About these translations and transcriptions

Every English translation and transcription on this site was produced by artificial intelligence: Anthropic's Claude did the transcribing, translating and formatting. These versions have not been proofread or checked against the originals, and they may contain errors in wording, numbering, citations or Hebrew.

They are offered so readers can explore and compare these catechisms. They are not a scholarly edition. Anyone quoting or citing these texts for research should work from the original printed books.

Note on the Translation

What follows is a complete English translation of Alexander Behr's *Lehrbuch der mosaischen Religion* (Munich, 1826), made from photographs of the volume: the title page, the Hebrew–German epigraph, the royal privilege, the author's foreword (pp. V–XII), the table of contents, the list of corrections, the Introduction (§§ 1–6), the whole of the First Part, "On the Articles of Faith" (§§ 7–32), and the Second Part, "On Duties toward God," the Second and Third Sections (§§ 148–209), and the Appendix on marriage and on the Kohanim (§§ 1–11) — the complete book, pp. 1–160 of the original. The original is set in Fraktur and follows early-nineteenth-century orthography (*seyn, bey, Theil, Nothwendigkeit*).

The translation aims at readable contemporary English while keeping the structure and the technical vocabulary of the original. Behr's long periodic sentences have occasionally been divided; nothing has been omitted. Page numbers of the original are given in grey brackets, e.g. [VI]. Behr's own footnotes are reproduced as footnotes marked "Behr's note"; all other footnotes are the translator's. Section references (§) refer to the numbered paragraphs of the *Lehrbuch* itself and are reproduced as printed.

The body of the book is a catechism of numbered questions and answers. Behr prints his proof-texts in two columns: the Hebrew source on the left and, on the right, either his German translation of it or the German answer itself. Here each Hebrew text is reproduced as printed (unvocalized, with its Hebrew citation), followed by an English rendering of Behr's German and the reference in modern form. Where Behr gives no German version of a Hebrew source — typically the Talmudic and Maimonidean passages, which he places beside the answer they support — the translator's English rendering is supplied in square brackets. Biblical quotations follow Behr's German, which is often freer than the Hebrew; notable differences are pointed out in the notes.

TEXTBOOK

of the

MOSAIC RELIGION[1]

Prepared
by
Dr. Alexander Behr
under the
supervision and direction
of the
Chief Rabbi Abraham Bing of Würzburg,[2]
examined and approved
by the
Rabbinate of Fürth and several distinguished rabbis.

(With the most gracious Privilege of His Royal Majesty.)[3]

Munich, 1826.
Printed by Dr. Carl Wolf.
Published by the author, and on commission by the Fleischmann bookshop.

[1] German mosaische Religion, the standard official and educated term for Judaism in early-nineteenth-century German usage (likewise "Mosaism," Mosaismus, in the foreword). It has been rendered literally to preserve the period idiom.

[2] Abraham Bing (1752–1841), Oberrabbiner (chief rabbi) of Würzburg, a leading traditionalist rabbinic authority in Franconia. Behr describes himself in the foreword as Bing's student.

[3] A Privilegium was a royal grant protecting a work against unauthorized reprinting within the kingdom — in effect a time-limited copyright, issued before uniform copyright legislation existed in the German states. Its text follows below.

כי המצוה הזאת אשר אנכי מצוך היום לא נפלאת הוא ממך ולא רחקה הוא לא בשמים הוא לאמר מי יעלה לנו השמימה ויקחה לנו וישמענו אתה ונעשנה ולא מעבר לים הוא לאמר מי יעבר לנו אל עבר הים ויקחה לנו וישמענו אתה ונעשנה כי קרוב אליך הדבר מאד בפיך ובלבבך לעשתו.

הדברים ל׳, יא–יד.

The Law that I set before you today is now no longer hidden from you, nor far away. It is not in heaven, that you should say: "Who will go up to heaven for us, to fetch it and let us hear it, so that we may carry it out?" Nor does it lie beyond the sea — rather, the holy word now lies very near to you; with heart and mouth you can carry it out.[4]

Deuteronomy 30:11–14

[4]Behr's German is a free paraphrase rather than a literal rendering of Deuteronomy 30:11–14. It adds the temporal adverbs nunmehr ("now, henceforth") and jetzt ("now"), condenses the second question ("Who will cross the sea for us…?") into a single clause, and calls the commandment "the holy word." The emphasis on the Law as now accessible anticipates the programme of the foreword: a clear, systematic textbook placing Jewish law within reach of every pupil.

We, Ludwig,
by the Grace of God King of Bavaria,[5]

have been most graciously pleased to grant Alexander Behr of Munich, for the publication of the work *Textbook of the Mosaic Religion*, a privilege for six years, to the effect that the reprinting [of the work] within the realm, and trade in any reprints that may be produced abroad — whether of the aforementioned complete new edition of this textbook or of individual parts of or extracts from it — shall be prohibited in Our Kingdom on pain of a fine of one hundred ducats, one half of which shall fall to Our treasury[6] and the other half to the publisher.

We therefore command all authorities of Our Kingdom to protect the lawful publisher of the above-named work most vigorously against every infringement, to confiscate at once any reprints reported to them, and to have these delivered to him for his free disposal.

We further permit this privilege to be printed at the front of the edition of the said textbook, and its grant to be made known in the Government Gazette. In witness whereof We have signed this privilege in Our own hand and caused Our Greater Privy Chancery Seal to be affixed.

Given in Our capital and residence city of Munich, on the twenty-fifth day of October, in the year one thousand eight hundred and twenty-six.

Ludwig.

[L.S.][7]

Count von Armansperg.[8]

By His Majesty's Most Exalted Royal Command:
the Secretary-General,
F. v. Kobell.

[5]Ludwig I (1786–1868), King of Bavaria from October 1825 until his abdication in 1848.

[6]German Aerar (from Latin aerarium): the state treasury.

[7]Locus sigilli, "place of the seal," marking where the seal was impressed.

[8]Joseph Ludwig, Count von Armansperg (1787–1853), a minister in Ludwig I's government, who countersigned the grant.

Foreword

[V] The need for a textbook of the Mosaic religion — one composed by a qualified expert, approved by one or more competent rabbis, and prescribed by the state government as a subject of elementary instruction for Israelites — has been felt everywhere since the last decade of the previous century, and most especially in recent times in the more southerly parts of Germany, where governments have taken a growing interest in the ethical and moral cultivation of the Israelites in keeping with the progress of the age. For what can those well-meant ordinances — "that the Israelite shall either send his children to the Christian elementary schools, or have them taught by an examined Israelite teacher"[9] — really accomplish, if this elementary instruction does not have religion as its [VI] foundation? What can one expect of a youth — even though those humane and liberal laws have opened to it every educational institution: gymnasia, universities, seminaries and academies — if, lacking a religious upbringing, it must build its entire morality and ethical life on the weak ground of its own understanding?

Thanks are therefore due to our truly enlightened government, which, well recognizing that no true cultivation[10] is possible without sound religious principles, and that religion is the chief pillar of all public welfare, has for several years been pressing for the introduction of a purified and uniform religious instruction among the Israelites. After a number of fruitless attempts, it finally, by a supreme resolution of the Royal Government of the Lower Main District,[11] commissioned Chief Rabbi Abraham Bing of Würzburg to submit a textbook of the Mosaic religion to the Royal Government for examination. The Chief Rabbi lost no time in undertaking a rigorous review of all existing works of this kind; but since he found that they did not meet the requirements he set for such a work, he called upon me, his student, to prepare under his supervision and direction a textbook in which, on the one hand, all the essential religious duties of an Israelite, drawn from the Talmudic sources, would be contained, and from which, on the other hand, [VII] everything foreign — everything carried over into our religion from philosophical systems and from other religions — must be kept out.

Since, then, I had before me the task of treating the entire body of religious law that an Israelite is to observe, I had, faced with so astonishingly great a quantity of the most diverse subjects, to

[9] Behr is referring to state regulations on compulsory schooling for Jewish children; in Bavaria the principal legal framework was the Edict concerning the Jews of 10 June 1813 (Judenedikt), which required Jewish children to attend either the public schools or approved Jewish schools with certified teachers.

[10] German Bildung: education in the broad sense of moral and intellectual formation, a central ideal of the German Enlightenment and of Jewish emancipation discourse. "Cultivation" and "education" are used for it here according to context.

[11] The Untermainkreis, one of the administrative districts (Kreise) of the Kingdom of Bavaria, with its seat at Würzburg; renamed Lower Franconia (Unterfranken) in 1838.

direct my efforts above all to three things: to bring the many commandments under classes and divisions; to arrange these classes as systematically as possible; and to explain the meaning and purpose of the laws themselves in simple and intelligible language. I therefore divided all the commandments into two classes: pure doctrines of faith, and laws that prescribe actions to us. In the Introduction I defined precisely the concepts of religion, doctrine of faith, duty and sin, and the relation of the duties toward God to the duties toward one's fellow human beings (§§ 1–7). In the First Part I then proceeded to the enumeration of the doctrines of faith and finally to their explanation, in the course of which I also set out the necessity of a tradition, its relation to the written records, and the history of the Talmud — its origin, its importance, and its standing in relation to Holy Scripture (§§ 7–33).

[VIII] The Second Part, which is to treat the laws, had by its very nature to fall into three sections: (1) duties toward God, (2) duties toward ourselves, and (3) duties toward our fellow human beings. In order to preserve a unity among the many laws within each of these sections, I sought, as it were, to derive the individual laws from a single supreme principle. Thus the passage (Deut. 10:12–13) in which Moses told the whole people of Israel "that God asks nothing more of them than to revere Him, to love Him, and to serve Him, etc." is set forth as the premise in which all duties toward God are contained; and after reverence for God and love of God have been explained (§§ 36–44), *serving* is presented in ten divisions, which together encompass all the so-called ceremonial laws according to their content and meaning (§§ 45–147). Likewise, in the second section, the duty to keep mind and body in a healthy state (Deut. 4:15) is placed at the head of the duties toward ourselves (§ 152), and from it the individual duties of this kind are then developed and explained (§§ 153–161). In the same way, the law "Love your neighbour as yourself" stands as the fundamental law of the duties toward one's fellow human beings (§ 178). In the last two sections, the development of the [IX] concepts — king, state, civil society, governing authority, the various estates within the state, their necessity and purpose, and so on (§§ 148–152; §§ 168, 173–177) — comes first, and the duties themselves are then enumerated and explained. The duties toward one's fellow human beings had to be arranged in five divisions: duties (1) toward parents, (2) toward teachers, (3) toward the king, (4) toward the wise and the aged, and (5) toward every human being; the fifth of these is in turn divided into two classes: duties toward the person and duties toward the property of one's fellow human being.

In order to present the whole of the teachings of Mosaism, the laws to be observed in marriage could not be omitted either. In my judgment they find their most fitting place in an Appendix, which treats first the purpose and importance of marriage and then the duties within it, followed by some teachings concerning the Kohanim, or descendants of Aaron.

That all these teachings are drawn from the sources of Jewish theology — namely the Old Testament (תנ״ך), the Talmud (תלמוד בבלי), Maimonides (רמב״ם), the Semag (סמ״ג), and the Chinuch

(ספר החנוך)[12] — any expert will soon be convinced. However, in order on the one hand to avoid all dogmatic disputes, and on the other to acquaint the young man not destined to become a theologian [X] at least to some degree with the sources themselves, I have placed beside each proposition, in addition to the Bible passages,[13] its source from the Talmud — and, for the sake of brevity and of purity of Hebrew language, for the most part from the most competent epitomizers of the Talmud, especially from the writings of Maimonides.[14]

For Bible passages from the Pentateuch I have for the most part left unaltered the Mendelssohn translation, which is in the hands of most Israelites;[15] for the remaining passages I have partly followed existing good translations and partly translated according to my own understanding.

Since, however, this work seemed to me too detailed for elementary instruction in religion, I have at the same time prepared an abridgement [XI] of it under the title *Principal Teachings of the Mosaic Religion*. In it only what is indispensably necessary for this purpose of instruction has been extracted; only the doctrine of repentance, and everything that belongs to the domain of moral and ethical teaching — with which the young can never be made acquainted too early — has been left unchanged.

When the work was completed, the Chief Rabbi submitted both works to the Royal Government of the Lower Main District. This high royal authority, and later the supreme authority, examined both works carefully, and after expert opinions had been obtained from several distinguished rabbis,[16] a supreme rescript was issued on 27 August of this year[17] to the Royal Administration of the Central School-Book Press, directing that the smaller work, *Principal Teachings of the Mosaic Religion*, be published at state expense by that press, like the other

[12]The Hebrew designations printed in the original are: Tanakh (the Hebrew Bible); Talmud Bavli (the Babylonian Talmud); Rambam (Moses Maimonides, 1138–1204, principally his code, the Mishneh Torah); Semag (Sefer Mitzvot Gadol, the thirteenth-century enumeration of the commandments by Moses of Coucy); and Sefer ha-Chinuch (the anonymous thirteenth-century Spanish work arranging the 613 commandments in the order of the Torah's weekly readings). The last two are works organized around the enumeration of the commandments, which suits Behr's systematic aim.

[13]*Behr's note:* That the Bible passages are so often placed after the Talmud passages should surprise no one. This was done for no other reason than that the latter corresponded to the content of the answer standing beside them, whereas the former had to be translated separately. For the same reason, those Talmud passages that are translated separately (§§ 178, 183, 185) follow the Bible passages. [Translator: Behr's reference to "the answer standing beside them" shows that the Lehrbuch is laid out in catechetical question-and-answer form, with the Hebrew proof-texts printed alongside each answer.]

[14]*Behr's note:* In this laborious collecting of the citations my friend Mr. Isaak Werner, deputy to the Chief Rabbi, was of great help to me. [Translator: German Substitut, an assistant or deputy rabbi.]

[15]Moses Mendelssohn's German translation of the Pentateuch, printed in Hebrew characters with a Hebrew commentary (the Bi'ur), published 1780–83 under the title Sefer Netivot ha-Shalom. By the 1820s it was the standard German Bible translation among German-speaking Jews.

[16]*Behr's note:* A number of additions have been made, partly in the text and partly in notes, at the request of the Rabbinate of Fürth; among them is the note to page 57. [Translator: the footnote marker in the original is printed as a double asterisk at the foot of p. XI.]

[17]German unterm 27. August l. J. (laufenden Jahres), i.e. 27 August 1826.

elementary books already introduced. Under the same date, all Israelite congregations[18] of the Kingdom were, by a supreme rescript, informed of the appearance of both writings — the larger for more mature adherents of the Mosaic faith, and the smaller in particular — with the notice [XII] that it was the expressly stated wish of His Majesty the King that the latter be used generally as the principal elementary book in the religious instruction of Jewish youth. In the same supreme rescript the heads of the congregations were charged with duly making known to their congregations the supreme decree "that Israelites, too, upon establishing residence and upon marrying — by analogy with the law of 11 September 1825 — as well as upon transfer to secondary schools, must furnish proof of their schooling and religious instruction."[19]

These salutary ordinances must fill the heart of every Israelite with the deepest gratitude toward the father of his country, all the more so since they at the same time give room to the hope that institutions for training good and capable schoolteachers and teachers of the people will soon be established as well, whereby those blessed improvements in education and schooling will light up the gloomy dwellings of Israel too.

Munich, September 1826; by the Israelite reckoning, Elul 5586.

Dr. Alexander Behr.

[18] German israelitische Kirchengemeinden, literally "Israelite church communities," the official Bavarian administrative term for Jewish congregations, modelled on the terminology used for the Christian parishes.

[19] The Bavarian laws of 11 September 1825 on settlement (Ansässigmachung) and marriage (Verehelichung) made the right to establish a household and to marry dependent on official permission and on proof of certain qualifications. Applied "by analogy" to Jews, they made documented religious instruction a precondition of residence and marriage, which gave this textbook considerable practical weight.

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[20] German Denkzettel, "reminder notes," the term used in Mendelssohn's Pentateuch translation for tefillin (phylacteries); likewise Pfostenschrift ("doorpost writing") for mezuzah and Schaufäden ("fringes to look upon") for tzitzit.

[21] From this line onward the section numbers in the printed table appear to be set one line lower than the headings, leaving the Feast of Weeks without a number and §§ 146–147 without a heading. The numbers are reproduced here exactly as they stand beside each line in the original; the body of the book will show the true divisions.

[22] German Beschlußfest, "festival of conclusion," a calque of Hebrew ʿatzeret.

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Corrections

[Original errata list. In the Hebrew entries, the first form is the misprint and the second the correction.][23]

p. 39: for ברקום read ברקים

p. 71: for יום ב׳ read יום ג׳

p. 73: for יראה ר״ח read יהיה ר״ח

p. 88: for בבל read בכל

p. 98: for שרוא read שהוא

p. 121: for יהדג read יהרג

p. 121: for והין read והלא הין

p. 11, line 3 from top: for “handeln” (act) read “handeln sollen” (are to act).

p. 16, line 12: for “gleich” read “gleiche.”

p. 30, line 2 from bottom: for “einen” read “einem.”

p. 34, line 4 from top: for “seine” read “Seine” [capitalized, referring to God].

p. 144, line 3 from top: in some copies read “ten” instead of “twelve.”

[23] These corrections have been applied silently in the translation that follows wherever they fall within the pages translated here. A faint pencil inscription (apparently an owner’s or shelf mark) below the list is not legible in the photograph.

Introduction

[1] **1. What is religion?**

Answer. The acknowledgement and veneration of God in the observance of all His commandments.

סוף דבר הכל נשמע את האלהים ירא ואת מצותיו שמור כי זה כל האדם.

קהלת יב, יג.

The concluding sentence, which contains everything, is: Fear God, keep His commandments; this is the whole destiny of the human being.

Eccl. 12:13

2. What does religion bring about in us human beings?

Answer. It is what first makes us true, good and useful human beings. It teaches us how we may live here on earth in a manner pleasing to God, and attain happiness both in this life and after death; it shows us how we ought to enjoy good fortune and how to bear misfortune.

וזאת המצוה החקים והמשפטים אשר צוה יהוה אלהיכם ללמד אתכם לעשות בארץ אשר אתם עברים שמה לרשתה. למען תירא את יהוה אלהיך לשמר את כל חקתיו ומצותיו אשר אנכי מצוך אתה ובנך ובן בנך כל ימי חייך ולמען יארכן ימיך. ושמעת ישראל ושמרת לעשות אשר ייטב לך ואשר תרבון מאד כאשר דבר יהוה אלהי אבתיך לך.

הדברים ו, א, ב, ג.

[2] These are the commandments, statutes and ordinances that the Eternal your God has commanded to teach you, so that you may carry them out in the land you are crossing over to possess; so that you fear the Eternal your God, and that you, your son and your grandson keep all His ordinances and commandments as long as you live, and may live long years. Hear, then, O Israel, and take care to do this; then it will go well with you, and you will increase greatly, as the Eternal, the God of your ancestors, has promised you.

Deut. 6:1–3[24]

3. What do God's commandments contain for the Israelites in general?

Answer. I. Articles of faith. II. Laws that prescribe to us duties toward God, toward ourselves, and toward our fellow human beings.

[24]Behr consistently renders the Tetragrammaton as der Ewige, "the Eternal," following Mendelssohn's Pentateuch translation; this is kept throughout.

4. What are articles of faith?

Answer. Truths that we do not first examine with our reason, but which we believe with our whole heart.

5. What is meant by duty?

Answer. Every action and disposition, all doing and refraining, to which the will of God binds us. Everything, on the other hand, that is contrary to the will of God is called sin.

6. In what way do the duties toward God and toward ourselves differ from the duties toward our fellow human beings?

Answer. For the first two kinds of duty, reconciliation and forbearance are promised us [3] as soon as we sincerely repent of our transgression and turn to God. But by no means so for the duties toward our fellow human beings: there no weeping helps, no fasting, no mortification, no remorse and penance, so long as one is still stained with the sin and the damage or injury done to one's fellow has not been made good. (See also Isa. 58:3–11.)

אין תשובה ויו"כ מכפרין אלא עבירות שבין אדם למקום כגון מי שאכל דבר איסור וכיוצא בהן אבל עבירות שבין אדם לחבירו כגון החובל את חברו או המקלל חברו או גוזלו וכיוצא בהן אינו נמחל לו לעולם עד שיתן לחבירו מה שהוא חייב לו וירצהו.

Maimon. Hilchoth Teschuba 2, 9.

