

הלכות עבודת כוכבים • פרק חמישי

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

CHAPTER PREVIEW

In this chapter, the Rambam takes us into the severe halachos of a mesit—one who tries to entice a fellow Jew to serve avodah zarah—and a madiach, who leads an entire city astray. We will learn the strict procedures the Torah demands to bring such a person to justice, including the unique allowance to set a trap for him, and the absolute prohibition to show him any mercy or defend him in court.

We will also learn the halachos of a navi sheker, a false prophet who claims to speak in the name of an avodah zarah. The Rambam explains the severe prohibition against even listening to his arguments or contemplating the signs and wonders he might perform to prove his words, showing us how we must guard our emunah with absolute purity.

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

הלכה א

Halacha 1 • The Law of One Who Incites an Individual to Worship Idols

המסית אחד מישראל

One who incites one of Israel to worship idols,

בין איש בין אשה

whether the incited person is a man or whether she is a woman,

הרי זה נסקל

behold, this inciter is stoned by Beis Din,

אף על פי שלא עבד המסית

even though the inciter did not himself worship

ולא המוסת עבודת כוכבים

and even though the incited person did not actually perform worship of stars and idols,

אלא מפני שהורהו לעבד.

but rather, he is liable to the death penalty because he instructed him to worship idols.

בין שהיה המסית הקדוט

Whether the inciter was an ordinary person,

בין שהיה נביא

or whether he was a false prophet,

בין שהיה המוסת יחיד

and whether the incited party was an individual,

איש או אשה או יחידים

either a man or a woman, or a small group of individuals,

מיתתו בסקילה:

the inciter's death is by stoning.

הלכה ב

Halacha 2: The Distinction Between a Mesit and a Madiach and the Law of a Prophet Who Misleads

המסית את רב אנשי העיר הרי זה מדיח ואינו נקרא מסית.

One who incites — the majority of the people of the city, behold this is a madiach (a subverter) and is not called a mesit (an inciter, who has a different halachic status).

היה זה שהדיח רב העיר נביא מיתתו בסקילה

If he was, this person who led astray the majority of the city, a prophet, his death is by stoning

והנדהים הרי הן כיהידים ואינם כאנשי עיר הנדחת עד שיהיו המדיחים שנים.

and those led astray, behold they are like individuals who worshiped idols and they are not like the people of a city led astray (which requires a different form of execution and destruction of property) until there will be the madiach-inciters at least two in number.

ואחד האומר אמרה לי עבודת כוכבים עבדוה.

And both one who says, "She said to me, the worship of stars, 'worship her,'"

או שאמר אמר לי הקדוש ברוך הוא עבדו עבדו עבודת כוכבים הרי זה נביא שהדיח.

or who said, "Said to me the Holy One, blessed is He, 'worship the worship of stars,'" behold this is a prophet who led astray.

ואם הדחו אחריו רב העיר נסקל.

And if they were led astray after him, the majority of the city, he is stoned.

המסית שהסית בין בלשון רבים בין בלשון יחיד הרי זה נסקל.

The mesit who incited, whether in the language of many (speaking to multiple people) whether in the language of an individual, behold this one is stoned.

כיצד.

How so?

הַאֹמֵר לְחֵבְרוֹ אֶעֱבֹד כּוֹכָבִים אֱלֹהִים וְאֶעֱבֹד גִּלְגָּל וְנִעְבֹּד בְּעִבְדָּהּ פְּלוֹנִית שְׂדֵדָה אוֹתָהּ עֲבֹדֶת כּוֹכָבִים לְהַעֲבֹד בָּהּ.

One who says to his fellow, "I will worship stars," "I will go and I will worship," "let us go and let us worship with the worship such and such, that is the way of that worship of stars to be worshiped with it."

אֲזַבַּח אֱלֹהִים וְאֲזַבַּח גִּלְגָּל וְנִזְבַּח.

Or if he said, "I will slaughter," "I will go and I will slaughter," "let us go and let us slaughter."

אֶקְטֹר אֱלֹהִים וְאֶקְטֹר גִּלְגָּל וְנִקְטֹר.

Or if he said, "I will burn incense," "I will go and I will burn incense," "let us go and let us burn incense."

אֶנְסֹף אֱלֹהִים וְאֶנְסֹף גִּלְגָּל וְנִנְסֹף.

Or if he said, "I will pour a libation," "I will go and I will pour a libation," "let us go and let us pour a libation."

אֶשְׁתַּחֲוֶה אֱלֹהִים וְאֶשְׁתַּחֲוֶה גִלְגָּל וְנִשְׁתַּחֲוֶה הַרִי זֶה מִסִּית.

