָכוֹל לְמַלֵּט נַפְשׁוֹ וּלְבָרֹחַ

But if he is able to rescue his life and to flee

מִתַּחַת יַד הַמֶּלֶךְ הָרָשָׁע וְאֵינוֹ עוֹשֶׂה

from under the hand of the wicked king, and he does not do so,

הִנֵּה הוּא כְּכֶלֶב שָׁב עַל קִאוֹ.

behold, he is like a dog returning to his vomit.

וְהוּא נִקְרָא עוֹבֵד עֲבוֹדַת כּוֹכָבִים בְּמִזִּיד

And he is called a willful worshiper of stars,

וְהוּא נִטְרָד מִן הָעוֹלָם הַבָּא

and he is banished from the World to Come,

וְיֵוֶרֶד לְמַדְרֵגַת הַתַּחְתּוֹנָה שֶׁל גֵּיהֵנוֹם:

and descends to the lowest level of Gehinnom.

הִלָּכָה ה

Halacha 5 - Handing Over a Jewish Soul to Non-Jews Under Threat of Death

נָשִׁים שֶׁאָמְרוּ לָהֶם עוֹבְדֵי כּוֹכָבִים

In the case of women whom idolaters told,

תְּנוּ לָנוּ אַחַת מִכֶּן וְנִטְמָא אוֹתָהּ

"Give to us one of you and we will defile her,

וְאִם לֹא נִטְמָא אֶת כָּלְכֶן

and if not, we will defile all of you,"

יִטְמְאוּ כָּלָן

they should allow themselves to be defiled, all of them,

וְאֵל יִמָּסְרוּ לָהֶם נֶפֶשׁ אַחַת מִיִּשְׂרָאֵל.

and they should not hand over to them a single soul from Israel.

וְכֵן אִם אָמְרוּ לָהֶם עוֹבְדֵי כּוֹכָבִים

And so, if idolaters said to them, to a group of Jews,

תְּנוּ לָנוּ אֶחָד מִכֶּם וְנַהַרְגֶנּוּ

"Give to us one of you and we will kill him,

וְאִם לֹא נַהַרְג כָּלְכֶם.

and if not, we will kill all of you,"

יִהָרְגוּ כָּלָם

they should be killed, all of them,

וְאֵל יִמָּסְרוּ לָהֶם נֶפֶשׁ אַחַת מִיִּשְׂרָאֵל.

and they should not hand over to them a single soul from Israel.

וְאִם יַחְדּוּהוּ לָהֶם

But if they singled him out to them,

וְאָמְרוּ תִּנּוּ לָנוּ פְּלוֹנִי אוֹ נְהַרְגֵה אֶת כָּלֶכֶם.

and said, "Give to us so-and-so, or we will kill all of you"—

אִם הָיָה מְחַיֵּב מִיתָה כְּשֶׁבַע בֶּן בִּכְרִי

if he was obligated to death by the Torah, like Sheva son of Bichri,

יִתְּנוּ אוֹתוֹ לָהֶם.

they may give him to them to save themselves.

וְאִין מוֹרִין לָהֶם כִּן לְכַתְּחָלָה.

But we do not instruct them so initially, as this is not the preferred path of piety.

וְאִם אֵינּוּ חַיֵּב מִיתָה

And if he is not obligated to death,

יִהְרָגוּ כָּלָן

they should be killed, all of them,

וְאֵל יִמָּסְרוּ לָהֶם נֶפֶשׁ אַחַת מִיִּשְׂרָאֵל.

and they should not hand over to them a single soul from Israel.

הִלְכָּה ו

Halacha 6 · Medical Treatment with Forbidden Matters in a Situation of Danger

כְּעֵנֶיז שְׂאֲמְרוּ בְּאַנְסִין

Just as the matter that they said regarding coercion, where one must transgress a mitzvah to save his life,

כִּן אָמְרוּ בְּחִלָּאִים.

so they said regarding sicknesses, that the same rules of saving a life apply.

כִּי־צֶד.

How so?

מִי שֶׁחָלָה וְנָטָה לָמוּת

One who became sick and inclined to die,

וַאֲמָרוּ הָרוֹפְאִים שְׂרָפוּאָתוֹ בְּדָבָר פְּלוּנִי מֵאֲסוּרֵינָּה שְׁבִתוֹרָה

and the physicians said that his cure is with a certain matter from the prohibitions that are in the Torah,

עוֹשִׂין.

they do so, and use that prohibited item to heal him.