[Hebrew source for the answer above:] Neither repentance nor the Day of Atonement atones for anything except transgressions between a person and God, such as one who ate a forbidden thing and the like; but transgressions between a person and his fellow, such as one who injures his fellow, curses his fellow or robs him, and the like, are never forgiven him until he gives his fellow what he owes him and appeases him.

Maimonides, Laws of Repentance 2:9[25]

והיה כי יחטא ואשם והשיב את הגזלה אשר גזל או את העשק אשר עשק או את הפקדון אשר הפקד אתו או את האבדה אשר מצא. או מכל אשר ישבע עליו לשקר ושלם אתו בראשו וחמשתיו יסף עליו לאשר הוא לו יתננו ביום אשמתו.

ויקרא ה, כג, כד.

If, then, he has sinned and recognizes his guilt, he shall give back what he stole, or the wrong — that is, what he unjustly withheld — or what was given him for safekeeping, or the lost thing he found, or anything else about which he swore falsely; he must pay

[25] This is the layout Behr describes in his foreword: the German answer (§ 6) stands in the right-hand column directly beside its Talmudic or Maimonidean source in the left-hand column. Here and below, an English rendering of such a Hebrew source is supplied by the translator in square brackets wherever Behr himself does not translate it separately.

the principal and add a fifth part to it; he shall deliver it to the one to whom it belongs as soon as he recognizes his guilt.

Lev. 5:23–24

[4] First Part

On the Articles of Faith

7. How many articles of faith do we have?

Answer. Thirteen.[26]

Article I

אני מאמין באמונה שלמה שהבורא יתברך שמו הוא ראשון והוא אחרון והוא לבדו היה הוה ויהיה.

I believe that God is, that He has always been, and that He will be eternally.

Article II

אני מאמין באמונה שלמה שהבורא יתברך שמו הוא יחיד ואין יחידות כמוהו בשום פנים.

I believe that the Creator is One.

Article III

אני מאמין באמונה שלמה שהבורא יתברך שמו אינו גוף ולא ישיגוהו משיגי הגוף ואין לו שום דמיון כלל.

I believe that God is not a body and has nothing bodily about Him.

[5] **Article IV**

אני מאמין באמונה שלמה שהבורא יתברך שמו הוא בורא ומנהיג לכל הברואים והוא לבדו עשה ועושה ויעשה לכל המעשים.

I believe that God created everything in the whole of nature.[27]

Article V

אני מאמין באמונה שלמה שהבורא יתברך שמו לו לבדו ראוי להתפלל ואין ראוי להתפלל לזולתו.

I believe that we may worship Him, the Creator, alone.

Article VI

אני מאמין באמונה שלמה שכל דברי נביאים אמת.

I believe that all the words of the prophets are true.

[26] The Hebrew column gives the thirteen principles in the familiar "Ani ma'amin" ("I believe with perfect faith") form found in the prayer book, though in a different order from the standard one: Behr's articles I–V correspond to the standard 4, 2, 3, 1 and 5. His German column is not a translation of the Hebrew but a deliberately simplified statement for children; significant divergences are noted below.

[27] The Hebrew also affirms that God "guides" all creatures and "alone made, makes and will make all things"; the German keeps only creation, leaving providence to §§ 10–11.

Article VII

אני מאמין באמונה שלמה שנבואת משה רבינו עליו השלום היתה אמתית ושהוא היה אב לנביאים לקודמים לפניו ולבאים אחריו.

I believe that Moses was the greatest prophet among all the other prophets.

Article VIII

אני מאמין באמונה שלמה שכל התורה המצויה עתה בידינו היא הנתונה למשה רבינו עליו השלום.

I believe that the written law as well as the oral law, which we follow, were both given by God to Moses.[28]

[6] **Article IX**

אני מאמין באמונה שלמה שזאת התורה לא תהא מחלפת ולא תהי תורה אחרת מאת הבורא יתברך שמו.

I believe that this law may never be changed.

Article X

אני מאמין באמונה שלמה שהבורא יתברך שמו יודע כל מעשה בני אדם וכל מחשבותם.

I believe that God knows all the actions and thoughts of human beings.

Article XI

אני מאמין באמונה שלמה שהבורא יתברך שמו גומל טוב לשומרי מצותיו ומעניש לעוברי מצותיו.

I believe that God rewards those who follow His laws and punishes those who transgress them.

Article XII

אני מאמין באמונה שלמה בביאת המשיח ואף על פי שיתמהמה עם כל זה אחכה לו בכל יום שיבא.

I believe that God will one day, at the time He has appointed and which He alone knows, send us the Moshiach.[29]

Article XIII

אני מאמין באמונה שלמה שתהיה תחיית המתים בעת שתעלה רצון מאת הבורא יתברך שמו ויתעלה זכרו לעד ולנצח נצחים.

I believe that the soul is immortal, and that God will one day call all the dead back to life and hold judgment over them.[30]

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[28] The Hebrew speaks only of "the entire Torah now in our hands"; Behr's German makes explicit that this includes the oral law — in keeping with the brief Bing gave him to defend the Talmudic tradition (cf. §§ 7–33 as described in the foreword).

[29] The Hebrew affirms that one awaits the Messiah "every day," even though he tarries; the German instead stresses that the time is fixed by God and known to Him alone — a characteristic shift that discourages messianic speculation.

[30] The Hebrew mentions only the resurrection of the dead; the German adds the immortality of the soul and a final judgment — concepts central to Enlightenment natural religion and to contemporary Christian catechisms.

8. What is contained in the first article of faith?

Answer. We believe that there is a Being who is the cause of all the other beings that we see in the whole of nature: a Being who created the entire world with all its [7] creatures out of nothing, by His mere word. This Being we call God. God has no beginning and no end; He exists through Himself and was created by no other. He has always been, He is, and He will remain eternally.

וידעת היום והשבת אל לבבך כי ה׳ הוא האלהים בשמים ממעל ועל הארץ מתחת אין עוד.

הדברים ד, לט.

Know, then, and take it well to heart, that the Eternal alone is God, above in heaven and below on earth, and there is none other.

Deut. 4:39

אני ראשון ואני אחרון ומבלעדי אין אלהים.

ישעיה מד, ו.

I am the First, says God Zebaoth, I the Last, and beside Me there is no God.

Isa. 44:6

בדבר ה׳ שמים נעשו וברוח פיו כל צבאם.

תהלים לג, ו.

By God’s word the heavens were created; by the breath of His mouth all their hosts.

Ps. 33:6

הוא אמר ויהי הוא צוה ויעמד.

תהלים לג, ט.

He spoke, and it was (the universe); He commanded, and it stood there.

Ps. 33:9

9. What is contained in the second and third articles of faith?

Answer. That we neither can nor may picture God in any shape; for He has no body, He is not limited or enclosed[8] by place or boundary. He is immeasurable and infinite. He is One, and can be compared with no thing.

הקב״ה אין לו דמות וצורה ואמתת של דבר אין דעתו של אדם מבין ולא יכולה להשיגו ולחקרה. וכיון שנתברר שאינו גוף וגויה יתברר שלא יארע לו אחד ממאורעות הגופות לא חיבור ולא פירוד ולא מקום ולא מדה.

Maimon. Hilchoth jesode hathorah 1, 10 und 11.

[The Holy One, blessed be He, has no likeness or form, and the truth of the matter the human mind does not grasp and cannot attain or fathom. And since it has been established that He is not a body or physical frame, it is clear that none of the

occurrences of bodies can befall Him: neither joining nor separation, neither place nor measure.]

Maimonides, Laws of the Foundations of the Torah 1:10–11

ויאמר לא תוכל לראות את פני כי לא יראני האדם וחי.

שמות לג, כ.

The Eternal spoke: You cannot look upon My countenance, for no human being sees Me and remains alive.

Exod. 33:20

ונשמרתם מאוד לנפשותיכם כי לא ראיתם כל תמונה ביום דבר ה׳ אליכם בחרב מתוך האש.

הדברים ד, טו.

Take great care, as dear as your life is to you: you saw no figure at all when the Eternal spoke with you out of the fire on Mount Horeb.

Deut. 4:15

ואל מי תדמיון אל ומה דמות תערכו לו.

ישעיה מ, יח.

With whom would you compare God, and in what shape can you picture Him?[31]

Isa. 40:18

10. Who is the preserver and ruler of the world?

Answer. God the Creator preserves and rules the world. He wills that it should endure; He therefore keeps His eye constantly on all creatures, and everything that lives is preserved, nourished and fed by His all-embracing goodness.

[9]

עיני כל אליך ישברו ואתה נותן להם את אכלם בעתו. פותח את ידיך ומשביע לכל חי רצון.

תהלים קמה, טו, טז.

The eyes of all look to You, and You give them their food in due season. All-gracious, You open Your hand and satisfy every living thing with favor.

Ps. 145:15–16

11. Does God take note of everything that human beings do?

Answer. Yes, for He is present everywhere; all human actions are observed by Him. His gaze penetrates the most hidden corners of the human heart; not even a thought remains concealed from Him.

[31] *Behr's note:* Only to assist our understanding, and to make God's governance of the world vivid, does Holy Scripture also use expressions drawn from the bodily world when speaking of God, e.g. "the ear of the LORD," "the foot of the LORD," "the eye of the LORD," "the hand of the LORD" (אזן ה׳, רגל ה׳, עין ה׳, יד ה׳), and so on.

ואתה שלמה בני דע את אלהי אביך ועבדהו בלב שלם ובנפש חפצה כי כל לבבות דורש ה׳ וכל יצר מחשבות מבין אם תדרשנו ימצא לך ואם תעזבנו יזניחך לעד.

דברי הימי׳ א, כח, ט.

And you, Solomon my son, know the God of your father and serve Him with a whole heart and a willing soul; for God searches all hearts and knows the thoughts. If you seek Him, He will let Himself be found by you; and if you forsake Him, He will forsake you forever.

1 Chron. 28:9

ממכון שבתו השגיח אל כל ישבי הארץ. היצר יחד לבם המבין אל כל מעשיהם.

תהלים לג, יד, טו.

From His firm throne He looks down on all who dwell on earth. He who formed all their hearts also marks all that they do.

Ps. 33:14–15

אם יסתר איש במסתרים ואני לא אראנו נאום ה׳ הלא את השמים ואת הארץ אני מלא נאם ה׳.

ירמיה כג, כד.

[10] Can anyone hide himself from Me so secretly that I do not see him? says God. Are not heaven and earth full of Me?

Jer. 23:24

12. Is there, then, no forgetting with Him either?

Answer. No. He is all-knowing, perfect, and free from all the weaknesses of human nature. God knows everything that has ever happened, what is happening now, and what will happen. Nothing is unknown to Him, and nothing escapes His omniscience.

מגיד מראשית אחרית ומקדם אשר לא נעשו אמר עצתי תקום וכל חפצי אעשה.

ישעיה מו, י.

He who from the beginning makes the future known, and foretells what has not yet happened; who says: My counsel shall be fulfilled, and all that I will shall come to pass.

Isa. 46:10

גדל העצה ורב העליליה אשר עיניך פקחות על כל דרכי בני אדם לתת לאיש כדרכיו וכפרי מעלליו.

ירמיה לב, יט.

Great in counsel and mighty in deed, whose eyes are open upon all the ways of the children of earth, to repay each according to his conduct and according to the fruit of his deeds.

Jer. 32:19

13. What do these truths teach us?

Answer. The content of the fifth article of faith, namely: first, that we worship no being besides God; and second, that we should never[11] act against the will of God, even in the greatest secrecy.[32]

רבי אומר הסתכל בשלשה דברים ואין אתה בא לידי עבירה דע מה למעלה ממך עין רואה ואזן שומעת וכל מעשיך בספר נכתבים.

Aboth 2. 1.

[Rabbi says: Consider three things and you will not fall into transgression: know what is above you — an eye that sees, an ear that hears, and all your deeds written in a book.]

Mishnah Avot 2:1

14. By what means has God made His will known to us?

Answer. Through revelation.

15. What is meant by revelation?

Answer. When God communicates His will to a pious and chosen man, we call this communication revelation, and the man we call a prophet (נביא).

מיסודי הדת לידע שהאל מנבא את בני האדם ואין הנבואה חלה אלא על חכם גדול בחכמה גבור במדותיו.

Maimon. Hilchoth Jesode Hathora 7. 1.

[It is among the foundations of the faith to know that God grants prophecy to human beings; and prophecy rests only upon a sage great in wisdom and strong in his character.]

Maimonides, Laws of the Foundations of the Torah 7:1

16. In what manner does this communication take place?

Answer. Just as we cannot perceive God Himself with our senses, nor comprehend Him with our understanding, so we cannot grasp the manner in which He reveals Himself to a human being; it is comprehensible only to the one who receives the revelation.

17. For what purpose did God reveal Himself to human beings?

Answer. Often He revealed Himself to individual men for their own good. Thus He spoke with the first man and forbade him the fruit of the tree of knowledge. Thus He appeared to Cain and admonished him to [12] mend his ways. Often He revealed Himself to one person in order to reform a whole people that had sinned, to warn it of divine punishment, and to comfort it when it repented. Often, too, in order to instruct individuals or a whole people in His laws. Thus He

[32] Translated according to Behr's own correction (errata, p. 11, line 3: "handeln sollen" for "handeln").

revealed Himself[33] to our teacher Moses, in order to teach our ancestors, to instruct them, and to order all their affairs.

הנביא אפשר שתהיה נבואתו לעצמו בלבד להרחיב לבו ולהוסיף דעתו עד שידע מה שלא היה יודע מאותן הדברים הגדולים ואפשר שישולח לעם מעמי הארץ או לאנשי עיר או ממלכה לכונן אותם ולהודיעם מה יעשו או למונעם ממעשים רעים שבידיהם.

Maimon. Das. 7, 7.

> [A prophet's prophecy may be for himself alone, to broaden his heart and increase his knowledge until he knows what he did not know of those great matters; or he may be sent to one of the peoples of the earth, or to the people of a city or kingdom, to set them right and let them know what they should do, or to restrain them from the evil deeds in their hands.]
>
> *Maimonides, ibid. 7:7*

18. What does the seventh article of faith contain?

Answer. Moses was the greatest of all the prophets who had appeared in Israel before him and after him. He was especially chosen by God to free a whole people, our ancestors, from the slavery of Egypt, and then to instruct them in laws through whose practice they and all their descendants can secure their temporal and eternal welfare.

ולא קם נביא עוד בישראל כמשה אשר ידעו ה׳ פנים אל פנים. לכל האתת והמופתים אשר שלחו ה׳ לעשות בארץ מצרים לפרעה ולכל עבדיו ולכל ארצו. ולכל היד החזקה ולכל המורא הגדול אשר עשה משה לעיני כל ישראל.

הדברים לד, י, יא, יב.

> [13] But there arose no other prophet in Israel like Moses, with whom the Eternal dealt face to face: in respect of the signs and wonders that the Eternal sent him to perform in the land of Mizraim against Pharaoh, his servants and his whole land; and in respect of all the mighty and awesome deeds that Moses performed before all Israel.
>
> *Deut. 34:10–12*

19. In what way did Moses transmit the laws to us?

Answer. Partly through the written law (תורה שבכתב), partly through the oral law, the tradition (תורה שבעל פה).

[33] *Behr's note:* Only that this revelation differs from all others in glory and majesty. See below, § 107.

כל התורה כתבה משה רבנו קודם שימות בכתב ידו, והמצוה שהיא פי׳ התורה לא כתבה ומפני זה נקראת תורה שבע״פ.

Maimon. Vorrede zu Jad hachsaka.

> [Moses our teacher wrote down the entire Torah in his own hand before he died; but the commandment, which is the explanation of the Torah, he did not write down, and for this reason it is called the Oral Torah.]
>
> *Maimonides, Introduction to the Mishneh Torah (Yad ha-Hazakah)*

20. What does the written law contain?

Answer. The account of creation, the history of our patriarchs, and all the laws that God taught our teacher Moses during his forty-day stay on Mount Sinai. Moses was to write all of this down, and therefore we call it the written law (תורה שבכתב).

21. Why was an oral law needed as well?

Answer. Because the words, as they had come from the mouth of the Creator, were too ambiguous, and often too deep, for us to fathom, [14] comprehend and explain with our own understanding. One would fall into countless errors if one tried to interpret them in the way we proceed with human works. Therefore the all-good Father imparted the explanations to our teacher Moses at the same time. These explanations we call the oral law, or tradition (תורה שבעל פה).

ויתבוננו כל הנבראים כי באמת גילה הקב״ה למשה פירוש כל מצוה ומצוה ושיעור כל דבר ודבר והיא תורה שבע״פ ולפיכך שהה משה בהר ארבעים יום וארבעי׳ לילה ללמד פירושים ודקדוקים, שאם לא היה לו ליתן אלא הלחות היה יכול ליתן לו בשעה קלה ולא איחרו ארבעים יום ולולי כי ניתן פירוש לתורה בע״פ היתה כל התורה כסמיות ועיוורון כי המקראות סוברין וסותרין זה עם זה.

Semag Hakdama.

> [Let all creatures consider that the Holy One, blessed be He, truly revealed to Moses the explanation of each and every commandment and the measure of each and every matter, and this is the Oral Torah. Therefore Moses stayed on the mountain forty days and forty nights, to learn explanations and fine points; for had He had only the tablets to give him, He could have given them to him in a brief moment and would not have kept him forty days. And had not an explanation of the Torah been given orally, the whole Torah would be like blindness and darkness, for the verses would clash with and contradict one another.]
>
> *Sefer Mitzvot Gadol (Semag), Introduction*

22. How was the oral law preserved?

Answer. Moses himself instructed the judges and elders in the law; and for several centuries after his death the All-Good raised up further prophets within the nation, who taught the law

among the people and expounded the explanations — partly as they still knew them from Moses himself, partly according to principles (the thirteen hermeneutical rules, י״ג מדות) that Moses had received from God Himself for the interpretation of Scripture.[34]

23. How was the oral tradition preserved once the age of the prophets had come to an end?

Answer. The nation still had great and wise men who had received the explanation of the laws orally from the prophets; among them the men of the Great Synod (אנשי כנה״ג[15]) were especially distinguished. They handed the explanations on to their pupils (תנאים), and these were preserved from mouth to mouth until the fortieth century after the creation of the world. But as our nation was scattered more and more among other peoples, and the oral tradition would thus have fallen into oblivion, a man arose (רבי יהודה הנשיא) who collected all the commandments, prohibitions, laws and explanations of the oral traditions — even those on which the opinions of the schools were divided — and gathered them into six books, which we call the Mishnah (משנה).[35]

אע״פ שלא נכתבה תורה שבע״פ למדה משה רבנו כולה בבית דינו לשבעים זקנים אלעזר פנחס ויהושע שלשתן קבלו ממשה וליהושע שהוא תלמידו של משה רבנו מסר תורה שבע״פ וצוהו עליה וכן יהושע כל ימי חייו למד על פה וזקנים רבים קבלו מיהושע וכו׳ — וכן היה הדבר תמיד עד רבנו הקדוש והוא קיבץ כל השמועות וכל הדינים וכל הביאורים והפירושים ששמעו מפי משה רבנו ושלמדו ב״ד שבכל דור ודור בכל התורה כולה וחיבר מהכל ספר המשנה ולמה עשה רבינו הקדוש כך ולא הניח הדבר כמות שהיה לפי שראה שתלמידים מתמעטין והולכין וישראל מתגלגלין והולכין לקצות חיבר חיבור להיות ביד כולם כדי שילמדוהו במהר׳ ולא ישכח.

Maimon. Das.

> [Although the Oral Torah was not written down, Moses our teacher taught all of it in his court to the seventy elders. Eleazar, Phinehas and Joshua — all three received it from Moses; and to Joshua, his disciple, Moses our teacher handed on the Oral Torah and charged him with it. Joshua likewise taught it orally all his life, and many elders received it from Joshua, etc. — And so it continued until our holy Rabbi [Judah the Prince]. He gathered all the traditions, all the laws, and all the explanations and interpretations that had been heard from Moses our teacher or learned by the courts of every generation concerning the entire Torah, and from all of it he composed the book of the Mishnah. And why did our holy Rabbi do this, rather than leave the matter as it was? Because he saw that students were dwindling and Israel was being driven ever

[34]The "thirteen principles" (shelosh esreh middot) of Rabbi Ishmael, the classical rules by which the rabbis derived law from the biblical text; Behr follows the traditional view that they were given to Moses at Sinai.