Or if he said, "I will bow down," "I will go and I will bow down," "let us go and let us bow down," behold this is a mesit.

הָסִית לְשָׁנִים הַרִי הוּא עֲדִיו וְהוּא מְבִיאֵן אוֹתוֹ לְבֵית דִּין וּמַעֲיִדִין עָלָיו שְׂכָה אָמַר לָהֶן וְסוֹקְלִין אוֹתוֹ:

If he incited two, behold they are his witnesses, and they bring him to the house of law, and they testify against him that thus he said to them, and they stone him.

הַלָּכָה ג

Halacha 3 · The Law of Setting a Trap to Convict an Enticer to Idolatry

וְאִין הַמִּסִּית צָרִיךְ הַתְּרָאָה.

And the enticer does not need a formal warning before he can be punished.

אָמַר לְאֶחָד

If he spoke to one person alone, trying to entice him,

הוּא אָמַר יֵשׁ לִי חֲבֵרִים רוֹצִים בְּכָהּ

the listener says to him, "I have friends who desire this as well,"

וּמַעֲרִים עָלָיו עַד שִׁסִּית בְּפָנֵי שְׁנַיִם

and he schemes against him until he entices in the presence of two people,

כְּדֵי לְהַרְגּוֹ.

in order to have the necessary witnesses to execute him in court.

אִם לֹא רָצָה הַמִּסִּית לְהָסִית לְשָׁנִים

If the enticer did not want to entice to two people, but only to this individual,

מִצְוָה לְהַכְמִין לוֹ.

it is a mitzvah to set a trap for him by hiding witnesses.

כָּל חַיְבֵי מִיתוֹת שְׁפִתוֹרָה אֵין מְכַמִּינִין עֲלֵיהֶן חוּץ מִזֶּה.

For all those liable to deaths that are in the Torah, we do not set a trap for them, except for this case of the enticer.

כִּיצַד מְכַמִּינִין לוֹ.

How do we set a trap for him?

הַמוֹסֵת מְבִיא שְׁנַיִם וּמַעֲמִידוֹ בְּמָקוֹם אָפֶל

The enticed person brings two witnesses and places them in a dark place,

כְּדֵי שֶׁיֵּרְאוּ הַמַּסִּית וְיִשְׁמְעוּ דְּבָרָיו וְלֹא יֵרְאֶה אוֹתָם,

in order that they will see the enticer and they will hear his words, and he will not see them.

וְהוּא אוֹמֵר לַמַּסִּית אֲמַר מַה שֶּׁאָמַרְתָּ לִּי בִּיחוד,

And he says to the enticer, "Say what you said to me in private,"

וְהוּא אוֹמֵר לוֹ,

and he says it again to him.

וְהַמוֹסֵת מְשִׁיבוֹ הִיאָה נְנִיחַ אֶת אֱלֹהֵינוּ שֶׁבְּשָׁמַיִם

And the enticed person answers him, "How can we leave our God Who is in heaven

וְנִלְךָ וְנַעֲבֹד אֶת הָעֵצִים וְאֶת הָאֲבָנִים.

and go and serve the wood and the stones?"

אם חֲזַר בּוֹ אוֹ שֶׁתַּק פָּטוֹר.

If the enticer then retracted his words or remained silent, he is exempt.

וְאם אָמַר לוֹ כֹּה הִיא חוֹבָתֵנוּ וְכֹה יָפֵה לָנוּ,

But if he said to him, "Thus is our obligation, and thus is good for us,"

הָעוֹמְדִים שָׁם בְּרָחוֹק מְבִיאִין אוֹתוֹ לְבֵית דִּין וְסוֹקְלִים אוֹתוֹ:

those standing there at a distance in hiding bring him to the house of law, and they stone him.

מצוה ביד המוסת להרגו

It is a mitzvah in the hand of the enticed one to kill him, the enticer, once he is condemned in court,

שנאמר דברים יג י "ידך תהיה בו בראשונה להמיתו" וגו'.

as it is said in the Torah regarding the enticer, "your hand shall be against him first to kill him" etc.

ואסור למוסת לאהב את המסית

And it is forbidden for the enticed one to love — the enticer,

שנאמר דברים יג ט "לא תאבה לו".

as it is said, "do not be attracted to him"—meaning, do not develop a fondness for him.

ולפי שנאמר בשו"א שמות כג ה "עזב תעזב עמו".