וּמִתְרַפְּאִין בְּכָל אֲסוּרֵינָּה שְׁבִתוֹרָה בְּמָקוֹם סִכָּנָה

And they cure themselves with all prohibitions that are in the Torah in a place of danger,

חוּץ מִעֲבֹדֹת כּוֹכָבִים וְגִלּוֹי עֲרִיּוֹת וְשִׁפְכַת דָּמִים

except from worship of stars, and uncovering of forbidden relations, and shedding of blood,

שְׁאֵפְלוּ בְּמָקוֹם סִכָּנָה אִין מִתְרַפְּאִין בָּהֶן.

for even in a place of danger we do not cure ourselves with them.

וְאִם עָבַר וְנִתְרַפָּא

And if he transgressed and cured himself through one of these three cardinal sins,

עוֹנֵשִׁין אוֹתוֹ בֵּית דִּין עֲנֵשׁ הָרָאוּי לוֹ:

the court of law punish him with the punishment that is fitting for him according to the Torah.

הִלְכָּה ז

Halacha 7 - The Source for the Prohibition to Transgress the Three Cardinal Sins Even in Danger of Life

וּמִנֵּין שְׁאֵפְלוּ בְּמָקוֹם סִכָּנָה נַפְשׁוֹת אִין עוֹבְרִין עַל אַחַת מִשְׁלֹשׁ עֲבֵרוֹת אֵלּוּ

And from where do we know that even in a place of danger of lives we do not transgress on one of these three sins?

שֶׁנֶּאֱמַר דְּבָרִים ו' ה' "וְאָהַבְתָּ אֶת ה' אֱלֹהֶיךָ בְּכָל לִבְבְּךָ וּבְכָל נַפְשְׁךָ וּבְכָל מְאֹדְךָ"

As it is said in the Torah in Sefer Devarim, "And you shall love — Hashem your God with all your heart and with all your soul and with all your might,"

אֲפֹלוּ הוּא נוֹטֵל אֶת נַפְשְׁךָ.

which means you must love Him **even** if **He takes — your soul**, teaching us that we must give up our lives for Kiddush Hashem rather than serve avodah zarah.

וְהָרִיגַת נֶפֶשׁ מִיִּשְׂרָאֵל לְרַפְּאוֹת נֶפֶשׁ אַחֶרֶת אוּ לְהַצִּיל אָדָם מִיַּד אָנָּס

And regarding murder, the killing of a soul from Israel to heal another soul, or to save a person from the hand of an oppressor who demands that you kill someone,

דָּבָר שֶׁהִדְעַת נֹטָה לוֹ הוּא שְׂאִין מֵאֲבָדִין נֶפֶשׁ מִפְּנֵי נֶפֶשׁ.

is a matter that the intellect inclines to and understands on its own, which is that we do not destroy a soul because of another soul, for who is to say that your blood is redder than his?

וְעֲרִיּוֹת הַקָּשׁוּ לְנַפְשׁוֹת

And the laws of forbidden relations are compared by the Torah to the laws of saving lives,

שֶׁנֶּאֱמַר דְּבָרִים כַּב כּו "כִּי כַּאֲשֶׁר יָקוּם אִישׁ עַל רֵעֵהוּ וּרְצָחוֹ נָפֶשׁ בֶּן הַדָּבָר הַזֶּה":

as it is said regarding a betrothed maiden who was violated, "For just as a man arises against his fellow and murders him as a soul, so is this matter," teaching us that just as one must die rather than commit murder, so too must one die rather than commit a forbidden relation.

הִלְכָּה ח

Halacha 8 - Healing with Forbidden Substances in an Unusual Manner of Benefit

בְּמָה דְּבָרִים אֲמֻרִים שָׂאִין מִתְּרַפְּאִין בְּשֹׂאֵר אֲסוּרִים אֶלָּא בְּמָקוֹם סָכָנָה.

In what circumstances are these words said, that we do not heal a sick person with other prohibitions except in a place of danger?