[35]The fortieth century anno mundi corresponds roughly to the late second and early third centuries CE, when Rabbi Judah the Prince redacted the Mishnah. The "six books" are the six orders (sedarim) of the Mishnah; the Tannaim (תנאים) are the sages of the Mishnaic period.

further to the ends of the earth; so he composed a work to be in everyone's hands, so that they could learn it quickly and it would not be forgotten.]

Maimonides, ibid. (Introduction to the Mishneh Torah)

24. Was the oral law thereby already safe from being forgotten?

Answer. Not entirely; for already in the following centuries this work had become obscure and was no longer intelligible to everyone. Fortunately for our nation, we then had wise men (אמוראים) who had partly heard the meaning of the Mishnah from the Tannaim themselves[16], and partly also received from them principles for explaining their words. This interpretation was collected two hundred years later by Rabina and Rabbi Ashi, who brought it together in the work called the Babylonian Gemara (תלמוד בבלי).[36]

ורבי יוחנן חיבר הגמרא הירושלמית בארץ ישראל אחר חרבן הבית בקרוב שלש מאות שנה — רבינא ורב אשי הם סוף חכמי הגמרא ורב אשי הוא שחיבר הגמרא הבבלית בארץ שנער אחר שחיבר רבי יוחנן הגמרא ירושלמית בכמו מאה שנה — וענין שני הגמרות הוא פירוש דברי המשניות וביאור עמקותיה ודברים שנתחדשו בכל בית דין ובית דין מימות רבנו הקדוש.

Maimon. Das.

[Rabbi Johanan composed the Jerusalem Gemara in the Land of Israel about three hundred years after the destruction of the Temple. — Rabina and Rav Ashi are the last of the sages of the Gemara, and it was Rav Ashi who composed the Babylonian Gemara in the land of Shinar, about a hundred years after Rabbi Johanan composed the Jerusalem Gemara. — The subject of both Gemaras is the explanation of the words of the Mishnah, the elucidation of its depths, and the matters newly established in each and every court since the days of our holy Rabbi.]

Maimonides, ibid.

25. Do the Mishnah and Gemara have the same importance as the written law?

Answer. Entirely the same. They are, and must be, just as important to us as Holy Scripture; for they contain no arbitrary or merely human statutes, but rather: I. Divine traditions and explanations given to Moses (הלכה למשה מסיני); II. Laws derived through reasoning, that is, according to the rules of scriptural interpretation fixed by tradition (י"ג מדות); and finally III. Ordinances of the prophets and of the later sages, enacted as a kind of protective wall around the words of God[17] (תקנות וגדרים וסיגים). All of these, because they have been accepted by the entire nation, have the same importance as Holy Scripture.[37]

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[36] Behr's German mentions only the Babylonian Talmud, although the Maimonides passage he prints beside it also describes Rabbi Johanan's Jerusalem Talmud. The Amoraim (אמוראים) are the sages of the Talmudic period after the Mishnah.

[37] Hebrew: halakhah le-Moshe mi-Sinai ("law given to Moses at Sinai"); the thirteen middot (hermeneutical rules); and takkanot, gedarim and seyagim ("enactments, fences and safeguards"). Behr's threefold scheme closely follows Maimonides' Introduction to the Mishneh Torah, printed alongside.

ומשני הגמרות יתבאר האסור והמותר הטמא והטהור החייב והפטור הפסול והכשר כמו שהעתיקו איש מפי איש מפי משה רבנו מסיני, גם יתבאר מהם דברים שגזרו חכמים ונביאים שבכל דור ודור לעשות סייג לתורה כמו ששמעו ממשה בפירוש שנאמר ושמרתם את משמרתי עשו משמרת למשמרתי, וכן משפטים ודינים מופלאים שלא קבלו ממשה ודנו בהם ב״ד של אותו הדור במדות שהתורה נדרשת בהן וכו׳ — הכל חיבר רב אשי בגמרא מימות משה ועד ימיו. וכל הדברים שבגמרא הבבלי חייבין כל ישראל ללכת בהן הואיל וכל אותם הדברים שבגמרא הסכימו עליהם כל ישראל.

Maimon. Das.

> [From the two Gemaras are made clear the forbidden and the permitted, the impure and the pure, the liable and the exempt, the unfit and the fit, as they were transmitted from one person to the next, from the mouth of Moses our teacher at Sinai. From them are also made clear the things that the sages and prophets of every generation decreed in order to make a fence around the Torah, as they had heard explicitly from Moses, as it is said: "You shall keep My charge" — make a safeguard for My charge. Likewise extraordinary judgments and laws that were not received from Moses, but which the court of each generation decided by the rules through which the Torah is interpreted, etc. — All of this Rav Ashi compiled in the Gemara, from the days of Moses down to his own. And all Israel is obliged to follow everything in the Babylonian Gemara, since all Israel has agreed to all the matters contained in it.]
>
> *Maimonides, ibid.*

26. How can these additions be reconciled with the ninth article of faith, concerning the immutability of the laws?

Answer. The ninth article of faith forbids only this: that the laws found in Holy Scripture be altered in their essence — for example, we may place neither more nor fewer than four passages in the tefillin. But it is by no means forbidden to ordain new, self-standing laws for the preservation and strengthening of God's commandments.[38]

כל דבר שגזרו עליו ואסרוהו לסייג ולמשמר׳ של תורה אין בו משום לא תוסיף אפי׳ קבעוהו לדורות וכו׳ — ולא תמצא איסור מוסיף אלא במצות עשה כגון לולב ותפילין וציצית וכיוצא בהן.

Rab'd zu Hilchoth Mamrim, 2, 9.

> [Anything that they decreed and prohibited as a fence and safeguard for the Torah does not fall under "you shall not add," even if they established it for all generations, etc. —

[38] Strictly, Behr says the ninth article "forbids only that the laws … be anything but unalterable in their essence"; the sense is rendered here. The tefillin contain four Torah passages (Exod. 13:1–10, 13:11–16; Deut. 6:4–9, 11:13–21).

and you will find the prohibition of adding only in the case of positive commandments, such as lulav, tefillin, tzitzit and the like.]

Rabad on Maimonides, Laws of Rebels 2:9[39]

לא תספו על הדבר אשר אנכי מצוה אתכם ולא תגרעו ממנו לשמר את מצות ה׳ אלהיכם אשר אנכי מצוה אתכם.

הדברים ד, ב.

Add nothing to what I command you, and take nothing away from it; but keep the commandments of the Eternal your God just as I command them to you.

Deut. 4:2

[18] **27. From which writings do we derive the content of the eleventh, twelfth and thirteenth articles of faith?**

Answer. From the writings of the prophets. For the first part (נביאים ראשונים) comprises the history of our nation from the death of Moses to the destruction of the Temple; the second part (נביאים אחרונים), on the other hand, contains: I. admonitions and reproofs addressed to our ancestors; II. the content of the eleventh article of faith, namely teachings on punishment and reward; and III. the twelfth and thirteenth articles of faith, namely promises of the kingdom of the Moshiach and of the revival of the dead.[40][41]

28. On what is the doctrine of punishment and reward founded?

Answer. I. On the freedom of the human will. II. On the justice of God.

29. What is meant by the freedom of the human will?

Answer. Whether to do good or evil, to act rightly or wrongly, is left to the human being alone. He is compelled to no action by any higher influence; rather, all his [19] actions depend on his own will.

רשות לכל אדם נתונה אם רצה להטות עצמו לדרך טובה ולהיות צדיק הרשות בידו ואם רצה להטות עצמו לדרך רעה ולהיות רשע הרשות בידו. — ודבר זה עיקר גדול הוא והוא עמוד התורה והמצוה שנאמר ראה נתתי וכו׳.

Maim. Hilch. Tesch. 5. 11.

[Free will is granted to every person: if he wishes to turn himself to the good way and be righteous, the power is in his hand; and if he wishes to turn himself to the evil way

[39] "Rab'd" is Rabbi Abraham ben David of Posquières (c. 1125–1198), whose critical glosses (hassagot) are printed with the Mishneh Torah.

[40] *Behr's note:* Besides these two parts, the Torah (תורה) and the Prophets (נביאים), we count a third part of Holy Scripture, the Hagiographa (כתובים).

[41] Nevi'im Rishonim, "Former Prophets" (Joshua through Kings), and Nevi'im Aharonim, "Latter Prophets" (Isaiah, Jeremiah, Ezekiel and the Twelve).

and be wicked, the power is in his hand. — And this is a great principle; it is the pillar of the Torah and the commandment, as it is said: "See, I have set before you," etc.]

Maimonides, Laws of Repentance 5:1, 3[42]

ראה נתתי לפניך היום את החיים ואת הטוב ואת המות ואת הרע.

הדברים ל, טו.

See! I now set before you life and happiness, death and misfortune.

Deut. 30:15

העדתי בכם היום את השמים ואת הארץ החיים והמות נתתי לפניך הברכה והקללה ובחרת בחיים למען תחיה אתה וזרעך.

שם יט.

I call heaven and earth to witness against you that I have set before you life and death, blessing and curse; choose life, so that you and your descendants may be preserved.

Deut. 30:19

30. In what does the justice of God consist?

Answer. In this: that God repays every human being according to his deeds. And even if the pious person often suffers in this life while the wicked revels in abundance, punishment awaits the latter after death, and the former, the pious one, likewise receives the reward of his deeds in that other life.

ולך ה' חסד כי אתה תשלם לאיש כמעשהו.

תהלים סב, יג.

You, God, are full of love, and repay each according to his works.

Ps. 62:13

כי את כל מעשה האלהים יבא במשפט על כל נעלם אם טוב ואם רע.

קהלת יב, יד.

For God brings every deed into judgment, everything hidden, whether it be good or evil.

Eccl. 12:14

[20] **31. What is meant by the kingdom of the Moshiach?**

Answer. The time when all human beings over the whole earth will acknowledge, worship and love the one God alone; when they will all practice nothing but virtue and truth, and all passions will come to an end; when, finally, Jerusalem will flourish in the greatest glory in the midst of all the nations, and will be acknowledged by all nations as a holy place.

[42]The printed reference reads "5. 11."; the quoted lines come from Laws of Repentance 5:1 and 5:3.

והיה באחרית הימים נכון יהיה הר בית ה׳ בראש ההרים ונשא מגבעות ונהרו אליו כל הגוים. והלכו עמים רבים ואמרו לכו ונעלה אל הר ה׳ אל בית אלהי יעקב וירנו מדרכיו ונלכה בארחתיו כי מציון תצא תורה ודבר ה׳ מירושלים.

ישעי׳ ב, ב–ד.

> In the last days many nations will stream to the Temple mount and say: Let us go to the mountain of God, to the temple of the God of Jacob; He shall teach us His ways, and we too will walk in the path He has laid down; for out of Zion shall go forth the teaching, and the word of God from Jerusalem.
>
> *Isa. 2:2–4*

ונלוו גוים רבים אל ה׳ ביום ההוא והיו לי לעם ושכנתי בתוכך וידעת כי ה׳ צבאות שלחני אליך. ונחל ה׳ את יהודה חלקו על אדמת הקדש ובחר עוד בירושלים. הס כל בשר מפני ה׳ כי נעור ממעון קדשו.

זכרי׳ ב, טו–יז.

> Many foreign nations will join themselves to God and become My people, says God; but in you I will dwell, and you shall know that God Zebaoth has sent me to you. God will take Judah as His portion in the holy land, and will choose Jerusalem once more. Be silent before Him, all mortals, for He is coming forth from His holy dwelling.
>
> *Zech. 2:15–17*

[21]

והיה ה׳ למלך על כל הארץ ביום ההוא יהיה ה׳ אחד ושמו אחד.

שם יד, טו.

> The Eternal will become King over the whole earth; on that day the Eternal will be One, and His name One.
>
> *Zech. 14:9*[43]

32. What do we understand by the revival of the dead?

Answer. That God will one day awaken all the dead, hold judgment over them, reward the good with great bliss and condemn the wicked to severe punishments; and only then do true punishment and reward take place.

ורבים מישני אדמת עפר יקיצו אלה לחיי עולם ואלה לחרפות לדראון עולם.

דניאל יב, ב.

> Those who sleep in the dust of the earth will awaken again: these to eternal life, those to eternal reproach and shame.
>
> *Dan. 12:2*

[43] Printed as "Zach. 14, 15" (Hebrew שם יד, טו); the verse is in fact Zechariah 14:9.

ואתה לך לקץ ותנוח ותעמוד לגורלך לקץ הימין.

שם יג.

But you, go your way to the end; rest, and rise again at the end of days to receive your lot.

Dan. 12:13

יחיו מתיך נבלתי יקומון הקיצו ורננו שכני עפר.

ישעיה כו, יט.

Your dead shall live again, and rise again to life; with rejoicing they awaken, those who dwell in the dust.

Isa. 26:19

[22] # Second Part

First Section: On Duties toward God

33. Are we still to observe all the laws found in Holy Scripture today?

Answer. No; for a large part of them (מצות הנוהגת בארץ) relates only to the Promised Land, to the Temple, to the divine service within it, and to the high court at Jerusalem; these therefore ceased of themselves with the destruction of the Temple and the abolition of the high court. Of the 613 commandments found in Scripture, only 369 remain for us to observe, since we live among other peoples.[44]

34. Must every Israelite observe all of these?

Answer. No; for 99 of them are conditional, that is, they depend on particular circumstances and some people never encounter them. The remaining 270, by contrast, are unconditional, that is, it is incumbent on us to observe them, because they are bound to no particular situation, no specific case and no circumstance. (Preface to Sefer ha-Chinuch.)[45]

[23] **35. What duties do we have toward God?**

Answer. Those contained in the following verse:

ועתה ישראל מה ה׳ אלהיך שואל מעמך כי אם ליראה את ה׳ אלהיך ללכת בכל דרכיו ולאהבה אתו ולעבוד את ה׳ אלהיך בכל לבבך ובכל נפשך לשמר את מצות ה׳ ואת חקתיו אשר אנכי מצוך היום לטוב לך.

הדברים י, יב, יג.

> And now, Israel! What does the Eternal require of you, but that with your whole heart and your whole soul you have reverence for the Eternal your God, walk in all His ways[46], love Him and serve Him — that is, keep the commandments of the Eternal and His laws that I give you today — and this for your own good.
>
> *Deut. 10:12–13*[47]

[44] Hebrew mitzvot ha-noheget ba-aretz, "commandments that apply in the Land [of Israel]."

[45] The figures 369, 99 and 270 come from the author's introduction to Sefer ha-Chinuch, which counts the commandments that remain in force outside the Land of Israel and after the destruction of the Temple. In the original the end of this answer is printed with its lines slightly out of order; the sense is clear.

[46] *Behr's note:* The duties toward one's fellow human beings that arise from "walking in all His ways" (ללכת בכל דרכיו) will be developed below in the Third Section.

[47] Behr letter-spaces the key words Ehrfurcht (reverence), wandeln (walk), lieben (love) and dienen (serve) — the four headings under which the duties toward God are arranged in what follows.

On Reverence for God

36. What does it mean to have reverence for God?

Answer. That we should fear Him not as a slave fears his master, but as a child fears his loving father.

וידעת עם לבבך כי כאשר ייסר איש את בנו ה׳ אלהיך מיסרך.

הדברים ח, ה.

You will know in your heart that the Eternal your God disciplines you as a father disciplines his child.

Deut. 8:5

[24]

אשרי איש ירא את ה׳ במצותיו חפץ מאד.

תהלים קיב, א.

Happy is the one who fears God and finds great delight in His commandments.

Ps. 112:1

37. What duties follow from reverence for God?

Answer. I. That we never, by our outward conduct, make our laws and duties contemptible in the eyes of others.

ושמרתם ועשיתם כי הוא חכמתכם ובינתכם לעיני העמים.

הדברים ד, ו.

Observe them well and carry them out; for this will be your wisdom and understanding among the nations.

Deut. 4:6

II. That we do not put God, our Lord, to the test — that is, that we observe no law with the intention of seeing whether we will be rewarded for it.

לא תנסו את ה׳ אלהיכם.

הדברים ו, טז.

Do not put the Eternal your God to the test.

Deut. 6:16

III. That we never pronounce His holy name (שם הוי״ה) as it is written.[48]

[48]Hebrew shem havayah, the four-letter name of God, spelled here (as in the original) with the letters transposed so as not to write it out.

ואלו שאין להם חלק לעולם הבא … אבא שאול אומר אף ההוגה את השם באותיותיו.

Talmud, Sanhed. Fol. 90.

[And these have no share in the world to come: … Abba Saul says: also one who pronounces the Name according to its letters.]

BT Sanhedrin 90a (Mishnah Sanhedrin 10:1)

IV. That we never utter His holy name unless the law expressly commands it; nor erase it in writing.

[25] V. The strict prohibition of perjury, concerning which it is expressly said: the Eternal will not leave unpunished one who utters His name in support of an untruth.

ולא תשבעו בשמי לשקר וחללת את שם אלהיך אני ה׳.

ויקרא יט, יב.

You shall not swear falsely by My name, for by doing so you profane the name of your God; I am the Eternal.

Lev. 19:12

38. What does it mean to swear an oath?

Answer. To call upon God as witness to the truth and as avenger of untruth, concerning what one states or promises.

39. How many kinds of oath do we have?

Answer. Two: an oath that we take upon ourselves without being required to do so by anyone else — for example, swearing that one will do this or that; and an oath imposed on us by another person, when he has no other means of finding out the truth and of making sure that we will fulfil our obligations.

40. What is the difference in the force of these two kinds of oath?

Answer. An oath that we take of our own free will can be annulled by a solemn pronouncement of three persons learned in our holy teaching, once the reason for the oath no longer exists. The oath that another person imposed on us, on the other hand,[26] remains forever indissoluble, and whoever violates it in any way whatever is a perjurer.

מי שנשבע שבועת בטוי ונחם על שבועתו וראה שהוא מצטער אם קיים שבועה זו או שנולד לו דבר שלא היה בדעתו בשעת השבועה הרי זה נשאל לחכם א׳ או לשלשה הדיוטות וכו׳ — נשבע על דעת רבים או שנדר על דעת רבים אין מתירין לו לעולם.

Maimon. Hilchoth Schebuoth. 6, 1 — 9.

[One who swore an oath of utterance and then regretted his oath, seeing that he would suffer if he kept it, or something arose that he had not had in mind at the time of the

oath — he may put his case to one sage or to three laymen, etc. — But one who swore, or vowed, with the consent of the public is never released.]

Maimonides, Laws of Oaths 6:1–9[49]

41. What, then, does it mean to commit perjury?

Answer. To call God as witness to an untruth, or to something we do not know for certain.

42. Does the law against perjury also apply when the oath is sworn to non-Israelites?

Answer. Without any distinction. For through perjury the name of God is profaned; and whoever lays hands on the holy name of God in order to deceive his neighbor — whatever that neighbor's religion may be — or to rob him of his property, commits one of the gravest and most punishable of sins.[50]

וכיצד מאיימין על הנשבע אומרין לו הוי יודע שכל העולם כולו נזדעזע בשעה שאמר הקב״ה למשה לא תשא את שם ה׳ אלהיך לשוא וכל עברות שבתורה נאמר בהן ונקה וכאן נאמר לא ינקה כל עבירות שבתורה נפרעין ממנו וכאן ממנו וממשפחתו שמחפין על זה.

Maimon. Hilchoth Schebuot. 11, 16.

[How is one who is about to swear admonished? He is told: Know that the whole world trembled when the Holy One, blessed be He, said to Moses, "You shall not take the name of the Eternal your God in vain." Of all the other transgressions in the Torah it is said "he will be cleared," but here it is said "he will not be cleared." For all the other transgressions in the Torah punishment is exacted from the person himself; but here from him and from his family, who cover up for him.]

Maimonides, Laws of Oaths 11:16

ויאמרו כל הנשיאים אל כל העדה אנחנו נשבענו להם בה׳ אלהי ישראל ועתה לא נוכל לנגע בהם.

יהושע ט, יט.

All the leaders of the people replied: We have sworn to them by God, the God of Israel, and so we may not now lay a hostile hand on them.

Josh. 9:19[51]

[49]Literally "in accordance with the mind of the many": an oath taken on the understanding of others (as in a court or public oath) cannot be annulled, which is Behr's point about oaths imposed by another.