And since it is said regarding an enemy, "surely you shall help with him" to unload his animal,

יכול אתה עוזב לזה

one might think you must help this one as well if he is in distress;

תלמוד לומר דברים יג ט "ולא תשמע אליו".

therefore the teaching says, "and do not listen to him"—do not show him mercy or assist him.

ולפי שנאמר ויקרא יט טז "ולא תעמד על דם רעה".

And since it is said generally, "and do not stand by the blood of your fellow" when his life is in danger,

יכול אי אתה עומד על דמו של זה

one might think you may not stand by the blood of this one and must rescue him from death;

תלמוד לומר דברים יג ט "ולא תחוס עינה".

therefore the teaching says, "and do not pity your eye"—you must not spare him.

ואסור למוסת ללמד עליו זכות

And it is forbidden for the enticed one to argue on his behalf merit during his trial,

שנאמר דברים יג ט "ולא תחמל".

as it is said, "and do not compassionate"—do not seek ways to acquit him.

ואם ידע לו חובה אינו רשאי לשתק ממנה

And if he knew against him guilt, he is not permitted to remain silent from it,

שֶׁנֶאֱמַר דְּבָרִים יֵג ט "וְלֹא תִכְסֶה עָלָיו".

as it is said, "and do not cover up for him."

וְאִזְהָרָה לְהַדְיוּט הַמְּסִית מִנִּין

And the warning—the negative commandment—for an ordinary person who entices, from where is it derived?

שֶׁנֶאֱמַר דְּבָרִים יֵג יב "וְכָל יִשְׂרָאֵל יִשְׁמְעוּ וְיִרְאוּ":

It is as it is said, "And all Yisrael shall hear and fear"—which serves as a warning to others not to commit this sin.

הַלָּכָה ה

Halacha 5 · One Who Entices to Worship Himself Versus One Who Entices to Another Deity

הַמְּסִית אֲחֵרִים לְעִבְדוֹ

One who entices others to worship himself,

וְאָמַר לָהֶם עִבְדוּנִי

and said to them, "Worship me,"

אִם עִבְדוּהוּ נִסְקָל

if they worshiped him, he is stoned by the Beis Din;

וְאִם לֹא עִבְדוּהוּ

and if they did not worship him,

אֲףִי עַל פִּי שֶׁקִּבְּלוּ מִמֶּנּוּ וְאָמְרוּ הֵן

even though they accepted his words from him and said, "Yes,"

אֵינוֹ נִסְקָל.

he is not stoned.

אֲבָל אִם הִסִּית לְעִבּוֹדַת אִישׁ אֲחֵר

But if he enticed them to the worship of another man,

אוּ לְשִׁאֵר מִיְּנֵי עִבּוֹדַת כּוֹכָבִים

or to other kinds of idol worship,

אִם קִבֵּל מִמֶּנּוּ וְאָמַר הֵן

if the enticed person accepted from him and said, "Yes,

נִלְה וְנִעֲבַד

we will go and we will worship,"

אף על פי שְׁעִדִּין לא עָבַד

even though he has still not actually worshiped,

שְׁנֵיהֶן נִסְקָלִין הַמְּסִית וְהַמּוֹסֵת

both of them are stoned, the enticer and the enticed person,

שֶׁנֶּאֱמַר "לא תֵּאָבֶה לוֹ וְלֹא תִשְׁמָע אֵלָיו"

as it is said, "You shall not desire him and you shall not listen to him."

הָא אִם שָׁמַע וְאָבֶה חַיֵּב:

Behold, we learn from here that if he listened and desired, he is liable to the death penalty.

הַלָּכָה ו

Halacha 6 - The Punishment of a Prophet Who Prophesies in the Name of Idols

נָבִיא הַמְּתַנַּבֵּא בְּשֵׁם עֲבוֹדַת כּוֹכָבִים כִּיצַד.

A prophet who prophesies in the name of worship of stars, how so?

זֶה הָאֱמָר אֶמְרָה לִי עֲבוֹדַת כּוֹכָבִים כְּלוּנִית אוֹ כּוֹכֵב כְּלוּנִי

This is referring to one who says, "Said to me the worship of stars of such and such a place, or the star of such and such,

שֶׁמִּצְוָה לַעֲשׂוֹת כֵּךְ וְכֵךְ אוֹ שְׁלֹא לַעֲשׂוֹת,

that it is a mitzvah to do so and so, or not to do so and so."