בְּזִמְנֵי שֶׁהֵן דֶּרֶךְ הַנֶּאֱתָן

At a time that they are used in the way of their normal benefit,

כְּגוֹן שֶׁמֵּאֲכִילִין אֶת הַחֹלֶה שְׂקָצִים וְרֻמָּשִׁים

for example, that they feed the sick person creeping things and crawling things,

אוּ חֵמֶץ בְּפֶסַח

or chametz on Pesach,

אוּ שֶׁמֵּאֲכִילִין אוֹתוֹ בְּיוֹם הַכִּפּוּרִים.

or that they feed him on Yom Kippur.

אֲבָל שֶׁלֹּא דֶּרֶךְ הַנֶּאֱתָן

But if they are used not in the way of their normal benefit,

כְּגוֹן שֶׁעוֹשִׂין לוֹ רֻטִּיָּה אוּ מְלֻגְמָא מִחֵמֶץ אוּ מֵעֹרָלָה.

for example, that they make for him a bandage or a poultice from chametz or from orlah,

אוּ שֶׁמֵּשְׁקִין אוֹתוֹ דְּבָרִים שֶׁיֵּשׁ בָּהֶן מֵרַעַב עִם אֲסוּרֵי מֵאֲכָל

or that they give him to drink things that have in them a bitter substance mixed with forbidden foods,

שֶׁהָרִי אֵין בָּהֶן הַנָּאֵה לַחֵף

for behold, there is no benefit in them to the palate,

הרי זה מתר ואפלו שלא במקום סכנה.

behold, this is permitted, and even not in a place of danger.

חוץ מכלאי הכרם ובשר בחלב

This is except for kilai hakerem (mixed seeds of a vineyard) and meat in milk,

שהן אסורים אפלו שלא דרך הנאתן.

for they are forbidden even not in the way of their normal benefit.

לפיכך אין מתרפאין מהן אפלו שלא דרך הנאתן אלא במקום סכנה:

Therefore, we do not heal a sick person from them, even not in the way of their normal benefit, except in a place of danger.

הלכה ט

Halacha 9 · The Prohibition of Healing Through Forbidden Relations and Safeguarding Modesty

מי שנתן עיניו באשה

One who set his eyes on a woman with forbidden desire,

וחלה ונטה למות

and became sick and inclined to die from his lovesickness,

ואמרו הרופאים אין לו רפואה עד שתבעל לו.

and the physicians said there is for him no cure until she is cohabited with by him,

ומות ואל תבעל לו

he should die and she should not be cohabited with by him,

אפלו הייתה פנויה.

even if she was unmarried.

ואפלו לדבר עמה מאחורי הגדר

And even to speak with her from behind the fence to ease his mind,

אין מורין לו בכה

we do not instruct him in this,

וימות ולא יורו לדבר עמה מאחורי הגדר

and he should die and they shall not instruct to speak with her from behind the fence,

שְׁלֹא יִהְיוּ בָנוֹת יִשְׂרָאֵל הֶפְקָר

so that the daughters of Yisrael should not be ownerless and treated lightly,

וַיָּבוֹאוּ בְּדִבְרֵיהֶם אֵלֶּיךָ לְפָרֹץ בְּעֲרִיּוֹת:

and they will come through these matters to breach in forbidden relations.

הִלָּכָה י

Halacha 10 · Desecration and Sanctification of God's Name Through Transgression and Mitzvah Performance

כָּל הָעוֹבֵר מִדַּעְתּוֹ בְּלֹא אִנּוּס

Any who transgresses of his own will, without compulsion,

עַל אַחַת מִכָּל מִצְוֹת הָאֲמוּרוֹת בַּתּוֹרָה

on one of all the mitzvos stated in the Torah,

בְּשֹׂאֵט בִּנְפֹשׁ לְהַכְעִיס

with contempt of soul, to anger Hashem,

הֲרִי זֶה מְחַלֵּל אֶת הַשֵּׁם.

behold, this one desecrates the Name of Hashem.

וּלְפִיכָּה נֶאֱמַר בְּשִׁבּוּעַת שָׁקֶר

And therefore, it is said regarding an oath of falsehood in the Torah in Vayikra 19:12,

וַיִּקְרָא יְיָ יִב "וְחָלַלְתָּ אֶת שֵׁם אֱלֹהֶיךָ אֲנִי ה'".