[50]This question, and the emphatic answer "without any distinction," answers a charge widely made against Jews in the period — that Jewish law permitted false oaths to Christians — which also underlay the special "Jewish oath" (more Judaico) still required in many German courts.

[51]The oath sworn to the Gibeonites, a non-Israelite people who had obtained it by deception, and which Israel nevertheless kept — the classic proof-text that an oath to non-Israelites binds absolutely.

[27] On the Love of God

43. What does it mean to love God with all one's heart?

Answer. We must follow the commandments of the Creator not for show, not in hope of being rewarded, not out of fear of punishment, but because it is His holy will, for which we owe it to Him, out of love and gratitude, to do everything.

אל יאמר אדם הריני עושה מצות התורה כדי שאקבל כל הברכות הכתובות בה או כדי שאזכה לחיי עה״ב ואפרוש מן העבירות שהזהירה התורה כדי שאנצל מן הקללות הכתובות בתורה או כדי שלא אכרת מחיי עה״ב.

Maimon. Hilch. Teschuba. 10, 1.

[Let no one say: I will perform the commandments of the Torah so as to receive all the blessings written in it, or so as to merit the life of the world to come; and I will keep away from the transgressions against which the Torah warned so as to be saved from the curses written in the Torah, or so as not to be cut off from the life of the world to come.]

Maimonides, Laws of Repentance 10:1

44. What does it mean to love God with all one's soul?

Answer. That we should count even our life, which is dearest to us, as nothing against the love of God; that we should therefore sacrifice our life if anyone sought to force us to deny His name or to profane it.

כל בית ישראל מצווין על קידוש השם הגדול הזה שנאמר ונקדשתי בתוך בני ישראל ומוזהרין שלא לחללו שנאמר ולא תחללו את שם קדשי.

Maimon. Hilchoth Jesode hathora. 5, 1.

[The whole house of Israel is commanded to sanctify this great Name, as it is said, "I shall be sanctified among the children of Israel" (Lev. 22:32); and they are warned not to profane it, as it is said, "You shall not profane My holy name."]

Maimonides, Laws of the Foundations of the Torah 5:1

[28] On the Manner of Serving God

45. How do we divide this service?

Answer. Into a purely inward service of God, and a service of God that is inward but at the same time joined with outward actions.

46. What are the duties of the inward service of God?

Answer. I. Firm attachment to all the doctrines of faith named above.

II. To ascribe to no being any divine power to bring about good or evil.

לא יהיה לך אלהים אחרים על פני.

שמות כ, ג.

You shall have no other gods before My face.

Exod. 20:3

III. To bow down before no idol.

לא תשתחוה להם וכו׳.

שם, ה.

You shall not bow down before them, etc.

Exod. 20:5

IV. To make no idol, nor any image, for worship.

לא תעשה לך פסל וכל תמונה.

שמות כ, ד.

You shall make yourself no idol, nor any likeness.

Exod. 20:4[52]

[29] V. To abhor and to banish everything that derives from idolatry.

פסילי אלהיהם תשרפון באש לא תחמוד כסף וזהב עליהם ולקחת לך פן תוקש בו כי תועבת ה׳ אלהיך הוא. ולא תביא תועבה אל ביתך והיית חרם כמוהו שקץ תשקצנו ותעב תתעבנו כי חרם הוא.

הדברים ז, כה, כו.

You must burn the carved images of their gods; do not covet their gold and silver so as to keep it for yourself — it would be your undoing; for it is an abomination to the Eternal your God. Bring no abomination into your house, or the ban will come upon you as it is upon it; you must hold it in loathing and abhorrence, for the ban rests upon it.

Deut. 7:25–26

VI. To harbor no superstition. We may therefore not believe that on certain days, at certain natural phenomena, or through the position of the stars our undertakings will succeed better than on other days. Further, we may expect no help from any dead person, and in general may place no trust in signs in the heavens or in the stars.

[52] A pencilled inscription at the top of p. 28 in the photographed copy (apparently an owner's or library mark) is not legible.

ודברים אלו כולן דברי שקר וכזב הן וכו׳ וכל המאמין בדברים האלו וכיוצא בהן ומחשב בלבו שהן אמת ודבר חכמה אלא שהתורה אסרתן אינן אלא מן הסכלים ומחסרי הדעת אבל בעלי חכמה ותמימי הדעת ידעו שכל אלו הדברים שאסרו התורה אינם דברי חכמה אלא תהו והבל וכו׳.

Maim. hilch. Akum. 11, 16.

[All these things are falsehood and deceit, etc. And whoever believes in these things and the like, and thinks in his heart that they are true and a matter of wisdom, only that the Torah forbade them — such people are nothing but fools and those lacking understanding. But the wise and those of sound understanding know that all these things the Torah forbade are not matters of wisdom but emptiness and vanity, etc.]

Maimonides, Laws of Idolatry 11:16[53]

[30]

לא תנחשו ולא תעוננו.

ויקרא יט, כו.

Pay no heed to the movement of snakes, nor to the drift of the clouds.

Lev. 19:26[54]

אל תפנו אל האבת ואל הידענים אל תבקשו לטמאה בהם אני ה׳ אלהיכם.

שם לא.

Do not turn to conjurers of the dead or to soothsayers; do not seek them out and so defile yourselves through them.

Lev. 19:31

לא ימצא בך מעביר בנו ובתו באש קסם קסמים מעונן ומנחש ומכשף. וחבר חבר ושאל אוב וידעוני ודרש אל המתים. כי תועבת ה׳ כל עשה אלה ובגלל התועבת האלה ה׳ אלהיך מוריש אותם מפניך.

הדברים יח, י – יג.

Let no one be found among you who passes his son or daughter through the fire; who practices arts of divination, consults the clouds, charms snakes, or is a sorcerer, animal-charmer, practitioner of black arts, soothsayer or questioner of the dead; for whoever does these things is an abomination to the Eternal, and it is precisely because of these abominations that the Eternal your God is driving those nations out before you.

Deut. 18:10–13[55]

[53]"Akum" (an acronym for "worshippers of stars and constellations") is the censored title under which Maimonides' Laws of Idolatry (Hilchot Avodah Zarah) were often printed. The passage concludes his chapter on divination, astrology and charms — a text much prized by Enlightenment-era Jewish educators.

[54]Behr follows the rabbinic interpretation of the two verbs: nihesh as divination from omens (including the movements of snakes; cf. nahash, "snake") and ʿonen as reading the clouds (ʿanan) or the times.

[55]A pencilled marginal note beside this passage in the photographed copy is not legible.

47. What are the duties of the service of God that is joined with actions?

Answer. I. Reading the Shema (קריאת שמע). II. Remembering the Exodus from Egypt (הזכרת יציאת מצרים). III. Prayer (תפלה). [31] IV. The tefillin, or "reminder-slips" (תפילין). V. The mezuzah, or "doorpost inscription" (מזוזה). VI. The tzitzit, or "fringes" (ציצית). VII. Circumcision (מצות מילה). VIII. The Sabbath and festivals (מצות שבת וי״ט). IX. Forbidden foods, forbidden marriages and forbidden garments (מאכלות אסורות, ביאות אסורות, שעטנז). X. The forbidden shaving of the beard and the forbidden cutting into the flesh (תער ושריטה).[56]

I. On Reading the Shema

48. What does reading the Shema mean?

Answer. Reading the following three passages from the Torah.

שמע ישראל ה׳ אלהינו ה׳ אחד. ואהבת את ה׳ אלהיך בכל לבבך ובכל נפשך ובכל מאדך. והיו הדברים האלה אשר אנכי מצוך היום על לבבך. ושננתם לבניך ודברת בם בשבתך בביתך ובלכתך בדרך ובשכבך ובקומך. וקשרתם לאות על ידך והיו לטטפת בין עיניך. וכתבתם על מזזות ביתך ובשעריך.

הדברים ו, ד – ט.

> Hear, O Israel! The Eternal our God is a single Being. You shall love the Eternal your God with all your heart, with all your soul and with all your might. The words that I now command you shall remain always in your heart. You shall impress them on your children and speak of them constantly, when you sit at home or are on a journey, when you lie down and when you rise up. Bind them as a sign upon your hand, wear them as a frontlet between your eyes, and write them on the doorposts of your house and on your gates.
>
> *Deut. 6:4–9*[57]

[32]

והיה אם שמע תשמעו אל מצותי אשר אנכי מצוה אתכם היום לאהבה את ה׳ אלהיכם ולעבדו בכל לבבכם ובכל נפשכם. ונתתי מטר ארצכם בעתו יורה ומלקוש ואספת דגנך ותירשך ויצהרך. ונתתי עשב בשדך לבהמתך ואכלת ושבעת. השמרו לכם פן יפתה לבבכם וסרתם ועבדתם אלהים אחרים והשתחויתם להם. וחרה אף ה׳ בכם ועצר את השמים ולא יהיה מטר והאדמה לא תתן את יבולה ואבדתם מהרה מעל הארץ הטבה אשר ה׳ נתן לכם. ושמתם את דברי אלה על לבבכם ועל נפשכם וקשרתם אתם לאות על ידכם והיו לטוטפת בין עיניכם. ולמדתם אתם את בניכם לדבר בם בשבתך בביתך ובלכתך בדרך ובשכבך ובקומך. וכתבתם על

[56] Shaʿatnez is the forbidden mixture of wool and linen in clothing (Deut. 22:11). Below this list the photographed copy has a two-line pencilled note in German cursive, only partly legible.

[57] Printed as "5. B. M. 6, 4 — 10" in the German column; the passage ends at 6:9, as the Hebrew reference (ד–ט) has it.

מזוזות ביתך ובשעריך. למען ירבו ימיכם וימי בניכם על האדמה אשר נשבע ה׳ לאבתיכם לתת להם כימי השמים על הארץ.

שם יא, יג – כא.

If, then, you obey My commandments that I now give you — to love the Eternal your God with all your heart and all your soul, and to serve Him — I will give your land rain at the right time, the early rain and the late rain, so that you may gather in your grain, wine and oil. I will make grass grow in your field for your cattle, so that you may eat in abundance. But take care that your heart is not led astray, that you do not turn aside and serve other gods and worship them; the anger of the Eternal would blaze [33] against you, He would shut up the heavens so that no rain came, the earth would not bring forth its produce, and you would very soon perish, far from the excellent land that the Eternal will give you. Take these words, then, to heart and mind; bind them as a sign upon your hand and wear them as a frontlet between your eyes. Teach them to your sons, so as to speak of them constantly, when you sit at home or are on a journey, when you lie down and when you rise up. Write them on the doorposts of your house and on your gates; so that you and your children may remain many years on the earth that the Eternal swore to your ancestors to give them.

Deut. 11:13–21[58]

ויאמר ה׳ אל משה לאמר. דבר אל בני ישראל ואמרת אלהם ועשו להם ציצת על כנפי בגדיהם לדרתם ונתנו על ציצת הכנף פתיל תכלת. והיה לכם לציצת וראיתם אתו וזכרתם את כל מצות ה׳ ועשיתם אתם ולא תתורו אחרי לבבכם ואחרי עיניכם אשר אתם זנים אחריהם. למען תזכרו ועשיתם את כל מצותי והייתם קדשים לאלהיכם. אני ה׳ אלהיכם אשר הוצאתי אתכם מארץ מצרים להיות לכם לאלהים אני ה׳ אלהיכם.

במדבר טו, לז – מא.

The Eternal spoke to Moses as follows: Speak to the children of Israel and tell them that throughout their generations they shall make fringes on the corners of their [34] garments, and fasten to these fringes a cord of dark-blue wool. These shall serve you as fringes, so that you see them and remember all the commandments of the Eternal and keep them, and do not follow after your heart and your eyes, which lead you astray. Thereby you will remember My commandments, keep them, and be holy to your God. I am the Eternal your God, who led you out of Mizraim to be your God; I, the Eternal, your God!

Num. 15:37–41

[58]The German column has “Das. 11, 13 — 22”; the passage ends at 11:21, as the Hebrew reference has it.

49. What is the purpose of reading these three passages?

Answer. Through it we profess that God alone is the ruler and governor of the whole world (קבלת עול שמים), and that we have received the law from Him and are to keep His commandments constantly before our eyes (קבלת עול מצות).[59]

ומקדימין לקרות פרשת שמע מפני שיש בה יחוד השם ואהבתו ותלמודו שהוא העיקר הגדול שהכל תלוי בו ואחריה והיה אם שמוע שיש בה ציווי על זכירת שאר כל מצות ואח״כ פרש׳ ציצית שגם היא יש בה ציווי זכירת כל המצות.

Maimon Hilchoth kerioth Schema, 1, 2.

[The passage "Hear" is read first because it contains the unity of the Name, the love of Him and the study of Him, which is the great principle on which everything depends. After it comes "If you obey," which contains the command to remember all the other commandments; and after that the passage on tzitzit, which likewise contains the command to remember all the commandments.]

Maimonides, Laws of Reciting the Shema 1:2

[35] **50. Is it enough merely to read these passages aloud?**

Answer. By no means. With every commandment we perform, taking it to heart is especially necessary alongside the action itself; and with this commandment, grasping the deep meaning of these passages has been made a particular duty for us.

הקורא את שמע ולא כיון לבו בפסוק ראשון שהוא שמע ישראל לא יצ׳ ידי חובתו יקרא ק״ש בכוונה באימה וביראה ברתת ובזיע.

Maimon. Das. 2, 1.

[One who reads the Shema without directing his heart during the first verse, "Hear, O Israel," has not fulfilled his obligation. Let him read the Shema with intention, in awe and reverence, with trembling and fear.]

Maimonides, ibid. (Laws of Reciting the Shema) 2:1

51. At what time of day must we read the Shema?

Answer. In the evening, at the time when three stars become visible in the firmament; and in the morning, as soon as one gets up and is able to recognize a person at a distance of four cubits.

[59] Kabbalat ʿol malkhut shamayim and kabbalat ʿol mitzvot: accepting "the yoke of the kingdom of heaven" and "the yoke of the commandments" (Mishnah Berakhot 2:2), the classical rabbinic account of what the Shema accomplishes.

איזה זמן ק״ש בלילה מצותה משעת יציאת הככבים עד חצי הלילה ואיזה היא זמנה ביום מצותה לקרות קודם הנץ החמה ועונתה עד סוף שלש שעות ביום.

Maimon Das. 1, 9 und 11.

[What is the time for the Shema at night? The commandment is from the appearance of the stars until midnight. And what is its time by day? The commandment is to read it before sunrise, and its time extends to the end of the third hour of the day.]

Maimonides, ibid. 1:9 and 11[60]

II. On the Daily Remembrance of the Exodus from Egypt

52. How many times a day must we remember the Exodus from Egypt?

Answer. Twice: once by day and once by night.

[36] **53. For what purpose is this remembrance made?**

Answer. So that we daily call our origin to mind: namely, that we were once a nation of slaves in Egypt, and that God freed us from this four-hundred-year slavery through extraordinary deeds and wonders; further, so that through this great kindness we may hold ourselves bound to give ourselves wholly to God; and finally, so that we remember daily that God then first showed His great omnipotence and His special providence for us before the eyes of the whole world.

אע״פי שאין מצות ציצית נוהגת בלילה קוראין אתה (פרשת ויאמר) בלילה מפני שיש בה זכרון יציאת מצרים ומצוה להזכיר יציאת מצרים ביום ובלילה שנאמר למען תזכור את יום צאתך מארץ מצרים כל ימי חייך.

Maimon Das. 1, 3.

[Although the commandment of tzitzit does not apply at night, it (the passage "And He said") is read at night, because it contains the remembrance of the Exodus from Egypt; and it is a commandment to recall the Exodus from Egypt by day and by night, as it is said: "So that you may remember the day you went out of the land of Egypt all the days of your life."]

Maimonides, ibid. 1:3 (citing Deut. 16:3)

III. On Prayer

54. How many parts does our prayer contain?

Answer. Three: I. The praise of God (תהלה). II. Thanksgiving (תודה וברכה). III. Petition (בקשה).

[60] Behr's German gives the starting points only; the Maimonides passage beside it supplies the latest times (midnight; the end of the third hour of the day).

[37] **55. What is the praise of God?**

Answer. When one contemplates the sublime works of the Creator in general, an urge arises in every person of feeling to admire and to praise the infinite wisdom, goodness and omnipotence of the Master. This admiration and this praise of God we express daily in our hymns of praise.

56. What do we understand by thanksgiving?

Answer. When one receives a kindness from a fellow human being, a lively feeling arises in every good heart: to thank the giver. How much more, then, must we thank our Creator for the countless kindnesses we have received from our birth onward and still receive every day.

כללו של דבר לעולם יצעק אדם על העתיד לב׳ ויבקש רחמים ויתן הודיה על מה שעבר ויוד׳ וישבח כפי כחו וכל המרבה להודות את ה׳ ולשבחו תמיד ה״ז משובח.

Maim, Hilch. Ber. 10, 26.

[The general rule is this: a person should always cry out about what is to come, and ask for mercy; and give thanks for what has passed, and acknowledge and praise according to his ability. And whoever gives much thanks to the Eternal and praises Him constantly is praiseworthy.]

Maimonides, Laws of Blessings 10:26

אמר ר׳ יוסי יהי חלקי עם גומרי הלל בכל יום.

Talm. Schabath. Fol. 118.

[Rabbi Yose said: May my portion be with those who complete the Hallel every day.]

BT Shabbat 118b[61]

מה אשיב לה׳ כל תגמולוהי עלי.

תהלים קטז, יב.

How can I repay God? All His kindnesses lie upon me like a burden of debt.

Ps. 116:12

57. Does God, then, need our thanks?

Answer. By no means; but so that we never fall into the unhappy idea that a [38] necessary fate prevails, or that our fortune or misfortune depends on causes other than God Himself; and so that we further recognize that everything that comes to a human being is sent to him from the hand of the all-good Father — for this reason many formulas of thanks and blessing have been prescribed for us, which we must recite partly at certain times and partly on certain occasions.

[61] The Talmud there explains that this refers to the "verses of song" (Pesukei de-Zimra) of the daily morning service, not to the festival Hallel — i.e. to Behr's "hymns of praise."

וכל הנהנה בלא ברכה מעל וכשם שמברכין על הנייה כך מברכין על כל מצוה ומצוה ואח״כ יעשה אותה — וברכות רבות תקנו חכמים דרך שבח והודי׳ ודרך בקשה כדי לזכור את הבורא תמיד אע״פ שלא נהנה ולא עשה מצוה. נמצאו כל הברכות כולן שלש מינים ברכות הנייה וברכות מצות וברכות הודאה שהן דרך שבח והודיה ובקשה כדי לזכור את הבורא תמיד וליראה ממנו.

Maimon. Hilchoth Berachoth. 1, 2.

> [Whoever derives benefit [from the world] without a blessing commits sacrilege. And just as one blesses over benefit, so one blesses over each and every commandment, and only then performs it. — And the sages instituted many blessings by way of praise and thanksgiving and by way of petition, so as to remember the Creator constantly, even when one has neither derived benefit nor performed a commandment. Thus all blessings are of three kinds: blessings over benefit, blessings over commandments, and blessings of acknowledgement, which are by way of praise, thanksgiving and petition — so as to remember the Creator constantly and to stand in awe of Him.]
>
> *Maimonides, Laws of Blessings 1:2–4*

58. At what times are we obliged to say these words of thanks and blessing?

Answer. I. Every morning, as soon as we wake from sleep (ברכת השחר). II. When the sun rises in the morning to give life to all creatures and to light the earth (ברכת יוצר אור). III. When night spreads over the earth with its countless stars (ברכת המעריב ערבים). IV. When we live to see a new season — either the return of a festival or the time of new fruits — or when we see a true friend again after an absence of thirty days (ברכת שהחיינו). [39] V. At the coming of the new moon (ברכת הלבנה). VI. Daily, over one of the greatest gifts we have received from God, namely the gift of His laws (ברכת התורה), through which alone we are able to make right use of His other kindnesses.[62]

59. Which words of thanks and blessing are tied to particular occasions?

Answer. I. On every enjoyment, whether for our nourishment or for our pleasure (ברכת הפת ומזונות וברכת הנהנין) — and indeed both before and after the enjoyment.[63][64]

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[62] Birkat ha-shachar (the morning blessings); Yotzer or ("Who forms light," before the morning Shema); Ha-maʿariv ʿaravim ("Who brings on the evenings"); Shehecheyanu ("Who has kept us alive"); Birkat ha-levanah (the blessing of the new moon); Birkat ha-Torah (the blessing over the Torah).