אֲפֹלוּ כִּנּוּן אֶת הַהִלָּכָה לְטַמֵּא אֶת הַטָּהוֹר וּלְטַהֵר אֶת הַטָּהוֹר,

Even if he directed his words to align with the halacha, such as to declare impure that which is truly impure, and to declare pure that which is truly pure,

אִם הִתְרוּ בּוֹ בְּפָנֵי שְׁנַיִם הָרִי זֶה נֶחֱנָק

if they warned him in the presence of two witnesses, behold, this one is strangled by the Beis Din,

שֶׁנֶּאֱמַר דְּבָרִים יח כ "וְאֲשֶׁר יִדְבֹּר בְּשֵׁם אֱלֹהִים אֲחֵרִים וּמֵת הַנָּבִיא הַהוּא".

as it is said in Devarim 18:20, "And who shall speak in the name of gods other, and shall die the prophet that."

וְאִזְהָרָה שֶׁלוֹ מִכָּלֵל שֶׁנֶּאֱמַר שְׁמוֹת כג יג "וְשֵׁם אֱלֹהִים אֲחֵרִים לֹא תִזְכְּרוּ":

And the warning of it is from the general rule, as it is said in Shemos 23:13, "And the name of gods other not shall you mention."

ואסור לערף דין ותשובה עם המתנבא בשם עבודת כוכבים

And it is forbidden to arrange argument and response with one who prophesies in the name of worship of stars,

ואין שואליו ממנו אות ומופת.

and we do not ask from him a sign and wonder to verify his words.

ואם עשה מעצמו אין משגיחין עליו ואין מהרהרין בו.

And if he performed a sign on his own, we do not pay attention to him and we do not contemplate on it.

וכל המחשב באותות שלו שפא אמת הן עובר בלא תעשה

And anyone who thinks about the signs of his, wondering perhaps truth they are, transgresses a negative commandment,

שנאמר "לא תשמע אל דברי הנביא ההוא".

as it is said, "Do not listen to the words of that prophet."

וכן נביא השקר מיתתו בהנק

And likewise, a prophet of falsehood, his death is by strangulation,

אף על פי שנתנבא בשם ה' ולא הוסיף ולא גרע

even though he prophesied in the name of Hashem, and did not add and did not diminish from the Torah's mitzvos, but merely claimed that Hashem sent him with a message that Hashem did not actually say,

שנאמר "אף הנביא אשר יזיד לדבר דבר בשמי את אשר לא צויתי"

as it is said, "But the prophet who will dare to speak a matter in My name which I did not command him to speak,"

"ומת הנביא ההוא":

"and that prophet shall die."

אחד המתנבא מה שלא שמע במראה הנבואה

It is the same for one who prophesies what he did not hear in a vision of prophecy,

או מי ששמע דברי נביא חברו

or one who heard the words of his fellow prophet

ואמר שדבר זה לו נאמר

and said that this matter was said to him directly by Hashem,

וְהוּא נִתְנָבֵא בּוֹ

and he prophesied with it as if he received it himself—

הֲרִי זֶה נְבִיא שֶׁקֶר

behold, this is a prophet of falsehood,

וּמִיתָתוֹ בְּחֶנֶק:

and his death penalty is by strangulation.

הִלָּכָה ט

Halacha 9 · Prohibition of Fearing a False Prophet and the Requirement of Sanbedrin

כָּל הַמוֹנֵעַ עֲצָמוֹ מִהַרְיַגַת נְבִיא הַשֶּׁקֶר

Anyone who refrains himself from executing or bringing about the killing of a prophet of falsehood

מִפְּנֵי מַעֲלָתוֹ שֶׁהֲרִי הוֹלֵךְ בְּדַרְכֵי הַנְּבוּאָה

because of his high spiritual level, thinking that behold, he walks in the ways of prophecy and we must show him respect,

הֲרִי זֶה עוֹבֵר בְּלֹא תַעֲשֶׂה

behold, this person transgresses a negative commandment,

שֶׁנֶּאֱמַר "לֹא תִגּוֹר מִמֶּנּוּ".

as it is said in Devarim, "Do not fear him."

וְכֵן הַמוֹנֵעַ עֲצָמוֹ מִלְלִימַד עָלָיו חוֹבָה

And likewise, one who refrains himself from teaching guilt against him in court, by holding back arguments for his conviction,

אוּ הַפוֹחֵד וְיִרָא מִדְּבָרָיו

or one who is frightened and fears his words and curses,

הֲרִי הוּא בְּכָלֵל לֹא תִגּוֹר מִמֶּנּוּ.

behold, he is included in the prohibition of "Do not fear him."