"And you shall desecrate the name of your God, I am Hashem."

וְאִם עָבַר בְּעֶשְׂרָה מִיִּשְׂרָאֵל

And if he transgressed among ten of Israel,

הֲרִי זֶה חָלַל אֶת הַשֵּׁם בְּרַבִּים.

behold, this one desecrated the Name in public.

וְכֵן כָּל הַפּוֹרֵשׁ מִעֲבָרָה

And likewise, any who abstains from a sin,

אוֹ עָשָׂה מִצְוָה

or performed a mitzvah,

לֹא מִפְּנֵי דִבְרַת בְּעוֹלָם

not because of anything in the world—

לֹא פֶחַד וְלֹא יִרְאָה

not fear of people and not dread of physical harm,

וְלֹא לְבַקֵּשׁ כְּבוֹד

and not to seek honor,

אֲלָא מִפְּנֵי הַבּוֹרֵא בְּרוּךְ הוּא

but because of the Creator, blessed is He,

כְּמִנִּיעַת יוֹסֵף הַצַּדִּיק עֲצָמוֹ מֵאִשְׁתּוֹ רַבּוֹ

like the withholding of Yosef the righteous himself from the wife of his master,

הֲרִי זֶה מְקַדֵּשׁ אֶת הַשֵּׁם:

behold, this one sanctifies the Name.

הִלְכָּה יֵא

Halacha 11 · Desecration and Sanctification of God's Name through the Conduct of a Torah Scholar

וְיֵשׁ דְּבָרִים אֲחֵרִים שֶׁהֵן בְּכֻלָּל חִלּוּל הַשֵּׁם.

And there are other things that are in the category of desecration of the Name of Hashem.

וְהוּא שִׁיעָשָׂה אוֹתָם אָדָם גָּדוֹל בְּתוֹרָה וּמְפָרָסָם בְּחִסְדּוֹת

And it is that when they are done by a person who is great in Torah and famous for piety,

דְּבָרִים שֶׁהַבְּרִיּוֹת מְרַנְנִים אַחֲרָיו בְּשִׁבְלֵם.

they are things that people speak disparagingly after him because of them.

וְאֵף עַל פִּי שְׂאִינֵן עֲבֵרוֹת הֲרִי זֶה חִלּוּל אֶת הַשֵּׁם

And even though they are not actual transgressions, behold, this person has desecrated the Name.

כְּגוֹן שֶׁלָּקַח וְאִינוֹ נוֹתֵן דְּמֵי הַמָּקָח לְאִלְתָּר.

For example, that he purchased an item and is not giving the money of the purchase immediately,

וְהוּא שִׁישׁ לוֹ וְנִמְצְאוּ הַמוֹכְרִים תּוֹבְעִין וְהוּא מְקִיפֵן.

and it is a case where he has the money to pay, and it turns out the sellers are demanding payment and he puts them off by delaying.

אוֹ שִׁירְבָה בְּשִׁחּוּק אוֹ בְּאֲכִילָה וּשְׂתִיָּה אֶצֶל עַמֵּי הָאָרֶץ וּבִינֵיהֶן.

Or that he increases in jest, or in eating and drinking near common people of the land and among them.

או שדבורו עם הבריות אינו בנחת

Or that his speech with people is not gentle,

ואינו מקבלן בסבר פנים יפות אלא בעל קטטה וכעס.

and he does not receive them with a pleasant countenance of face, but rather acts as a master of quarrel and anger.

וכיוצא בדברים האלו הכל לפי גדלו של חכם

And similar in these things, everything is according to the greatness of the sage;

צריה שידקדק על עצמו ויעשה לפנים משורת הדין.

he needs to be precise upon himself and he should do inside from the line of the law.

וכן אם דקדק החכם על עצמו

And so, if the sage was precise upon himself,

והיה דבורו בנחת עם הבריות ודעתו מערבת עמם

and his speech was gentle with people, and his mind involved with them in a pleasant manner,

ומקבלם בסבר פנים יפות ונעלב מהם ואינו עולבם.

and he receives them with a pleasant countenance of face, and is insulted by them and is not insulting them,

מכבד להן ואפלו למקלין לו.

honoring them, and even to those who disrespect him,

ונושא ונותן באמונה.

and conducts business and gives faithfully,

ולא ירבה באריחות עמי הארץ וישיבתו.

and does not increase in socializing with common people of the land and sitting with them,

ולא יראה תמיד אלא עוסק בתורה עטוף בציצית מכתר בתפלין

and is not seen always unless engaging in Torah, wrapped in tzitzit, crowned with tefillin,

ועושה בכל מעשיו לפנים משורת הדין.

and doing in all his deeds inside from the line of the law.