[63] *Behr's note:* Before eating bread we have the further, special duty of washing the hands.

[64] Birkat ha-pat (the blessing over bread), Birkat ha-mazon (Grace after Meals) and birkhot ha-nehenin (blessings over enjoyments). Behr prints his footnote with its own Hebrew source: כל האוכל פת שמברכין עליו המוצי׳ צריך נטילת ידים, "Whoever eats bread over which ha-motzi is said must wash his hands" (Maimonides, ibid. 6:1).

מצות עשה מן התורה לברך אחר אכילת המזון שנאמר ואכלת ושבעת וברכת את ה׳ אלהיך ומדברי סופרים לברך על כל מאכל תחלה ואח״כ יהנה ממנו.

Maim. Hilch. Berach. 1, 1.

[It is a positive commandment of the Torah to bless after eating food, as it is said: "You shall eat and be satisfied, and bless the Eternal your God"; and by the words of the scribes, one blesses over every food first and only then enjoys it.]

Maimonides, Laws of Blessings 1:1

II. At every remarkable phenomenon of nature — for example thunder, lightning, a rainbow — or on seeing the ocean, and so on.

על הרוחות שנשבו בזעף ועל הברקים ועל הרעמים ועל קול הברד שתשמע בארץ מברך: ברוך שכוחו וגבורתו מלא עולם.

Maimon. Das. 10, 14.

[Over winds that blow in fury, over lightning and thunder, and over the sound of hail heard upon the earth, one blesses: "Blessed … whose power and might fill the world."]

Maimonides, ibid. 10:14[65]

[40] III. At a sight that fills the human soul with reverence — for example, on seeing a king or a sage.

הרואה מחכמי א״ה מברך בא״ה שנתן מחכמתו לבשר ודם מלכי א״ה מברך שנתן מכבודו לבשר ודם.

Maimon Das. 10, 4.

[One who sees one of the sages of the nations of the world blesses: "Blessed are You, O Lord, who has given of His wisdom to flesh and blood"; [on seeing] the kings of the nations of the world, one blesses: "… who has given of His glory to flesh and blood."]

Maimonides, ibid. 10:11[66]

IV. On carrying out any commandment — for example, on affixing the mezuzah, before eating unleavened bread, on entering the sukkah, and the like.

וכל מצות עשה שבין אדם למקום בין מצוה שאינה חובה בין מצוה שהיא חובה מברך עליה קודם לעשיתה.

Maimon. Das. 11, 2.

[Over every positive commandment between a person and God, whether it is obligatory or not, one says a blessing before performing it.]

Maimonides, ibid. 11:2

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[65]Translated according to Behr's errata (p. 39: ברקים for ברקום), which has been applied silently to the Hebrew.

[66]The abbreviation א״ה stands both for umot ha-ʿolam ("the nations of the world") and, in the blessing formula, for Atah Adonai ("You, O Lord"). Behr's German speaks generally of "a king or a sage"; the source concerns non-Jewish sages and kings in particular. The printed reference "10, 4" corresponds to 10:11 in modern editions.

V. On news of a kindness received (ברכת הטוב והמטיב).

שמע שמועה טובה מברך בא״ה הטוב והמטיב.

Maimon. Das. 10, 3.

[On hearing good news, one blesses: “Blessed are You, O Lord, who is good and does good.”]

Maimonides, ibid. 10:7

VI. When a great misfortune befalls us (ברכת דיין האמת), so that we may acknowledge it as a beneficial and just punishment, which must keep us from further transgressions and make us attentive to our duties.

שמע שמועה רעה מברך ברוך דיין האמת. וחייב אדם לברך על הרעה בטוב נפש כדרך שמברך על הטובה בשמחה שנאמר ובכל מאדך ובכלל אהבה היתירה שנצטוינו בה שאפי׳ בעת שייצר לו יודה וישבח בשמחה.

Maimon. Das. 10. 3.

[On hearing bad news, one blesses: “Blessed be the true Judge.” And a person is obliged to bless over evil with a willing soul, just as he blesses over good with joy, as it is said: “and with all your might”; and included in the surpassing love we have been commanded is that even in a time of distress one should give thanks and praise with joy.]

Maimonides, ibid. 10:3[67]

VII. On the days on which our ancestors received great kindnesses [41] from God, we must recite the great prayer of thanksgiving (הלל) with the blessing that precedes it — for example, on the festivals and the like.

כ״א יום בשנה גומרין את ההלל ט׳ ימי החג וח׳ ימי חנוכה וב׳ ימים של פסח וב׳ ימים של עצרת.

Maimon. Hilch. Megilla. 3. 11.

[On twenty-one days in the year the complete Hallel is recited: the nine days of the Feast [of Tabernacles], the eight days of Hanukkah, the two [first] days of Passover and the two days of Shavuot.]

Maimonides, Laws of Megillah and Hanukkah 3:6[68]

60. What does petition contain?

Answer. When we suffer misfortune, or are otherwise in need, we must come before God, pour out our heart before Him, and implore His help — which seldom fails to come when the petition has flowed from a whole heart.

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[67] In the photographed copy this source and the preceding one both carry the reference “10, 3”; in modern editions the bad-news blessing and the duty to accept it with a willing soul are at 10:3, the good-news blessing at 10:7.

[68] The count is for the Diaspora, with two-day festivals. The printed reference “3. 11” appears to correspond to 3:6 in modern editions.

קרוב ה׳ לכל קראיו לכל אשר יקראהו באמת.

תהלים קמה, יח.

The Lord is near to all who call upon Him, to all who call upon Him sincerely.

Ps. 145:18

61. Why must petition be made daily?

Answer. When we pay attention to our condition and our needs, we soon see what difficulties we have to contend with, what danger we are in every day, and that we could not take a single step if a divine hand did not constantly watch over us. We must therefore turn to God daily with our [42] petition. This petition forms one part of our prayer.

מצוה עשה להתפלל בכל יום שנאמר ועבדתם את ה׳ אלהיכם מפי השמועה למדו שהעבודה זו היא תפלה שנאמר ולעבדו בכל לבבכם וחיוב מצוה זו כך הוא שיהא אדם מתחנן ומתפלל בכל יום ומגיד שבחו של הקב״ה ואח״כ שואל צרכיו שהוא צריך להם בבקשה ובתחנה ואח״כ נותן שבח והודיה לפניו על הטובה שהשפיע לו כל אחד לפי כחו.

Maimon. Hilchoth. Tephila. 1, 1 und 2.

[It is a positive commandment to pray every day, as it is said: "You shall serve the Eternal your God." From tradition they learned that this service is prayer, as it is said: "and to serve Him with all your heart." The obligation of this commandment is this: that a person should supplicate and pray every day, declare the praise of the Holy One, blessed be He, then ask for the things he needs with petition and supplication, and then give praise and thanks before Him for the good He has bestowed on him — each according to his ability.]

Maimonides, Laws of Prayer 1:1–2[69]

62. What, then, are the names of the various parts of our morning prayer?

Answer. I. Thanksgivings for health preserved, for the gift of the Torah, and for the necessities of life (ברכת השחר וברכת התורה). II. Praise of God, composed of several verses from the Psalms and Prophets (פסוקי דזמרה). III. Thanksgiving for the beneficent light of day (ברכת יוצר אור). IV. Thanksgiving for God's love for us (ברכת אהבה רבה). V. The reading of the Shema (ק״ש). VI. Remembrance of the liberation from Egypt (ויאמר, אמת ויציב). VII. The Eighteen Benedictions (שמונה עשרה), containing praise, thanks and petition; and finally VIII. Some concluding prayers.[70]

[69] This is the source of Behr's threefold division of prayer into praise, petition and thanksgiving (§ 54).

[70] Ahavah rabbah ("With great love") is the blessing before the morning Shema; Va-yomer (Num. 15:37–41) and Emet ve-yatziv ("True and firm") are the closing Shema passage and the blessing after it, which mention the Exodus; the Shemoneh Esreh is the Amidah.

63. What time is fixed for performing this prayer?

Answer. For the prayer proper, the time from daybreak until a third of the day has [43] passed[71]; and therefore it is called the "morning prayer" (תפלת השחר).

תפלת השחר מצותה שיתחיל להתפלל עם הנץ החמה וזמנה עד סוף שעה רביעית שהוא שלישית היום.

Maimon. Das. 3, 1.

[The commandment of the morning prayer is to begin praying at sunrise, and its time extends to the end of the fourth hour, which is a third of the day.]

Maimonides, ibid. 3:1[72]

64. Do we have other prayers besides this morning prayer?

Answer. Three more: an afternoon prayer, an evening prayer, and the prayer before going to sleep.[73]

65. What does the afternoon prayer contain?

Answer. A song of thanksgiving [Psalm 145] (תהלה לדוד), the Eighteen Benedictions (שמונה עשרה) [as in the morning], and a concluding prayer.[74]

66. At what time must this prayer be performed?

Answer. The time for the afternoon prayer does not always remain the same, for it depends on the length or shortness of the day. We must therefore divide the day, whether short or long, from sunrise to the beginning of night, into twelve equal parts; and once nine and a half parts of the day have passed, the time for the afternoon prayer begins.

כבר אמרנו שתפלת מנחה נגד תמיד של בין הערבים תקנו זמנה ולפי שהתמיד קרב בכל יום בתשע שעות ומחצה תקנו זמנה מתשע שעות ומחצה והיא נקראת מנחה קטנה ולפי שבערב פסח שחל להיות בע״ש שוחטין את התמיד בשש שעות ומחצה אמרו שהמתפלל לאחר שש שעות ומחצה יצא.

Maimon. Das. 3, 2.

[We have already said that the time of the afternoon prayer was fixed to correspond to the daily evening offering. Since the daily offering was brought every day at nine and a half hours, they fixed its time from nine and a half hours, and this is called the "lesser Minchah." And since on the eve of Passover falling on a Friday the daily offering was

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[71] *Behr's note:* For the reading of the Shema, however, the time extends only to a quarter of the day.

[72] "Hours" here are seasonal hours, each one twelfth of the daylight period; four such hours make a third of the day, and three (the limit for the Shema, § 51) a quarter.

[73] Behr's German says Abendgebet (literally "evening prayer") for the afternoon service, Minchah, and Nachtgebet ("night prayer") for the evening service, Maʿariv; the time given in § 66 shows that Abendgebet means Minchah. They are rendered here by their usual English names.

[74] Square brackets in this answer are Behr's own.

slaughtered at six and a half hours, they said that one who prays after six and a half hours has fulfilled his obligation.]

Maimonides, ibid. 3:2

[44] **67. When does night begin?**

Answer. According to our religion, night begins at the time when one can see three stars of medium size with the naked eye.

ומשיראו שלש ככבים אלו הבינונים הרי זה לילה ודאי.

Maimon, Hilchoth Schabbath. 5, 4.

[Once three stars — the medium-sized ones — are seen, it is certainly night.]

Maimonides, Laws of the Sabbath 5:4

68. What does the evening prayer contain?

Answer. I. A praise of God for the splendid ordering of nature in the alternation of day and night. II. The reading of the Shema. III. The Eighteen Benedictions. IV. The concluding prayer.

69. What does the prayer before going to sleep contain?

Answer. I. A thanksgiving for the gift of rest and sleep. II. The first passage of the Shema. III. Some verses from the Psalms.[75][76]

70. Are we bound to these fixed forms, or may we also alter them?

Answer. No change may be made to these prescribed prayers, either in content or in form; for they were all composed by the [45] assembly of the Great Synod and acknowledged by the whole nation.

71. How did matters stand with prayer before this Great Synod?

Answer. As long as our ancestors were still in possession of their own land, and the Hebrew language still lived in its purity among the people, no fixed forms of prayer were prescribed; rather, everyone praised, thanked and prayed for whatever his heart put into his mouth. But when they were led into captivity and scattered among other peoples, they soon lost their own language, and many were no longer able to clothe the feelings and thoughts of their hearts in words. Then the men of the Great Synod arose and composed those prayers in a beautiful and at the same time easily understood Hebrew, which were accepted by the whole nation.

[75] *Behr's note:* All these prayers are found in the established Hebrew prayer books, of which a German translation together with the Hebrew original text will appear shortly.

[76] Very probably a reference to Behr's own projected prayer-book translation; several German-Jewish prayer-book translations with facing Hebrew text appeared in the 1820s and 1830s.

כיון שגלו ישראל בימי נבוכדנצר הרשע נתערבו בפרס ויון ושאר האומות ונולדו להם בנים בארצות הגוים ואות׳ הבני׳ נתבלבלו שפתם והיתה שפת כל אחד ואחד מעורבת מלשונות הרבה וכיון שהוא מדבר אינו יכול לדבר כל צרכו בלשון אחת אלא בשיבוש ואינם מכירין לדבר יהודית ומפני זה כשהיה אחד מהם מתפלל תקצר לשונו לשאול חפציו או להגיד שבח הק״בה בלשון הקדש וכיון שראה עזרא וב״ד כך עמדו ותיקנו להם שמ״ע ברכות על הסדר. תפלות אלו אין פוחתין מהן ואין משנין בהן דבר.

Maim. hilch. Theph. 1, 4–9.

> [When Israel was exiled in the days of the wicked Nebuchadnezzar, they mingled with Persia, Greece and the other nations, and children were born to them in the lands of the gentiles; and those children's speech became confused, so that the speech of each one was a mixture of many languages. When one of them spoke, he could not express all his needs in any one language except in a garbled way, and they did not know how to speak "Judean" [Hebrew]. And because of this, when one of them prayed, his tongue fell short of asking for his needs or declaring the praise of the Holy One, blessed be He, in the holy tongue. When Ezra and his court saw this, they arose and instituted for them the Eighteen Blessings in order. … From these prayers nothing is subtracted, and nothing in them is changed.]

Maimonides, Laws of Prayer 1:4–9

אמר רבי יוחנן אנשי כנה״ג תקנו לישראל ברכות ותפלות קדושות והבדלות.

Berachot, Fol. 33.

> [Rabbi Johanan said: The men of the Great Assembly instituted for Israel blessings and prayers, sanctifications and separations.]

BT Berakhot 33a[77]

[46] **72. Why did they compose these prayers in the Hebrew language, when it was no longer the language of the people?**

Answer. So that every Israelite would be compelled to learn the Hebrew language (for understanding the prayer is a principal requirement), whereby two further great purposes are achieved: 1) that the language be preserved, as the last bond which, since Temple and state had been lost, could still hold the individual members of the people together in a religious unity; and 2) that everyone among the people be able to read Holy Scripture in the original language, since through any translation the sense can often be distorted, often made ambiguous.[78]

It is also a particular law that one should pray in an assembly of at least ten men; indeed, some prayer formulas may be said only in an assembly of ten. What, then, is the Israelite to do who

[77] Kiddush and Havdalah — the prayers that mark the beginning and end of Sabbaths and festivals.

[78] Behr's argument for Hebrew as the language of prayer stands at the center of the debates of the 1810s–1840s, when the Hamburg Temple (1818) and later reformers introduced German prayers; the following question takes up the case for prayer in the vernacular.

finds himself among strangers whose national language he does not understand, if the Israelites there also pray in that national language?[79]

תפלת הציבור נשמעת תמיד ואפילו היו בהן חוטאין אין הק״בה מואס בתפלתן של רבים. אין אומרים קדושה ולא קוראין בתורה ומברכין לפניה ולאחריה ולא מפטירין בנביאים ואין אומרין קדיש ואין הכהנים נושאין ידיהם אלא בעשרה.

Maimon. Hilchoth. Thephi. 8, 1 — 6.

[The prayer of the congregation is always heard; even if there are sinners among them, the Holy One, blessed be He, does not reject the prayer of the many. … Kedushah is not said, the Torah is not read with its blessings before and after, the Haftarah from the Prophets is not read, Kaddish is not said, and the priests do not lift up their hands [in blessing] except in [a quorum of] ten.]

Maimonides, Laws of Prayer 8:1–6

[47] On Duties during Prayer

73. What must we especially attend to during prayer?

Answer. To three things. I. To devotion (כוונה).

כל עצמותי תאמרנה ה׳ מי כמוך.

תהלים לה, י.

All my bones shall say: God! Who is like You?

Ps. 35:10

II. To cleanliness (טהרה).

והיה מחניך קדוש.

הדברים כג, טו.

Your camp shall be kept holy.

Deut. 23:15

III. That at least ten men be assembled.

במקהלות ברכו אלהים ה׳ ממקור ישראל.

תהלים סח, כז.

Praise the Lord in assemblies, you who have sprung from the fountain of Jacob.

Ps. 68:27

[79]This paragraph stands in the German column beside the Maimonides passage that follows; the question it ends with is left open and is not numbered. It amounts to an argument against vernacular prayer: a Jew travelling abroad could not join a congregation that prayed in its own local language.

74. In what does devotion consist?

Answer. In this: that we turn our whole attention to what we are praying, put aside all other concerns, lift our hearts to God with firm trust, and expect help from Him alone.

כל תפלה שאינה בכוונה אינה תפלה כיצד היא הכוונה שיפנה את לבו מכל המחשבות ויראה עצמו כאלו הוא עומד לפני השכינה ואח״כ יתפלל בנחת ובתחנונים.

Maimon. Das. 4, 15 und 16.

[Any prayer without intention is no prayer. … What is intention? That he should clear his heart of all thoughts and see himself as if he were standing before the Divine Presence; and then let him pray calmly and with supplication.]

Maimonides, Laws of Prayer 4:15–16

[48] **75. In what does cleanliness consist?**

Answer. In this: that our whole body, our clothes, and the place where we pray be free of dirt and filth.

טהרת מקום התפילה כיצד לא יתפלל במקום הטנופת ולא במקום שאינו בחזקת טהרה וכו׳.

Maimon. Das. 4, 8 — 15.

[Cleanliness of the place of prayer: how so? One should not pray in a filthy place, nor in a place not presumed to be clean, etc.]

Maimonides, ibid. 4:8–15

76. What is the benefit of an assembly of ten at prayer?

Answer. Divine service in an assembly of many contributes more to devotion and solemnity. Each is encouraged by the other, and zeal in the praise of God grows livelier.

צריך אדם להשתתף את עצמו עם הציבור ולא יתפלל יחיד כל זמן שיכול להתפלל עם הציבור ולעולם ישכם אדם ויעריב לבה״כ שאין תפלתו נשמעת בכל עת אלא בבה״כ.

Maimon. Das. 8, 1.

[A person should join himself to the congregation and not pray alone whenever he is able to pray with the congregation; and one should always go early and stay late at the synagogue, for one’s prayer is not heard at all times except in the synagogue.]

Maimonides, ibid. 8:1

On the Tefillin (“Reminder-Slips”)

77. What is the meaning of the tefillin?

Answer. They are meant to recall to our minds daily the wisdom, goodness, omnipotence and justice of our Creator. For it is in human nature that the best and most substantial teachings, if they are not joined with actions, gradually slip from the [49] mind; and for this reason we were

commanded to put on these reminder-slips or reminder-straps (תפילין) every day. They contain, namely in four passages from Holy Scripture, the unity of God, His omnipotence, and the great wonders that God performed when He led us out of Egypt.[80]

78. What are these four passages?

Answer. The first of them reads:

וידבר ה׳ אל משה לאמר קדש לי כל בכור פטר כל רחם בבני ישראל באדם ובבהמה לי הוא. ויאמר משה אל העם זכור את היום הזה אשר יצאתם ממצרים מבית עבדים כי בחזק יד הוציא ה׳ אתכם מזה ולא יאכל חמץ. היום אתם יצאים בחדש האביב. והיה כי יביאך ה׳ אל ארץ הכנעני והחתי והאמרי והחוי והיבוסי אשר נשבע לאבתיך לתת לך ארץ זבת חלב ודבש ועבדת את העבדה הזאת בחדש הזה. שבעת ימים תאכל מצת וביום השביעי חג לה׳. מצות יאכל את שבעת הימים ולא יראה לך חמץ ולא יראה לך שאר בכל גבלך. והגדת לבנך ביום ההוא לאמר בעבור זה עשה ה׳ לי בצאתי ממצרים. והיה לך לאות על ידך ולזכרון בין עיניך למען תהיה תורת ה׳ בפיך כי ביד חזקה הוצאך ה׳ ממצרים. ושמרת את החקה הזאת למועדה מימים ימימה.