וְאִין דָּנִין נְבִיא הַשֶּׁקֶר אֶלָּא בְּבֵית דִּין שֶׁל שִׁבְעִים וְאַחַד:

And we do not judge a prophet of falsehood except in a Beis Din of seventy-one judges, which is the Sanhedrin Hagadol.

הנודר בשם עבודת כוכבים

One who vows in the name of an idol

והנשבע בה

and one who swears by it

לוקה

receives lashes mid'Oraisa,

שנאמר "וּשְׁם אֱלֹהִים אֲחֵרִים לֹא תִזְכִּירוּ".

as it is said in the Torah, "And the name of other gods you shall not mention."

אחד הנשבע בה לעצמו

This applies whether it is one who swears by it for himself

ואחד הנשבע בה לעובד כוכבים.

and whether it is one who swears by it for an idolater who demands the oath.

ואסור להשביע העובד כוכבים ביראתו.

And it is also forbidden to cause the idolater to swear by his object of fear, meaning his idol.

אפלו להזכיר שם עבודת כוכבים שלא דרך שבועה אסור

Even to mention the name of an idol not by way of an oath is forbidden,

שנאמר לא תזכירו:

as it is said, "you shall not mention."

לא יאמר אדם לחברו

A person shall not say to his fellow Jew,

שמר לי בצד עבודת כוכבים פלונית

"Wait for me by the side of such-and-such idol worship,"

וכיוצא בה.

and similar to it, because one may not mention the name of an idol.

וְכָל עֲבוֹדַת כּוֹכָבִים הַכְּתוּבָה בְּכַתְבֵי הַקֹּדֶשׁ

And any idol worship that is written in the Holy Scriptures,

מִתֵּר לְהִזְכִּיר שְׁמָהּ

it is permitted to mention its name,

כְּגוֹן פְּעוֹר וּבֵל וְנֵבּוֹ וְגַד

such as Peor, and Bel, and Nevo, and Gad,

וְכִיּוֹצֵא בָהֶן.

and similar to them.

וְאָסוּר לְגַרֵם לְאַחֵרִים

And it is forbidden to cause others, even non-Jews,

שֶׁיִּדְּרוּ וְשֶׁיִּקְיְמוּ בְּשֵׁם עֲבוֹדַת כּוֹכָבִים.

that they vow or that they swear in the name of idol worship.

וְאֵינוֹ לוֹקָה

And he does not receive lashes mid'Oraisa for this prohibition,

אֶלָּא הַנּוֹדֵר בְּשְׁמָהּ

except the one who himself vows in its name,

וְהַמְקִיִּים בְּשְׁמָהּ

and the one who swears in its name,

וְהוּא הַנִּשְׁבָּע בְּשְׁמָהּ:

and he is the one who takes an oath in its name.

CHAPTER SUMMARY

The chapter details that a mesit is executed by stoning even if no actual worship took place, whereas a madiach is one who entices the majority of a city. To convict a mesit, the Torah uniquely permits setting a hidden trap with witnesses, and the musat (the enticed individual) is commanded to lead the execution, forbidden from loving, pitying, or defending the mesit in any way. Additionally, if someone entices others to worship him, he is only liable if they actually worship him, but if he entices them to worship another deity, both are liable as soon as they agree. Finally, the Rambam rules that a prophet who prophesies in the name of false gods is executed by strangulation, and it is strictly forbidden to debate him, ask for a sign, or pay any attention to his wonders.

The Torah goes to unprecedented lengths to stop the mesit, the one who tries to persuade another Jew to turn away from Hashem. We are commanded not to love him, not to protect him, and even to set a hidden trap to expose his words. Why is the Torah so uniquely severe here, even if no actual worship ever took place? Because the greatest danger to a Yid is not a physical threat, but the subtle, persuasive voice that tries to quietly pull our hearts away from Hashem.

In our own lives, the most dangerous "mesit" we encounter is often the quiet, inner voice of the yetzer hara, or the negative influences around us that whisper, "Just this once, let's do what everyone else is doing; it's beneficial for us." These thoughts don't always come with a loud roar; they come as a gentle, logical suggestion to compromise on our emunah or our standards of yiras Shamayim. The lesson of the sugya is that we cannot play nice with these negative influences. We cannot try to find excuses for them or show them compassion. We have to expose them for what they are and shut them down immediately.

Today, when a whispering thought or an outside influence tries to persuade you to compromise on a mitzvah or slide away from your closeness to Hashem, do not argue with it or try to accommodate it. Recognize it as a spiritual threat, stand strong in your emunah, and firmly say, "How can I forsake my Father in Heaven?"