והוא שלא יתרחק הרבה ולא ישתומם.

And it is also that he should not distance himself much from society, and not become desolate and completely detached,

עד שימצאו הכל מקלסין אותו ואוהבים אותו ומתאווים למעשיו.

until that they are found, all people, praising him and loving him and desiring his deeds.

הָרִי זֶה קֹדֶשׁ אֵת ה'

Behold, this person has sanctified Hashem,

וְעָלָיו הַכְּתוּב אֵימֶר יִשְׁעִיָּה מֵט ג' וַיֹּאמֶר לִי עַבְדִּי אַתָּה יִשְׂרָאֵל אֲשֶׁר בָּךְ אֶתְפָּאֵר:

and upon him the verse says in Yeshayahu 49:3, "And He said to me, My servant you are, Yisrael, whom in you I will be glorified."

CHAPTER SUMMARY

The chapter begins by establishing the mitzvos of Kiddush Hashem and Chillul Hashem, explaining that for most mitzvos, a person should transgress rather than be killed, except for the three cardinal sins. The Rambam details the differences between private coercion and public coercion, and how a time of decree changes the halacha to require giving up one's life for any mitzvah. He describes the supreme spiritual level of the holy martyrs who sanctified Hashem's name, while clarifying that one who transgresses under duress is exempt from court-imposed punishments. Finally, the Rambam addresses the agonizing cases of communal coercion where non-Jews demand the surrender of a Jewish soul, and concludes with the halachos of using prohibited items for medical emergencies when a person's life is in danger.

לְמַעֲשֶׂה WHAT TO TAKE HOME

My dear talmid, when we learn about the ultimate sacrifice of Kiddush Hashem, giving up one's life rather than transgressing, it is easy to think of this as a rare, historical halachah meant only for the holy Tannaim or the dark times of our past. But the Torah tells us, "which a man will perform and live by them." Hashem wants our life, not our death. The true, daily avodah of Kiddush Hashem is not about dying for Him, but about how we choose to live for Him.

Every single day, you are faced with moments where your yetzer hara tries to force you to compromise on a mitzvah, whether through social pressure or personal desire. When you stand strong and choose to do what is right, even when it is difficult or uncomfortable, you are sanctifying Hashem's name in this world. You are showing that His will is more precious to you than your own comfort.

Let us take this lesson into our daily lives. You do not need a decree from a wicked king to be a kadosh. Every time you speak gently instead of losing your temper, every time you pause to make a bracha with kavanah, and every time you turn away from something improper, you are bringing the light of the Shechinah down into the physical world.

Today, choose one small mitzvah that you usually do quickly or without much thought, and perform it with extra care and joy, purely to bring nachas to Hashem.

תהלים • חמשה קאפיטלער

The Five Daily Kapitlach

CHAPTER PREVIEW

These are the five kapitlach of Tehillim said every single day: 32, 43, 83, 121, and 130, each set word for word with its English meaning. They are gathered here as one section so the whole daily Tehillim can be said and downloaded together.

All introductions and contextual notes are the editor's commentary and are not part of the original text.