שמות יג, א – י.

> The Eternal spoke to Moses as follows: Sanctify to Me every firstborn! The opening of the womb — that is, whatever comes first from the womb — among the children of Israel, whether of human beings or of cattle, is Mine. Moses said to the people: Remember this day on which you went out of Egypt, out of the house of slaves; for with a strong hand the Eternal has led you out from here. Nothing leavened shall be eaten. Today you are going out, in the month of ripening grain. When, then, the Eternal brings you into the land of the peoples of Canaan, the Hittites, Amorites, Hivites and Jebusites, which He swore to your ancestors to give you, a land where milk and honey flow, you shall keep this service in this month. Seven days you shall eat unleavened bread, and on the seventh day there shall be a festival in honor of the Eternal. Unleavened bread shall be eaten the whole seven days, and no leavened bread shall be seen within all your borders. You shall then say to your son: This is done because of what the Eternal did for me when I went out of Egypt. This shall serve you as a sign upon your hand and as a reminder-slip between your eyes, so that the teaching of the Eternal may remain in your mouth (that is, may always be handed on), because the Eternal led you out of Mizraim with a strong hand. Keep this ordinance, then, at its time, from year to year.
>
> *Exod. 13:1–10*[81]

[50]

[80] Behr uses both Denkzettel ("reminder-slips") and Denkriemen ("reminder-straps") for tefillin; the second term reappears in § 79. The printed text of this answer has two lines transposed at the top of p. 49; the sense is clear.

[81] The German column gives the reference as "2. B. M. 13, 1–11"; the Hebrew reference (א–יא) agrees. The passage in tefillin is 13:1–10; verse 11 begins the second passage. The parenthesis "that is, may always be handed on" is Behr's own gloss.

כיצד כותבין את התפילין של ראש כותבין ארבע פרשיות על ארבע קלפים וגוללין כל אחד לבדו וכו׳. פרשה ראשונה קדש לי כל בכור מלא וכו׳ פרשה שנייה והיה כי יביאך חסר יוד וכו׳ פרשה שלישית שמע של שמע גדולה וכו׳ פרשה רביעית והיה אם שמע חסר וכו׳.

Maimon. Hilchoth. Tephilin 2, 1 — 8.

> [How are the head-tefillin written? Four passages are written on four parchments, and each is rolled up separately, etc. The first passage: "Sanctify to Me every firstborn," [the word written] in full, etc.; the second passage: "And when He brings you," lacking a yod, etc.; the third passage: "Hear," with the large ʿayin of Shema, etc.; the fourth passage: "And if you obey," [written] defectively, etc.]
>
> *Maimonides, Laws of Tefillin 2:1–8*

The second passage contains the following:

והיה כי יבאך ה׳ אל ארץ הכנעני כאשר נשבע לך ולאבתיך ונתנה לך. והעברת כל פטר רחם לה׳ וכל פטר שגר בהמה אשר יהיה לך הזכרים לה׳. וכל פטר חמר תפדה בשה ואם לא תפדה וערפתו וכל בכור אדם בבניך תפדה. והיה כי ישאלך בנך מחר לאמר מה זאת ואמרת אליו בחזק יד הוציאנו ה׳ ממצרים מבית עבדים. ויהי כי הקשה פרעה לשלחנו ויהרג ה׳ כל בכור בארץ מצרים מבכר אדם ועד בכור בהמה על כן אני זבח לה׳ כל פטר רחם הזכרים וכל בכור בני אפדה. והיה לאות על ידכה ולטוטפת בין עיניך כי בחזק יד הוציאנו ה׳ ממצרים.

שם, יא – טז.

> When, then, the Eternal brings you into the land of Canaan, which He swore to you and your ancestors and will give you, you shall offer to the Eternal everything that comes first from the womb — namely, every male firstling of your cattle [51] shall be consecrated to the Eternal. Every firstborn of a donkey you shall redeem with a lamb; if you do not redeem it, you must break its neck; and every firstborn human being among your children you shall redeem. When, then, your son one day asks you, "What does this mean?", say to him: With a strong hand the Eternal led us out of Mizraim, out of the house of slaves. When Pharaoh so stubbornly refused to let us go, the Eternal struck down every firstborn in the land of Mizraim, from the firstborn of human beings to the firstborn of cattle; therefore I sacrifice to the Eternal every male that first came from the womb, and every firstborn of my children I redeem. This shall serve you as a sign upon your hand and as a frontlet between your eyes, that the Eternal led us out of Mizraim with a strong hand.
>
> *Exod. 13:11–16*[82]

[82] Printed as "Das. Vers 11–17" in the German column (Hebrew: יא–יז); the passage ends at 13:16.

שמנה הלכות יש במעשה התפילין כולן הלכה למשה מסיני ולפיכך כולן מעכבות ואם שנה באחד מהן פסל ואלו הן שיהו מרובעות וכן תפירתן ברבוע ואלכסונן ברבוע עד שיהיה להן זויות שוות ושיהיה בעור של ראש צורת שין מימין ומשמאל ושיכרוך הפרשיות במטלי׳ ושיכרוך אותן מעל המטלית ואח״כ מכניסין בבתיהן וכו׳.

Maimon. Das. 3, 1 — 19.

> [There are eight rules in the making of tefillin, all of them law given to Moses at Sinai, and therefore all are indispensable; if one deviates in any one of them, they are invalid. These are they: that they be square, and likewise their stitching square and their diagonal square, so that they have equal angles; that the leather of the head-tefillin have the form of a shin on the right and on the left; that the passages be wrapped in a cloth, and wrapped [with hair] over the cloth, and then inserted into their compartments, etc.]
>
> *Maimonides, ibid. 3:1–19*

[52] The third passage is: "Hear, O Israel," etc. — see above, p. 31, § 48 (שמע ישראל). The fourth passage reads: "If, then, you obey," etc. — see above, p. 32, § 48 (והיה אם שמע).

79. How are the reminder-straps constructed?

Answer. These four passages are placed in two cube-shaped capsules made of parchment. Of these capsules we put one on the upper part of the left arm, opposite the heart, to indicate that we are to subordinate all the wishes and desires of the heart to the holy will of God; and the second on the forehead, where the brain lies, to show that we are to dedicate all our senses and thoughts to the service of God. The capsules must be fastened with straps. One encircles the head and hangs down on both sides around the neck; the other is wound seven times around the left arm and three times around the middle finger.[83]

ארבע פרשיות אלו שהן קדש לי והיה כי יביאך שמע והיה אם שמע הן שנכתבות בפני עצמן ומחפין אותם בעור ונקראין תפילין ומניחין אותן על הראש וקושרין אותן על היד ואפילו קוצו של אות מד׳ פרשיות אלו מעכב את כולן מן התורה עד שנכתבות שלמות כתיקונן. היכן מניחין תפילין של ראש מניחין אותן על הקדקד שהוא סוף השער שכנגד הפנים וכו׳ וצריך לכוין אותם באמצע כדי שיהיו בין העינים וכו׳ ושל יד קושר אותה על שמאלו וכו׳.

Maimon Daselb. 1, 1. und 4, 1 — 4.

> [These four passages — "Sanctify to Me," "And when He brings you," "Hear," and "And if you obey" — are written separately, covered with leather, and called tefillin; they are placed on the head and bound on the arm. Even the tip of a single letter of these four passages prevents [the fulfilment of] all of them, by Torah law, until they are written complete and correctly. Where are the head-tefillin placed? On the crown

[83] The parchment cases are in practice made of leather (as the Maimonides passage beside it says: ומחפין אותם בעור, "and they are covered with leather"); Behr's "parchment" may refer to the scrolls inside.

of the head, at the hairline facing the face, etc.; and one must center them so that they are between the eyes, etc. And the arm-tefillin one binds on the left arm, etc.]

Maimonides, ibid. 1:1 and 4:1–4

[53] **80. Can anyone make these for himself?**

Answer. Certainly; but the rules for writing them, as well as for making them up, are so many that knowing them constitutes a special course of study. Some men must therefore devote themselves entirely to this craft, as also to writing the doorpost inscriptions (מזוזות) and the Torah scrolls (ספרי תורות); these we call Soferim (סופרים), "scribes."

81. When are these reminder-straps put on?

Answer. Properly, and according to the sense of the laws, they should be worn constantly. But since we may not turn our whole attention away from their holy and important content while we wear them, and since this is not possible in the circumstances of our lives, our sages long ago restricted this law to the hour of prayer, since that is the only time of day when a person tears himself away from all business and converses with his Creator alone.

גדול שכר מצות תפילין וכו׳ מצוותן להיותם עליו כל היום אבל מפני שצריכין גוף נקי ושלא יסיח דעתו מהם ואין כל אדם יכול לזהור בהם נהגו שלא להניחם כל היום ומ״מ צריך כל אדם ליזהר בהם להיותם עליו בשעת ק״ש ותפלה.

Orach chaim 37, 1. und 2.

[Great is the reward of the commandment of tefillin, etc. The commandment is to have them on all day; but because they require a clean body and that one not divert one's mind from them, and not everyone is able to be careful about this, the custom is not to put them on all day. Nevertheless everyone must take care to have them on during the reading of the Shema and prayer.]

Shulchan Arukh, Orach Chayyim 37:1–2[84]

וכל שאינו מניח תפילין עובר בשמנה עשה שהרי בארבע פרשיות ציוה על תפילין של ראש ועל תפילין של יד.

Maimon. Das. 4, 26.

[Whoever does not put on tefillin transgresses eight positive commandments, for in each of the four passages He commanded concerning the head-tefillin and the arm-tefillin.]

Maimonides, Laws of Tefillin 4:26

[84]The first citation in these pages of the Shulchan Arukh (Joseph Karo, 1565), the standard code of Jewish law, here by the title of its first section.

82. Are they worn at prayer every day?

Answer. Yes, except only on Sabbaths and the principal festivals; because these in themselves already fulfil [54] the purpose of the tefillin (תפילין).

זמן הנחת תפילין ביום ולא בלילה וכן שבתות וי״ט אינן זמן תפילין שנאמר והיו לאות ושבתות וימים טובים הן עצמן אות.

Maim. Das. 4, 10.

[The time for putting on tefillin is by day and not by night; and likewise Sabbaths and festivals are not a time for tefillin, as it is said, "They shall be a sign" — and Sabbaths and festivals are themselves a sign.]

Maimonides, ibid. 4:10

V. On the Mezuzah ("Doorpost Inscription")

83. What does the doorpost inscription contain?

Answer. The two passages named above: "Hear, O Israel," etc. (שמע) and "If, then, you obey," etc. (והיה אם שמע) (pp. 31 and 32). These are written according to fixed rules on one side of a scroll made of parchment, and on the other side, besides the name Shaddai (שם שדי), some meaningful kabbalistic words; and it is fastened to the posts of doors and gates, so that on going out and coming in we always remember its rich content and keep the teachings it contains always before our eyes.[85]

מצות עשה לכתוב פ׳ שמע והיה אם שמע ולקבעם על מזוזת הפתח וצריך לזהר בה מאוד. ומניחין נקב בקנה נגד שם שדי שיהא נראה מבחוץ.

Jore Deah 285 und 288.

[It is a positive commandment to write the passages "Hear" and "And if you obey" and fix them on the doorpost of the entrance, and one must be very careful about it. … And a hole is left in the case opposite the name Shaddai, so that it can be seen from outside.]

Shulchan Arukh, Yoreh Deʿah 285:1; 288:15

חייב אדם להזהר במזוז׳ וכל זמן שיכנס ויצא יפגע ביחוד השם ויזכור אהבתו ויעור משנתו ושגיות׳ בהבלי הזמן וידע שאין דבר העומד לעולם אלא ידיעת צור העולם ומיד הוא חוזר לדעתו והולך בדרכי מישרים.

Maimon. Das. 5. 13.

[A person is obliged to be careful about the mezuzah; for whenever he comes in and goes out he will encounter the unity of the Name, remember his love of Him, and awaken from his sleep and his preoccupation with the vanities of the time, and know

[85] The "kabbalistic words" are the customary inscription on the back of the mezuzah: the divine name Shaddai and the cipher Kozu be-Mukhsaz Kozu (each letter shifted by one from "the Lord our God, the Lord"). Behr's neutral mention of them is notable given Maimonides' sharp disapproval of adding names to the mezuzah (Laws of Mezuzah 5:4).

that nothing endures forever except knowledge of the Rock of the world; and at once he returns to his right mind and walks in upright ways.]

Maimonides, Laws of Mezuzah 6:13[86]

וכתבתם על מזוזת ביתך ובשעריך.

הדברים ו, ט.

And write them on the posts of your house and on its gates.

Deut. 6:9

[55] VI. On the Tzitzit ("Fringes")

84. What purpose do the fringes serve?

Answer. That all day long we may have a sign of our dependence on God, and never lose sight of the commandments and duties.

לעולם יהא אדם זהיר במצות ציצית שהרי הכתוב שקלה ותלה בה כל המצות כולן שנאמר וראיתם אותו וזכרתם את כל מצות ה׳.

Maim. hilch. Zizith. 3, 12.

[A person should always be careful about the commandment of tzitzit, for Scripture weighed it against, and made dependent on it, all the commandments together, as it is said: "You shall see it and remember all the commandments of the Eternal."]

Maimonides, Laws of Tzitzit 3:12

גדלים תעשה לך על ארבע כנפות כסותך אשר תכסה בה.

הדברים כב, יב.

You shall make yourself cords on the four corners of the cloak with which you cover yourself.

Deut. 22:12

85. Why do we have no fringes on our clothes?

Answer. Because our European clothes have no four-cornered cut, and the law speaks only of four-cornered garments, this law does not in itself apply to us. But in order also to fulfil the intent of this law — namely, to have a perpetual reminder of our duties — we now constantly wear a small four-cornered garment (טלית קטן) with fringes under our [56] clothes. Only at prayer do we also have the large tallit with fringes (טלית גדול).

כסות שחייב אדם לעשות בה ציצית מן התורה היא כסות שיש לה ארבע כנפים או יותר על ארב׳ ותהיה הכסות של צמר או של פשתן בלבד. אע״פ שאין אדם מחויב לקנות לו טלית ולהתעטף בה כדי שיעשה בה

[86] Printed as "Maimon. Das. 5. 13"; in modern editions this passage is Laws of Tefillin, Mezuzah and Torah Scroll, Laws of Mezuzah 6:13.

ציצית אין ראויה לאדם חסיד שיפטור עצמו ממצוה זו אלא לעולם ישתדל להיות עטוף בכסות המחויבת בציצית כדי שיקים מצוה זו ובשעת התפלה צריך לזהר ביותר.

Maimon. Das. 3, 1 und 11.

[The garment on which a person is obliged by the Torah to make tzitzit is a garment that has four corners or more than four, and the garment must be of wool or of linen only. … Although a person is not obliged to buy himself a tallit and wrap himself in it so as to put tzitzit on it, it is not fitting for a pious person to exempt himself from this commandment; rather he should always endeavor to be wrapped in a garment obliged in tzitzit so as to fulfil this commandment, and at the time of prayer he should take especial care.]

Maimonides, ibid. 3:1, 11

VII. On Circumcision

86. What does the law of circumcision contain?

Answer. That every male child must be circumcised when he is eight days old; and although the duty of circumcision properly falls on the parents, one whose parents have neglected it must have himself circumcised, even if he is already grown.

מילה מצות עשה שחייבין עליה כרת שנאמר וערל זכר אשר לא ימול את בשר ערלתו ונכרתה הנפש ההיא מקרב עמו ומצוה על האב למול את בנו עבר האב וכו׳ כשיגדל הוא חייב למול את עצמו.

Maim. Hilch. Mila. 1, 1.

[Circumcision is a positive commandment for which [neglect] one incurs karet, as it is said: "And an uncircumcised male who is not circumcised in the flesh of his foreskin — that soul shall be cut off from his people." The commandment is on the father to circumcise his son. If the father transgressed, etc., when [the son] grows up he is obliged to circumcise himself.]

Maimonides, Laws of Circumcision 1:1–2

ויאמר אלהים אל אברהם ואתה את בריתי תשמר אתה וזרעך אחריך לדרתם. זאת בריתי אשר תשמרו ביני וביניכם ובין זרעך אחריך המול לכם כל זכר. ונמלתם את בשר ערלתכם והיה לאות ברית ביני וביניכם. ובן שמנת ימים ימול לכם כל זכר לדרתיכם.

בראשית יז, ט – יב.

God said to Abraham: But you must keep My covenant, you and your seed after you, in their future generations. This is the covenant [57] between Me and you and your seed after you, which you shall keep: you must circumcise every male. Circumcise your foreskin; this shall be the sign of the covenant between Me and you. Every male among your descendants shall be circumcised when he is eight days old.

Gen. 17:9–12

87. What meaning is attached to circumcision?

Answer. It is to be a sign on the body of every Israelite that he has been received into the covenant of the divine religion, and is obliged[87] to keep all of God's commandments.[88]

וכל המפר בריתו של אברהם אבינו והניח ערלתו אע״פ שיש בו תורה ומעשים טובים אין לו חלק לעה״ב בא וראה כמה חמורה מילה שלא נתלה למשה רבנו עלי׳ אפילו שעה אחת.

Maimon. Das. 3, 8 — 9.

[Whoever breaks the covenant of Abraham our father and leaves his foreskin, even though he has Torah and good deeds, has no share in the world to come. Come and see how grave circumcision is: Moses our teacher was not granted a delay concerning it even for a single hour.]

Maimonides, ibid. 3:8–9

והיתה בריתי בבשרכם לברית עולם.

שם, יג.

So that My covenant may be in your flesh as an everlasting covenant.

Gen. 17:13

[58] VIII. On the Sabbath and Festivals

88. Besides those already named, what laws do we have as signs of remembrance?

Answer. The laws of the Sabbath and the festivals.

ושמרו בני ישראל את השבת לעשות את השבת לדרתם ברית עולם. ביני ובין בני ישראל אות היא לעולם כי ששת ימים עשה ה׳ את השמים ואת הארץ וביום השביעי שבת וינפש.

שמות לא, טז – יז.

The children of Israel shall observe the Sabbath — that is, keep the Sabbath among all their descendants as an everlasting covenant. Between Me and the children of Israel the Sabbath shall be a sign forever; for in six days the Eternal made heaven and earth, but on the seventh day He rested and reached His goal.

Exod. 31:16–17[89]

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[87] *Behr's note:* Circumcision is, however, by no means a condition of admission into the covenant of the Israelites; rather it belongs to the class of commandments punishable by karet (חייבי כריתות), and one who has transgressed it is not therefore released from the other duties of an Israelite.

[88] This is presumably the "note to page 57" that Behr says in his foreword was added at the request of the Fürth rabbinate. It addresses a live controversy: whether an uncircumcised son of Jewish parents is a Jew. Behr insists that he is — circumcision is a commandment, not a condition of membership — a position that became central in the circumcision controversies of the 1840s.

[89] Both columns cite only 31:16, but the passage includes verse 17. "Reached His goal" renders Behr's "und Sein Ziel erreicht" for va-yinnafash (traditionally "and was refreshed"), following Mendelssohn.

89. Do the Sabbaths and festivals have this purpose alone?

Answer. No; they have another great purpose as well. For since it is the destiny of the human being to perfect himself ever more and to widen his knowledge of the laws and deeds of God, while most people, if they pursue their business and work with due diligence on weekdays, have little time left over to order their thoughts and give themselves to reflection on their destiny, divine wisdom has[90]

[59] appointed certain days in the year on which we are to free ourselves from all our occupations, abstain from all work, and put aside all cares, so that we can occupy ourselves with God alone. Therefore on these days we must spend a far longer time in the houses of prayer and raise hymns of praise there publicly; and those whose calling is exclusively the study of the laws and duties must instruct their other fellow believers in the laws and duties ("Make for yourself great assemblies and expound before them the laws of the Sabbath, so that the generations to come may learn from you" — Midrash Va-yakhel). In this respect, then, these days are the holiest to us, and they therefore also bear the name mikra'ei kodesh (מקראי קדש), "holy convocations."[91]

90. What event is the Sabbath meant to recall to us?

Answer. The story of creation. This weekly day of rest is to keep the fourth of our articles of faith alive in us. On every seventh day, when we rest from all our work, we are to remember the creation of the world and strengthen ourselves in the belief that God created the whole world out of nothing, and that the world with all its creatures can be preserved only by His supreme power and His infinite[60] goodness.

