

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 מֵעֲבֹדַת 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 תִּהְרַג.

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

יִהְרַג וְלֹא יַעֲבֹר.

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 בְּשָׂבֶת אוֹ לְבַשֵּׁל 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 נִתְּכֵן לְהַעֲבִיר עַל הַמִּצְוֹת בְּלִבְדּוֹ.

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

אִם הָיָה בֵּינּוּ 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 אֲנִסּוּ 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 נִתְּכֵן 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.

הַלְכָּה 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, Mishaël, 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 עָלֶיְהֶם הִרְגָנוּ כָּל הַיּוֹם נִחָשְׁכָנוּ 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 יִהְיֶה 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 בְּרִבּוּי

behold, this person desecrated the Name in public,

וּבָטֵל מִצְוַת עֲשֵׂה שֶׁהִיא קְדוּשַׁת הַשֵּׁם

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

וְעֹבֵר עַל מִצְוַת לֹא תַעֲשֶׂה שֶׁהִיא חֵלּוּל 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 מְלָקִין 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:

הַהוּא 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 צָרִיף 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 כִּב כּו "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,

וְיֵוָרֵד לְמַדְרַגַּת הַתַּחְתּוֹנָה שֶׁל גֵּיהֵנוֹם:

and descends to the lowest level of Gehinnom.

הַלָּכָה 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 נַהַרְגַּם 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־צֵד.

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 מֵעֲבֹדֹת כּוֹכָבִים וְגִלּוֹי עֲרִיּוֹת וְשִׁפְכַת דָּמִים

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

שְׁאֵפְלוּ בְּמָקוֹם סִכָּנָה אֵין 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,

עוֹנְשִׁין 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 אֵין עוֹבְרִין עַל אַחַת מִשְׁלֹשׁ עֲבֵרוֹת אֵלוֹ

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,

שְׁנֵאמַר דְּבָרִים כַּב כּו "כִּי כַּאֲשֶׁר יָקוּם אִישׁ עַל רֵעֵהוּ וְרָצָחוּ נֶפֶשׁ 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 שְׂמֵאֲכִילִין אוֹתוֹ בְּיוֹם הַכִּפּוּרִים.

or that they feed him on Yom Kippur.

אֲבָל שְׂלֹא 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 שֶׁמְשָׁקִין 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 הַנֶּאֱתָה לַחֵךְ

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 בְּדִבְרֵים אֵלֶּה לְפָרֹץ בַּעֲרִיּוֹת:

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 הָאֲמֻרוֹת בַּתּוֹרָה

on one of all the mitzvos stated in the Torah,

בְּשֹׂאֵט בִּנְפֹשׁ לְהַכְעִיס

with contempt of soul, to anger Hashem,

הֲרִי זֶה מַחְלִיל 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 ייט יב "וְחָלַלְתָּ אֶת שֵׁם אֱלֹהֶיךָ אֲנִי ה'".

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

וְאִם עָבַר בַּעֲשָׂרָה 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 דִבְרַר 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 בְרוּךְ 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

וַיֵּשׁ דְּבָרִים אֲחֵרִים שֶׁהֵן בְּכָלֵל חִלּוּל הַשֵּׁם.

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

וְהוּא שִׁיעֲשָׂה 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 בְּשִׁבְלָם.

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 שִׁירְכָה בְּשָׁחוֹק אוֹ בְּאִכְלָה 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 וישיבתן.

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 אֵמַר 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.