פֿאַרק ל"ב CHAPTER 32

לְדוֹד מִשְׁכִּיל אֲשֶׁרִי נָשׁוּי פֶשַׁע כְּסוּי חֲטָאָה:
אֲשֶׁרִי אָדָם לֹא יִחְשַׁב יְהוָה לוֹ עוֹן וְאִין בְּרוּחוֹ רַמְיָה:
כִּי הִחַרְשָׁתִּי בָּלוּ עֲצָמַי בְּשֹׁאֲגָתִי כָּל הַיּוֹם:
כִּי יוֹמָם וּלְיָלָה תִּכְבֵּד עָלַי יְדָה נִהַפָּה לְשׁוֹדִי בַּחֲרַבְנִי קִיץ סָלָה:
חֲטָאתִי אוֹדִיעָה וְעוֹנִי לֹא כִסִּיתִי אֲמַרְתִּי אוֹדָה עָלַי פֶשַׁעִי לִיהוָה וְאַתָּה נִשְׂאָתָּ עוֹן חֲטָאתִי סָלָה:
עַל זֹאת יִתְפַּלֵּל כָּל חֹסֶיד אֱלֹהִים לְעַת מִצָּא רַק לְשֹׁטֶף מִיָּם רַבִּים אֱלֹהִים לֹא יִגִּיעוּ:
אַתָּה סֹתֵר לִי מִצָּר תִּצְרֵנִי רַגְלִי פִּלַּט תְּסוּבְּבֵנִי סָלָה:
אֲשַׁכִּילָה וְאוֹרָה בְּדֶרֶךְ זוֹ תִּלְךָ אֵינִי עֹלָה עֲלֶיךָ עֵינִי:
אֵל תִּהְיוּ כְּסוּס כְּפָרֶד אִין הִבִּין בְּמִתְּג וְרָסוּן עֲדִיו לְבָלוֹם בַּל קָרַב אֱלֹהִים:
רַבִּים מִכְּאוּבִים לָרָשָׁע וְהַבּוֹטֵחַ בִּיהוָה חֲסֵד יְסוּבְּבֵנוּ:
שִׁמְחוּ בִיהוָה וְגִילוּ צְדִיקִים וְהִרְנִינוּ כָּל יִשְׂרָאֵל לֵב:

פֿאַרק מ"ג CHAPTER 43

שָׁפֹטֵנִי אֱלֹהִים וְרִיבָה רִיבִי מִגּוֹי לֹא חֹסֶיד מֵאִישׁ מִרְמָה וְעוֹלָה תִּפְלֹטֵנִי:
כִּי אַתָּה אֱלֹהִים מְעוּזִי לָמָּה זִנְחָתָנִי לָמָּה קוֹדֵר אֶתְהַלֵּךְ בְּלַחֲץ אוֹיֵב:
שְׁלַח אוֹרָה וְאַמְתָּה הַמָּה יִנְחוּנִי יְבִיאוּנִי אֶל הַר קוֹדֶשְׁךָ וְאַל מִשְׁכְּנוֹתֶיךָ:
וְאַבּוֹאָה אֶל מִזְבֵּחַ אֱלֹהִים אֶל אֵל שְׁמֹחַת גִּילִי וְאוֹדָה בְּכִנּוֹר אֱלֹהִים אֱלֹהִים:
מִה תִּשְׁתַּחֲוֶה נַפְשִׁי וּמִה תִּתְהַמֵּי עָלַי הוֹחִילִי לֵאלֹהִים כִּי עוֹד אוֹדְנוּ יְשׁוּעַת פָּנֶי וְאַלְהֵי:

שִׁיר מִזְמוֹר לְאַסָּף:

אֱלֹהִים אֵל דָּמִי לָךְ אֵל תַּחֲרַשׁ וְאֵל תִּשְׁקֹט אֵל:

כִּי הִנֵּה אוֹיְבֶיךָ יִהְיֶינָיִם וּמִשְׁנֵאֶיךָ נָשְׂאוּ רֹאשׁ:

עַל עֲמָךְ יַעֲרִימוּ סוֹד וַיִּתְּעֲצּוּ עַל צָפוֹנֶיךָ:

אָמְרוּ לָכֵן וְנִכְחֵידֶם מִגּוֹי וְלֹא יִזְכָּר שֵׁם יִשְׂרָאֵל עוֹד:

כִּי נִוָּעֲצוּ לֵב יַחֲדוּ עָלֶיךָ בְּרִית יִכְרֹתוּ:

אֱהִי אָדוֹם וַיִּשְׁמַעְאֲלִים מוֹאֵב וְהַגָּרִים:

גָּבַל וַעֲמֹן וַעֲמֶלֶק פָּלְשֶׁת עִם יִשְׁבִּי צוֹר:

גַּם אֲשׁוּר נִלְוָה עִמָּם הָיוּ זְרוּעַ לִבְנֵי לוֹט סֶלָה:

עָשָׂה לָהֶם כְּמִדְיָן כְּסִיסְרָא כְּיִבִּין בְּנַחֲל קִישׁוֹן:

נִשְׁמְדוּ בְּעֵין דָּאֵר הָיוּ דָמָן לְאַדְמָה:

שִׁיתֵּמוּ נְדִיבֵמוֹ כְּעֶרֶב וְכִזְאָב וְכִזְבַּח וְכִצְלָמְנָע כָּל גְּסִיכְמוֹ:

אֲשֶׁר אָמְרוּ נִירְשָׁה לָנוּ אֵת גְּאוֹת אֱלֹהִים:

אֱלֹהֵי שִׁיתֵּמוּ כַּגִּלְגַּל כְּקֶשׁ לִפְנֵי רוּחַ:

כְּאֵשׁ תִּבְעֶר יָעַר וְכִלְהָבָה תִּלְהַט הָרִים:

כֵּן תִּרְדָּפֶם בְּסַעֲרָךְ וּבְסוּפָתְךָ תִּבְהַלֵּם:

מִלֵּא פְּנֵיהֶם קִלּוֹן וַיִּבְקְשׁוּ שְׁמֶךָ יְהוָה:

יִבְשׁוּ וַיִּבְהָלוּ עַדִּי עַד וַיִּחַפְּרוּ וַיֵּאבְדּוּ:

וַיִּדְעוּ כִּי אַתָּה שְׁמֶךָ יְהוָה לִבְדָּדָה עֲלִיוֹן עַל כָּל הָאָרֶץ:

שִׁיר לַמַּעֲלוֹת אֶשָּׂא עֵינֵי אֶל הַהָרִים מֵאֵין יָבֹא עֲזָרִי:

עֲזָרִי מֵעַם יְהוָה עֲשֵׂה שָׁמַיִם וָאָרֶץ:

אֵל יִתֵּן לַמוֹט רִגְלָךְ אֵל יָנוּם שִׁמְרָךְ:

הִנֵּה לֹא יָנוּם וְלֹא יִישָׁן שׁוֹמֵר יִשְׂרָאֵל:

יְהוָה שִׁמְרָךְ יְהוָה צִלָּךְ עַל יַד מִינָה:

יוֹמָם הַשָּׁמֶשׁ לֹא יִכָּכֶה וַיֵּרַח בִּלְיָלָהּ:

יְהוָה יִשְׁמְרֶךָ מִכָּל רָע יִשְׁמֹר אֶת נַפְשְׁךָ:

יְהוָה יִשְׁמֹר צִאתְךָ וּבואְךָ מֵעַתָּה וְעַד עוֹלָם:

פָּרָק ק"ל CHAPTER 130

שִׁיר הַמַּעֲלוֹת מִמַּעַמְקִים קִרְאתֶיךָ יְהוָה:

אֲדֹנָי שְׁמֶעָה בְּקוֹלִי תַהֲיֶינָה אָזְנֶיךָ קִשְׁבוּת לְקוֹל תַּחֲנוּנִי:

אִם עֲוֹנוֹת תִּשְׁמֹר יְיָ אֲדֹנָי מִי יַעֲמֵד:

כִּי עָמָךְ הִסְלִיכָה לְמַעַן תִּגְוֶרָא:

קוֹיֵתִי יְהוָה קִוְּתָה נַפְשִׁי וְלִדְבָרוֹ הוֹחֵלֵתִי:

נַפְשִׁי לֹאֲדֹנָי מִשְׁמָרִים לְבָקֶר שְׁמָרִים לְבָקֶר:

יַחַל יִשְׂרָאֵל אֵל יְהוָה כִּי עִם יְהוָה הַחֲסֵד וְהַרְבֵּה עֲמוֹ פְדוּת:

וְהוּא יַפְדֶּה אֶת יִשְׂרָאֵל מִכָּל עֲוֹנֹתָיו:

לְמַעֲשֶׂה WHAT TO TAKE HOME

When you feel weighed down by your mistakes, do not keep silent or try to hide them. Open your heart to Hashem in honest confession, and then immediately shift your focus to absolute trust in His forgiveness and constant protection, knowing that He never slumbers and is always guarding your steps.

Today, the moment you feel a heavy heart or a sense of spiritual distance, stop what you are doing, speak to Hashem in your own words to acknowledge your mistake, and then say out loud: 'My help is from Hashem, who forgives and guards my soul.'