כל שהוא מחלל שבת מעיד לפני הקב״ה שלא ברא עולמו בו׳ ימים ולא נח ביום הז׳.

מכילתא.

[Whoever profanes the Sabbath testifies before the Holy One, blessed be He, that He did not create His world in six days and did not rest on the seventh day.]

Mekhilta (cf. Mekhilta de-Rabbi Ishmael, Ki Tissa)

[90] Bestimmung des Menschen ("the destiny/vocation of the human being") is a key term of the German Enlightenment, made famous by Johann Joachim Spalding's Betrachtung über die Bestimmung des Menschen (1748) and taken up by Mendelssohn.

[91] The Hebrew quotation (עשה לך קהלות גדולות ודרוש לפניהם הלכות שבת כדי שילמדו ממך לדורות הבאים) is from the Midrash on Parashat Va-yakhel (Yalkut Shimoni, Va-yakhel § 408), where God tells Moses to gather the people on Sabbaths to teach them Torah. Behr prints it in Hebrew within his German text; the English rendering is the translator's.

השבת ועכו״ם כל אחד משתיהן שקולה כנגד שאר כל מצות התורה והשבת היא האות שבין הקב״ה ובינינו לעולם וכו׳. וכל השומר שבת כהלכתה ומכבדה ומענגה כפי כחו כבר מפורש בקבלה שכרו בעולם הזה יתר על השכר הצפון לעה״ב שנאמר אז תתענג על ה׳ והרכבתיך על במתי ארץ וכו׳.

M. Hilch. Schab. 30, 15.

> [The Sabbath and idolatry are each equal in weight to all the other commandments of the Torah; and the Sabbath is the sign between the Holy One, blessed be He, and us forever, etc. And whoever keeps the Sabbath according to its law, honors it and delights in it according to his ability — it is already stated explicitly in the tradition that his reward in this world is beyond the reward stored up for the world to come, as it is said: "Then you shall delight in the Eternal, and I will make you ride upon the heights of the earth," etc.]
>
> *Maimonides, Laws of the Sabbath 30:15 (citing Isa. 58:14)*

ויכלו השמים והארץ וכל צבאם. ויכל אלהים ביום השביעי מלאכתו אשר עשה וישבת ביום השביעי מכל מלאכתו אשר עשה. ויברך אלהים את יום השביעי ויקדש אתו כי בו שבת מכל מלאכתו אשר ברא אלהים לעשות.

בראשית ב, א – ג.

> Now the heavens and the earth were finished, and all their host. When the Lord had finished on the seventh day His work that He had made, He rested on the seventh day from all His works that He had made. The Lord blessed the seventh day and sanctified it, for on it He rested from all His works which He, the Lord, had created for development.
>
> *Gen. 2:1–3*[92]

91. What laws are we to observe on the Sabbath?

Answer. I. To abstain from all work[93], and not even to let our [61] cattle do any work.

אסור להוציא משא על הבהמה בשבת שנאמר למען ינוח שורך וחמרך וכו׳.

Maimon. Das. 20, 1.

> [It is forbidden to take a burden out on an animal on the Sabbath, as it is said: "so that your ox and your donkey may rest," etc.]
>
> *Maimonides, ibid. 20:1*

[92] "For development" renders Behr's zur Ausbildung for laʿasot (literally "to make"), reflecting Mendelssohn's and the Bi'ur's reading that God created the world with the capacity to go on developing.

[93] *Behr's note:* This word must not be taken here in its ordinary sense; for according to our tradition, not only every strenuous and noisy labor but also every skilled work — for example writing, painting, and so on — and likewise all occupations that lead away from devotion and from reflection on the divine works and deeds, are forbidden.

ששת ימים תעבד ועשית כל מלאכתך. ויום השביעי שבת לה׳ אלהיך לא תעשה כל מלאכה אתה ובנך ובתך עבדך ואמתך ובהמתך וגרך אשר בשעריך.

שמות כ, ט – י.

Six days you may labor and do all your business, but the seventh day is a day of rest in honor of the Eternal your God; you shall do no manual work, neither you yourself, nor your son or your daughter, your male slave or your female slave, nor through your cattle, nor through a stranger who stays within your gates.

Exod. 20:9–10

II. To arrange nothing concerning the business and work of weekdays, and in general to speak nothing of them.

אסור לאדם להלך בחפציו בשב׳ ואפילו לדבר בהן כגון שידבר עם שותפו מה ימכור למחר או מה יקנ׳.

Maim. Das. 24, 1.

[A person is forbidden to go about his business on the Sabbath, and even to speak of it — for example, to talk with his partner about what he will sell tomorrow or what he will buy.]

Maimonides, ibid. 24:1

אם תשיב משבת רגלך עשות חפציך ביום קדשי וקראת לשבת ענג לקדוש ה׳ מכבד וכבדתו מעשות דרכיך ממצוא חפצך ודבר דבר.

ישעי׳ נח, יג.

This will come to pass if you no longer pursue your business on the Sabbath and do not do as you please on My holy day; if you call the Sabbath a delightful day, and hold the day sanctified by God in honor, in walking, doing and speaking.

Isa. 58:13

[62] III. Not to walk more than two thousand cubits outside the town.

ומדברי סופרים שלא יצא אדם חוץ לעיר אלא עד אלפים אמה.

Maimon. Das. 27, 1.

[By the words of the scribes, a person may not go outside the town more than two thousand cubits.]

Maimonides, ibid. 27:1

שבו איש תחתיו אל יצא איש ממקמו ביום השביעי.

שמות טז, כט.

Let each remain in his place; let no one go from his place on the seventh day.

Exod. 16:29

IV. To carry nothing outside the town wall, or, in an open town, nothing outside the house.[94]

הוצאה והכנסה מרשות לרשות מלאכה מאבות מלאכות היא וכו׳.

Maimon. Das. 12, 8.

[Carrying out and carrying in from one domain to another is work, one of the principal categories of labor, etc.]

Maimonides, ibid. 12:8

כה אמר ה׳ השמרו בנפשותיכם ואל תשאו משא ביום השבת והבאתם בשערי ירושלים ולא תוציאו משא מבתיכם ביום השבת וכל מלאכה לא תעשו וקדשתם את יום השבת כאשר צויתי את אבותיכם.

ירמי׳ יז, כא.

Thus says the Lord: Take care, and carry no burdens into the gates of Jerusalem on the Sabbath; carry no burdens out of your houses either, and do no work; but hallow the Sabbath, as I commanded your fathers.

Jer. 17:21–22

V. To keep the day holy: to consecrate it at its coming with the Kiddush prayer (קידוש), [63] and to close it with the Havdalah prayer (הבדלה).

מצות עשה מן התורה לקדש את יום השבת בדברי׳ וצריך לזכרהו בכניסתו וביציאתו בכניסתו בקידו׳ היום וביציאתו בהבדלה.

Maimon. Das. 29, 1.

[It is a positive commandment of the Torah to sanctify the Sabbath day with words; and one must mention it at its entry and at its departure — at its entry with the sanctification of the day, and at its departure with Havdalah.]

Maimonides, ibid. 29:1

VI. Besides the changes in the prayers, there is also the additional or supplementary prayer (תפלת מוסף).[95]

92. What does this prayer contain?

Answer. Since God gave us the assurance that we can replace the bullock-offerings, burnt-offerings and sacrifices with thanksgiving and prayer, if only we come before God with a sincere heart, we hold the three prayers named above at the appointed times at which three sacrificial services had to be performed in our Temple (the morning daily offering, the afternoon daily offering, and the burning of the limbs: תמיד של שחר, תמיד של בין הערבים, הקטרת איברים), in order to replace them with our prayer. Since, then, on certain distinguished days —

[94] That is, from a private domain into a public one. A walled town could be treated as a single enclosed domain (by an eruv), which is why Behr distinguishes it from an "open" town.

[95] *Behr's note:* The individual laws of the Sabbath and festivals are set out in detail in Maimonides and in the Shulchan Arukh, Orach Chayyim (ש״ע א״ח), Laws of Sabbath and Festivals (שבת ו״ט); they are too numerous to be presented here in full.

among which the Sabbath [64] especially belongs — several offerings had to be brought besides the ordinary ones (קרבנות מוספים), we have on these days also a substitute prayer, as an addition (תפלת מוסף).[96]

וכן תקנו שיהיה מנין התפלות כמנין הקרבנות שתים תפלות בכל יום כנגד שתי תמידין וכל יום שיש בו קרבן מוסף תקנו בו תפלה שלישית כנגד קרבן מוסף ותפלה שהיא כנגד תמיד של בקר היא הנקראת תפלת השחר ותפלה שהיא כנגד תמיד של בין הערבים היא הנקראת תפלת מנחה ותפלה שהיא כנגד המוספי׳ היא הנקראת תפלת המוספין וכן התקינו שיהיה אדם מתפלל תפלה אחת בלילה שהרי איברי תמיד של בין הערבים מתעכלין והולכין כל הלילה שנאמר היא העולה. נמצאו התפלות בכל יום שלשה ובשבת וי״ט ור״ח ארבע וביה״כ חמש ד׳ אלו ותפלת נעילה.

Maim. Hilchoth. Theph. 1. 5 — 8.

[They likewise instituted that the number of prayers should correspond to the number of offerings: two prayers every day, corresponding to the two daily offerings; and on every day that has an additional offering they instituted a third prayer, corresponding to the additional offering. The prayer corresponding to the morning daily offering is called the morning prayer; the prayer corresponding to the afternoon daily offering is called the Minchah prayer; and the prayer corresponding to the additional offerings is called the Musaf prayer. They likewise instituted that a person should pray one prayer at night, since the limbs of the afternoon daily offering went on being consumed all night, as it is said: "It is the burnt-offering" [Lev. 6:2]. Thus there are three prayers every day; on Sabbath, festivals and new moons, four; and on the Day of Atonement, five — these four and the Neʿilah prayer.]

Maimonides, Laws of Prayer 1:5–8

93. When does the Sabbath begin?

Answer. On Friday evening, as soon as night begins according to our principles (§ 67).

94. Why must we already keep Friday evening holy, when the law-book mentions only the seventh day?

Answer. According to our tradition, on festivals the evening of the present day is reckoned to the following day, as its beginning.

[96]The "assurance" alludes to Hosea 14:3, "we will render the bullocks of our lips" (ונשלמה פרים שפתינו), hence Behr's "bullock-offerings" (Farren-Opfer).

ויהי ערב ויהי בקר יום אחד מכאן שהיום הולך אחר הלילה.

Talmud Cholin. Fol. 83, 1. Siehe auch Rosch haschana Fol. 20. und Raschi daselbst.

["And there was evening and there was morning, one day" — from here [we learn] that the day follows the night.]

BT Chullin 83a; see also BT Rosh Hashanah 20b and Rashi there[97]

95. How many festivals do we have?

Answer. Six principal festivals and six half-festivals.

96. What are the names of the principal festivals?

Answer. I. Pesach, or the Feast of Passing-Over, or Feast of Unleavened Bread (חג הפסח or חג המצות). [65] II. The Feast of Weeks, or Feast of First-Fruits (חג השבועות or חג הבכורים). III. The Feast of Tabernacles, or Feast of Ingathering (חג האסיף or חג הסכות). IV. The Concluding Festival (שמיני עצרת). V. The New Year festival, or the Day of Remembrance and Reflection (יום הזכרון or ראש השנה). VI. The Day of Atonement (יום כפורים).

On Pesach, or the Feast of Passing-Over

97. When do we celebrate the Feast of Passing-Over?

Answer. From the fourteenth day of the first month (Nisan, ניסן) toward evening, until the evening of the twenty-second of the same month.

בראשן בארבעה עשר יום לחדש בערב תאכלו מצת עד יום האחד ועשרי׳ לחדש בערב.

שמות יב, יח.

In the first month, on the fourteenth day of the month in the evening, you shall eat unleavened bread, until the twenty-first day in the evening.

Exod. 12:18[98]

98. Why is Nisan (ניסן) the first month?

Answer. Because in this month our ancestors were redeemed from Egyptian slavery and became a free, independent nation.

[97] Printed "Talmnd Cholin" and "Rasch haschana" in the original.

[98] Behr's answer runs to the evening of the 22nd because outside the Land of Israel Passover is kept for eight days.

ויאמר ה׳ אל משה ואל אהרן בארץ מצרים לאמר החדש הזה לכם ראש חדשים ראשון הוא לכם לחדשי השנה.
שמות יב, א.

> The Eternal spoke to Moses and Aaron in the land of Egypt [66] as follows: This month shall be for you the beginning of the months; it shall be for you the first of all the months of the year.
>
> *Exod. 12:1–2*[99]

99. Does the New Year, then, also begin with this month?

Answer. By no means; for we have two kinds of reckoning of time, a religious one and a civil one. The latter begins with the month Tishri (באחד בתשרי ר״ה לשנים); the former, however, namely the religious one, according to which all the festivals are determined, takes its beginning from the month Nisan (ניסן), because all our festivals and most of our religious observances relate to the liberation from Egypt that took place in this month.[100]

100. Why is the festival called the Feast of Passing-Over, or Pesach (פסח)?

Answer. Because the Almighty once passed over the houses of the Israelites and struck only the firstborn of the Egyptians. For when none of the punishments would take effect on Pharaoh, Moses came to him for the last time with the warning that, if he should refuse any longer to let the Israelites go, every firstborn in the land, from the son of the king to the son of the slave-woman, and even the firstborn of the cattle, would die in a single night. He gave no heed to this threat either; and so Moses assembled the elders of Israel and gave them, in the name of God, the first law: namely, that on the fourteenth day of the month Nisan, toward evening, every father of a household should slaughter a male lamb (קרבן פסח) and sprinkle the posts and lintel of his house with its blood. When, then, death carried off the firstborn of the Egyptians that night, and Israelites and Egyptians lived among one another, [67] it came to pass that all the houses of the Israelites that were sprinkled with blood from the sacrificial lamb were spared, and He slew only the firstborn in the houses of the cruel Egyptians. In memory of this great miracle, then, this festival is called the Feast of Passing-Over, or Pesach (פסח).

[99] Both the Hebrew and the German references (“2. B. M. 12, 1”) cite only verse 1, although the quotation includes verse 2.

[100] The Hebrew phrase, “On the first of Tishri is the new year for years,” is from Mishnah Rosh Hashanah 1:1.

והיה כי יאמרו אליכם בניכם מה העבדה הזאת לכם. ואמרתם זבח פסח הוא לה׳ אשר פסח על בתי בני ישראל במצרים בנגפו את מצרים ואת בתינו הציל.

שמות יב, כו — כז.

> When, then, your children say to you: What does this service mean to you? — say: It is a passing-over offering in honor of the Eternal, because He passed over the houses of the children of Israel in Egypt when He smote Mizraim, and has saved our houses.
>
> *Exod. 12:26–27*

101. Why is it also called the Feast of Unleavened Bread?

Answer. Because in memory of this swift and speedy redemption we are obliged to eat unleavened bread at this festival, and the eating of any leavened bread is strictly forbidden us. For in that stormy and terrible night the Egyptians cried: We are all dead men! Pharaoh himself ran to Moses and begged him to lead the children of Israel away. But when they hesitated, the Egyptians pressed upon them and forced them to depart, so that not enough time was left them to bake bread for the journey; they had to carry the dough off on their shoulders just as it was. And this was the reason the dough did not rise. Hence it is also called the Feast of Unleavened Bread.

ויאפו את הבצק אשר הוציאו ממצרים עגת מצות כי לא חמץ כי גרשו ממצרי׳ ולא יכלו להתמהמה וגם צדה לא עשו להם.

שמות יב, לט.

> Of the dough that they had brought out of Egypt [68] they baked unleavened cakes, for it was not leavened; because they were driven out of Egypt and could not delay, so that they had also prepared no provisions for themselves.
>
> *Exod. 12:39*

102. What laws and duties must we observe at this festival?

Answer. I. On the fourteenth day of the month Nisan (ניסן), all leavened bread, and whatever is made from it, must be removed from the house in the forenoon; for until the twenty-third we are strictly forbidden to eat it or to put it to any other use. Even the vessels used during the whole year must be kept away (out of sight) until the twenty-third of the same month.

אסור לאכול חמץ ביום י״ד מחצות היום ולמעלה שהוא מתחלת שעה שביעי׳ ביום ואסרו חכמים לאכול חמץ מתחלת שעה ששית כדי שלא יגע באיסור תורה ומתחלת שעה ששית יהיה החמץ אסור באכילה ובהנייה כל שעה ששית מדברי סופרים ושאר היום משביעית ולמעלה מן התורה.

Maimon. Hilchoth Chamez 1, 8 — 10.

> [It is forbidden to eat leaven on the fourteenth from midday onward, that is, from the beginning of the seventh hour of the day. And the sages forbade eating leaven from the beginning of the sixth hour, so that one should not come near a prohibition of the Torah.

From the beginning of the sixth hour leaven is forbidden for eating and for any benefit: the whole sixth hour by the words of the scribes, and the rest of the day, from the seventh hour onward, by the Torah.]

Maimonides, Laws of Leaven and Unleavened Bread 1:8–10

שבעת ימים מצות תאכלו אך ביום הראשון תשביתו שאר מבתיכם כי כל אכל חמץ ונכרתה הנפש ההוא מישראל מיום הראשון עד יום השבעי.

שמות יב, טו.

Seven days shall you eat unleavened bread, and indeed on the first day you must already have cleared the leaven out of your houses[69] ; for whoever eats leavened bread from the first day to the seventh shall be cut off from Israel.

Exod. 12:15

מצות יאכל את שבעת הימים ולא יראה לך חמץ ולא יראה לך שאר בכל גבלך.

שם יג, ז.

Unleavened bread shall be eaten for the seven days, and no leavened bread shall be seen, nor shall any leaven be seen, in all your borders.

Ibid. 13:7

II. On the first two evenings of the festival — that is, on the evening of the fourteenth going into the fifteenth, and of the fifteenth going into the sixteenth — we must eat a little (כזית) unleavened bread and bitter herbs, and, besides the Kiddush prayer, pronounce the blessing over the wine three more times.[101]

מצות עשה מן התורה לאכול מצה בליל חמשה עשר שנאמר בערב תאכלו מצות ומשאכל כזית יצא ידי חובתו ומדברי סופרים לאכול המרור לבדו בליל זה אפילו אין שם קרבן פסח. וכל אחד ואחד חייב לשתות בלילה זה ארבע כוסות של יין אין פוחתין לו מהן — שיעור כל כוס מהן רביעית.

Maimon. Das. 6 und 7.

[It is a positive commandment of the Torah to eat unleavened bread on the night of the fifteenth, as it is said: “In the evening you shall eat unleavened bread” [Exod. 12:18]; and once one has eaten an olive’s bulk, one has fulfilled one’s obligation. By the words of the scribes, one eats the bitter herb by itself on this night, even when there is no Passover offering. And each and every person is obliged to drink four cups of wine on this night; one may not have fewer than these. — The measure of each cup is a quarter [log].]

Maimonides, ibid. 6:1; 7:12, 7, 9

[101] כזית (ke-zayit), “the size of an olive,” is the legal minimum quantity. The Kiddush cup and the three further blessings make up the four cups of the Seder.

III. On these same two evenings every father of a household must recount to the members of his household the enormous hardships that we suffered in [70] Egypt, the wonders that God wrought upon Egypt, and how He finally led us out of Egypt on this very night with His mighty arm. We must all then strike up songs of praise and thanksgiving, as they are set down in the Haggadah (הגדה) composed for the two evenings.

מצו׳ עשה של תורה לספר בנסים ונפלאות שנעשו לאבותינו במצרים בליל חמשה עשר בניסן שנאמר זכור את היום הזה אשר יצאתם ממצרים כמו שנאמר זכור את יום השבת ומנין שבליל ט״ו ת״ל והגדת לבנך ביום ההוא לאמר בעבור זה בשעה שיש מצה ומרור מונחים לפניך ואע״פ שאין לו בן אפיל׳ חכמים גדולים חייבים לספר ביציאת מצרי׳ וכל המאריך בדברים שאירעו ושהיו הרי זה משובח.

Maimon. Das. 7, 1.

[It is a positive commandment of the Torah to tell of the miracles and wonders that were done for our ancestors in Egypt on the night of the fifteenth of Nisan, as it is said: "Remember this day on which you went out of Egypt" [Exod. 13:3], just as it is said: "Remember the Sabbath day" [Exod. 20:8]. And how do we know [that this applies] on the night of the fifteenth? Scripture says: "You shall tell your son on that day, saying: It is because of this" [Exod. 13:8] — at the time when unleavened bread and bitter herbs lie before you. And even if one has no son, even great sages are obliged to tell of the Exodus from Egypt; and whoever expands on the events that occurred and took place is praiseworthy.]

Maimonides, ibid. 7:1

IV. The first two and the last two days of the festival must be as holy to us as our Sabbath. We must therefore abstain from all work and business, and occupy ourselves only with God, His deeds and His laws. Only what the preparation of food requires (אוכל נפש), such as lighting a fire, baking, cooking, and so on, is permitted to us.

ששת ימים אלו שאסרן הכתוב בעשיית מלאכה שהן ראשון ושביעי של פסח וראשון וח׳ של חג הסכות וביום חג השבועות ובאחד לחדש השביעי הן הנקראין ימים טובים ושביתת כולן שוה שהן אסורין בכל מלאכת עבוד׳ חוץ ממלאכ׳ שהיא לצורך אכילה שנאמ׳ אך אשר יאכ׳ לכל נפש וכו׳.

M. Hilch. Jom Tob 1, 1.

[These six days on which Scripture forbade the doing of work — namely the first and seventh of Passover, the first and eighth of the Feast of Tabernacles, the day of the Feast of Weeks, and the first of the seventh month — are those called festival days (ימים טובים). The rest required on all of them is the same: they are forbidden for all servile work, except work that is needed for food, as it is said: "Only what every person must eat," etc. [Exod. 12:16].]

Maimonides, Laws of Festival Rest 1:1

וביום הראשון מקרא קדש וביום השביעי מקרא קדש יהיה לכם כל מלאכה לא יעשה בהם אך אשר יאכל לכל נפש הוא לבדו יעשה לכם.

שמות יב, טז.

> On the first day there shall be the proclamation of holiness, and on the seventh day there shall be among you a proclamation of [71] holiness; no skilled work shall be done on it. But what serves a person as food, that alone may be prepared for you.
>
> *Exod. 12:16*

V. On the four intermediate days all unnecessary work is forbidden us. The work, on the other hand, by which one procures a livelihood for oneself and one's family we are permitted to perform.

חולו של מועד אסור בעשיית מלאכה כדי שלא יהיה כשאר ימי החול וכו׳. כל מלאכה שאם לא יעשה אות׳ במועד יהיה שם הפסד הרבה עושין אותה.

Maimonid. Hilchoth Jom Tob. 7, 1 — 3.

> [On the intermediate days of a festival it is forbidden to do work, so that they should not be like the other weekdays, etc. Any work which, if one did not do it during the festival, would result in great loss may be done.]
>
> *Maimonides, Laws of Festival Rest 7:1–3*[102]

VI. Besides the changes in the prayers, during these eight days we must also say the additional prayer (תפלת מוסף) (see § 92).

יום ב׳ שהוא חש״מ מתפל׳ כדרכו ובמוסף מתפללין כדר׳ שמתפלל במוסף של י״ט.

Orach chaim hilch. Pesach. 489 u. 490.

> [On the second day, which is of the intermediate days, one prays in the usual way, and in Musaf one prays as one prays in the Musaf of a festival.]
>
> *Shulchan Arukh, Orach Chayyim 489–490 (Laws of Passover)*[103]

VII. From the evening of the second day of this festival we must begin to count the days, and continue so until the fiftieth day.[104][105]

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[102] Maimonides permits only work whose omission would cause a significant loss; Behr's "work by which one procures a livelihood" is a broader paraphrase.

[103] חש״מ = חול המועד, the intermediate days of the festival.

[104] *Behr's note:* The reason for this counting will be explained below, with the following festival.

[105] Strictly, forty-nine days are counted (Lev. 23:15–16); the fiftieth day is the Feast of Weeks itself (see § 105).

בליל שני אחר תפלת ערבית מתחילין לספור העומר וצריך לספור מעומ׳ ולברך תחלה וכו׳ עד מ״ט ימים.

Das. 409, 1.

[On the second night, after the evening prayer, one begins to count the Omer; and one must count standing and say the blessing first, etc., up to forty-nine days.]

Shulchan Arukh, Orach Chayyim 489:1[106]

[72] **103. For what reason are the seventh and eighth days also holy?**

Answer. Because on this twenty-first day of Nisan that great miracle took place: our ancestors passed through the Red Sea dry-shod, while Pharaoh, his nobles and many thousands of Egyptians met their end in the sea. And even if all the plagues that Egypt had suffered could not convince the obstinate of God's omnipotence, this miracle was sufficient to show that God can suspend the laws of nature in an instant whenever His holy will requires it. And so that we may never forget this, we celebrate these days every year.[107]

104. But why may we not eat leavened bread for eight days, when Holy Scripture speaks only of 7 days? And further, why must we keep the second and the eighth day, when Scripture names only the first and the seventh?

Answer. Because these days were once, when the Temple and the High Court in Jerusalem existed, held holy by the whole nation and consecrated to occupation with God, we may not profane them now either; and among us they therefore have equal holiness and importance with the first and seventh days. For at that time the institution of this double [73] celebration was extremely necessary, for the following reasons. The reckoning of time can be made either by solar years, that is, by the time in which the earth completes its course around the sun — thus a year of 365¼ days; or by lunar years, that is, by the time in which the moon completes its course around the earth twelve times — thus a year of about 354 days 8⅘ hours. Now we Israelites are, by the will of God, to fix all our festivals by the lunar year, and that not by calculation alone, but, besides calculation, also by observation. Thus the High Court in Jerusalem had to fix the first day of the month each time the moon, having completed its course around the earth, came into view again (מולד הלבנה).[108]

Since, however, the members of this High Court could not always observe the course of the moon in Jerusalem themselves, they sent out [74] pious and trustworthy men to make these observations precisely. These men then appeared before the High Court, by which they were strictly examined; and once their testimony had been found correct, the High Court fixed the

[106]Printed "409, 1," a misprint for 489:1, the opening paragraph of the laws of counting the Omer.

[107]Behr's reason applies to the seventh day (21 Nisan); the eighth is the second day kept outside the Land of Israel, explained in § 104.

[108]354 days 8⅘ hours (8 hours 48 minutes) is twelve mean lunar months of 29 days 12 hours 44 minutes each. מולד הלבנה, "the birth of the moon," is properly the astronomical conjunction; Behr uses it for the reappearance of the new crescent.

first day of the month. The Israelites who lived in and around Jerusalem thus soon learned, through messengers whom the High Court sent out for this purpose, which day had been fixed as the first, so that they could celebrate the festivals accordingly. But the Israelites at a distance, whom the messengers could reach only late, remained uncertain whether, for example, the first of Nisan had been fixed on the thirtieth or on the thirty-first of the past month, and thus whether the Pesach festival was to be celebrated a day earlier or later. So that they should not miss the true festival day, they had to celebrate two days.[109]

Now, although this arrangement of the calendar (קדוש החדש) ceased with the destruction of the [75] Temple and the abolition of the High Court, and we calculate our months according to the laws of astronomy and fix our festivals by them, so that it would accordingly be sufficient for us to celebrate only one day — nevertheless, because these days were once appointed by all our fellow believers for holy occupations, we cannot profane them.[110]

חדשי השנה הם חדשי הלבנה שנאמר עלת חדש בחדשו ונאמר החדש הזה לכם ראש חדשים כך אמרו חכמים הראה לו הקב״ה למשה במראה הנבואה דמות לבנה ואמר לו כזה ראה וקדש והשנים שאנו מחשבים הם שני החמה שנאמר שמר את חדש האבי׳. מצות עשה מן התורה על הב״ד שיחשבו וידעו אם יראה הירח או לא יראה ושידרשו את העדים עד שיקדשו את החדש וישלחו ויודיעו שאר העם באיזה יום הוא ר״ח כדי שידעו באיזה יום הן המועדות שנאמר אשר תקראו אותם מקראי קדש ונאמר ושמרת את החקה הזאת למועדה. הלבנה נסתרת בכל חדש ואינה נראית כמו ב׳ ימים או פחות או יותר מעט כמו יום אחד קודם שתדבק בשמש בסוף החדש וכמו יום אחד אחר שתדבק בשמ׳ ותראה במערב בערב ובלי׳ שתראה במערב אח׳ שנסתרת היא תחלת החדש ומונין מאותו היום תשעה ועשרי׳ יום ואם יראה הירח ליל שלשים יהיה יום שלשים ראש החדש ואם לא יראה ראש החדש יום אחד ושלשים ויהיה יום שלשים מחדש שעבר. — על ו׳ חדשים היו שלוחי׳ יוצאין על ניסן מפני הפסח ועל אב מפני התענית ועל אלול מפני ר״ה ועל תשרי מפני המועדות ועל כסליו מפני חנוכה ועל אדר מפני הפורים — כל מקום שהיו השלוחים מגיעין היו עושין את המועדות י״ט אחד ככתוב בתורה ובמקומות הרחוקי׳ שאין השלוחים מגיעין אליה׳ היו עושין ב׳ ימים מפני הספק לפי שאינם יודעי׳ יום שקבעו בו ב״ד את החדש אי זה יום הוא. כל שאמרנו מקביעות ראש חדש על הראיה אין עושין אותו אלא סנהדרין שבארץ ישראל וכו׳ שכך נאמר למשה ולאהרן החדש הזה לכם ראש חדשים ומפי השמועה למדו איש מפי איש ממשה רבינו שכך הוא פירוש הדבר עדות זו מסורה לכם וכל העומד אחריכם במקומכם אבל בזמן שאין שם סנהדרי׳ בארץ ישראל אין קובעין חדשים אלא בחשבון זה שאנו מחשבין בו היום. בזמן הזה שאין שם סנהדרין וב״ד של ארץ ישראל קובעין על חשבון זה היה מן הדין שיהיו בכל המקומות עושין יום אחד

[109] That is, on the thirtieth day after the beginning of the previous month or on the day following it.

[110] קדוש החדש, "the sanctification of the month," the proclamation of the new month by the court on the testimony of witnesses.

בלבד אפילו המקומות הרחוקות שבחוצ לארץ כמו בני ארץ ישראל שהכל על חשבון אחד סומכין וקובעין אבל תקנת חכמים היא שיזהרו במנהג אבותיהם שבידיהם.

Maimon. Hilchoth. Kidusch hachodesch 1, 3, 4, 5.

[The months of the year are lunar months, as it is said: "the burnt-offering of the new moon in its month" [Num. 28:14], and it is said: "This month shall be for you the beginning of months" [Exod. 12:2]. Thus the sages said: the Holy One, blessed be He, showed Moses in a prophetic vision the figure of the moon and said to him, "See it thus, and sanctify it." And the years that we reckon are solar years, as it is said: "Keep the month of spring" [Deut. 16:1]. It is a positive commandment of the Torah upon the court to calculate and to know whether the moon will be seen or not; to examine the witnesses until they sanctify the month; and to send out and inform the rest of the people on which day the new moon falls, so that they may know on which days the festivals fall, as it is said: "which you shall proclaim as holy convocations" [Lev. 23:2], and it is said: "You shall keep this ordinance at its appointed time" [Exod. 13:10]. The moon is hidden every month and is not seen for about two days, a little less or a little more: about one day before it conjoins with the sun at the end of the month, and about one day after it conjoins with the sun; and then it is seen in the west in the evening. The night on which it is seen in the west after having been hidden is the beginning of the month, and from that day one counts twenty-nine days. If the moon is seen on the night of the thirtieth, the thirtieth day is the new moon; if it is not seen, the new moon is the thirty-first day, and the thirtieth day belongs to the past month. — For six months the messengers went out: for Nisan because of Passover, for Av because of the fast, for Elul because of the New Year, for Tishri because of the festivals, for Kislev because of Hanukkah, and for Adar because of Purim. — Every place the messengers reached kept the festivals as one festival day, as is written in the Torah; and in the distant places which the messengers did not reach, they kept two days because of the doubt, since they did not know which day the court had fixed as the beginning of the month. Everything we have said about fixing the new moon by sighting is done only by the Sanhedrin in the Land of Israel, etc., for thus it was said to Moses and Aaron: "This month shall be for you the beginning of months"; and by oral tradition they learned, one man from another back to Moses our teacher, that this is the meaning of the matter: this testimony is entrusted to you and to all who stand after you in your place. But at a time when there is no Sanhedrin in the Land of Israel, the months are fixed only by this calculation that we use today. In this time, when there is no Sanhedrin and the court of the Land of Israel fixes [the months] by this calculation, by strict law every place should keep only one day, even the distant places outside the Land, just like the people of the Land of Israel, since all rely on one and the same calculation in fixing [the calendar];

but it is an enactment of the sages that they should take care to keep the custom of their fathers that is in their hands.]

Maimonides, Laws of the Sanctification of the New Moon 1:1, 1:7, 1:3; 3:8–11; 5:1, 5:5 (excerpts)[111]

יום טוב שני אע״פ שהוא מדברי סופרים כל דבר שאסור בראשון אסור בשני וכל המחלל י״ט שני ואפילו של ר״ה בין בדבר שהוא משום שבות בין במלאכה בין שיצא חוץ לתחום וכו׳.

Maim. Hilchoth, Jom tob. 1, 22.

[The second festival day, although it is by the words of the scribes — everything that is forbidden on the first is forbidden on the second; and whoever profanes the second festival day, even that of the New Year, whether in a matter forbidden as a rabbinic rest-prohibition (שבות), or by work, or by going beyond the Sabbath limit, etc.]

Maimonides, Laws of Festival Rest 1:22[112]

On the Feast of Weeks (שבועות)

105. Why is the second festival called the Feast of Weeks, or שבועות?

Answer. Because we were commanded by God to count seven weeks, or forty-nine days, from the second day of Pesach, and on the fiftieth day, that is, the sixth day of the third month (סיון), to celebrate a festival.

מצות עשה לספר שבע שבתות תמימות מיום הבאת העמר שנאמר וספרתם וכו׳ ומצוה למנות הימים עם השבועות שנאמר תספרו חמשים יום — ביום חמשים מספירת העמר הוא חג השבועות.

Maim. Hilch. Themid. 7, 22. und 8, 1.

[It is a positive commandment to count seven complete weeks from the day the Omer is brought, as it is said: “And you shall count,” etc. [Lev. 23:15]; and it is a commandment to count the days together with the weeks, as it is said: “You shall count fifty days” [Lev. 23:16]. — The fiftieth day of the counting of the Omer is the Feast of Weeks.]

Maimonides, Laws of the Daily and Additional Offerings 7:22 and 8:1

[76]

[111] Printed beside pp. 72–74. The citation “1, 3, 4, 5” is imprecise: the excerpts come from chapters 1, 3 and 5, and the paragraph numbers given here are approximate.

[112] Behr breaks off the quotation; Maimonides continues that such a person is liable to disciplinary flogging.

וספרתם לכם ממחרת השבת מיום הביאכם את עמר התנופה שבע שבתות תמימת תהיינה עד ממחרת השבת השביעת תספרו חמשים יום והקרבתם מנחה חדשה לה׳.

ויקרא כג, טו — טז.

> You shall then count from the day after the holiday, from the day on which you brought the Omer of waving, seven full weeks. Up to the day after the seventh week you shall count fifty days, and then bring a new meal-offering in honor of the Eternal.
>
> *Lev. 23:15–16*[113]

שבעה שבעת תספר לך מהחל חרמש בקמה תחל לספר שבעה שבעות ועשית חג שבעות לה׳ אלהיך.

הדברים טז, ט — י.

> Seven weeks shall you count; from the day on which the sickle is first put to the standing grain you shall begin to count seven weeks; then you shall keep the Feast of Weeks in honor of the Eternal your God.
>
> *Deut. 16:9–10*

106. And why is it also called the Feast of First-Fruits (יום הביכורים)?

Answer. On this day, while our Temple in Jerusalem still stood, a burnt-offering had to be brought from the first-fruits of the wheat. With this offering, as with the offering of the first-fruits of the barley that was brought on the second day of Pesach, we acknowledge that God alone is the giver of all good, and that we owe the thriving of the new fruit to Him alone.[114][115]

[77]

וביום הבכורים בהקריבכם מנחה חדשה לה׳ בשבעתיכם מקרא קדש יהיה לכם.

במדבר כח, כו.

> On the day of the first-fruits, when you bring a new meal-offering in honor of the Eternal — namely, when your weeks are at an end — there shall be a holy proclamation for you.
>
> *Num. 28:26*[116]

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[113] Behr renders "the morrow of the Sabbath" (ממחרת השבת) as "the day after the holiday" (Feyertag), following the rabbinic interpretation that "Sabbath" here means the first day of Passover.

[114] *Behr's note:* For this very reason every firstborn was consecrated to the Eternal (פדיון בכור), etc.

[115] The Shavuot offering of the new wheat was the "two loaves" of Lev. 23:17, a meal-offering rather than a burnt-offering; the barley offering of the second day of Pesach is the Omer. פדיון בכור is the redemption of the firstborn son.

[116] "When your weeks are at an end" renders Behr's paraphrase of be-shavuʿoteikhem (literally "in your weeks"), i.e. at the close of the seven weeks counted from Pesach.

107. What event is this festival meant to recall to us?

Answer. The most important one that our fellow believers have ever experienced, and the one that was the purpose of the redemption from Egypt.[117] This happened when the whole nation gathered around Mount Sinai and the majesty of God revealed itself to them. Out of darkness and clouds, out of lightning and thunder, God spoke the Ten Commandments to them. No nation has ever had such a manifestation as our fathers had. This extraordinary condescension of God toward human beings convinced them of the truth of our laws and of the grace and love of God. And so that this important day might be made eternal, we celebrate this festival and also call it the Day of the Giving of the Law (יום מתן תורה).

[78] **108. What commandments are we to observe on this festival?**

Answer. I. To rest from all work, except only what is necessary for preparing food.

וקראתם בעצם היום הזה מקרא קדש יהיה לכם כל מלאכת עבדה לא תעשו חקת עולם בכל מושבתיכם לדרתיכם.

ויקרא כג, כא.

> On this very day you shall proclaim the festival; it shall be a holy proclamation for you, and you shall do no manual work. Let this be an everlasting statute in all your dwelling places for your descendants.
>
> *Lev. 23:21*

II. To hallow the day by occupying ourselves especially with the Law and with the deeds of God.

III. To consecrate it with the Kiddush; and finally

IV. Besides the changes in the prayers, to recite the additional prayer (Musaf).

109. How long does this festival last?

Answer. Two days: from the evening of the fifth of the month of Sivan (סיון) into the sixth, until the evening of the seventh into the eighth of that month; the first day by the written Law, and the second for the reasons given above under Pesach (§ 104).[118]

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[117] *Behr's note:* The counting of the days from Pesach to the Feast of Weeks (from פסח to שבועות) is likewise based on this: that the liberation would not have been complete had we not received the Law on this day, by which we were first put in a position to make true use of our freedom.

[118] The second festival day is the "second day of the Diaspora" (yom tov sheni shel galuyot), which Behr explained in § 104 from the uncertainty about the date of the new moon in communities far from the Land of Israel.

[79] On the Feast of Tabernacles, or Feast of Ingathering (סכות)

110. When do we celebrate the Feast of Tabernacles?

Answer. It begins toward evening of the fourteenth day of the seventh month (Tishri, תשרי), and lasts until the evening of the twenty-first of the same month.

דבר אל בני ישראל לאמר בחמשה עשר יום לחדש השביעי הזה חג הסכות שבעת ימים לה׳.

ויקרא כג, לד.

> Say to the children of Israel as follows: On the fifteenth day of this seventh month is the Feast of Tabernacles, seven days, in honor of the Eternal.
>
> *Lev. 23:34*

111. What is the purpose of this festival?

Answer. The remembrance of the forty years after the Exodus from Egypt, during which our forefathers lived in the arid desert of Arabia and yet suffered no want. This wondrous preservation of a whole nation in this terrible desert is an eternal monument to the boundless omnipotence and love of God for us. So that this wondrous wandering might never fall into oblivion among us, [80] we were commanded at this festival to leave our usual dwelling and to live in huts built according to certain regulations.

כיצד היא מצות הישיבה בסוכה שיהיה אוכל ושותה ודר בסוכה כל שבעת ימים בין ביום בין בלילה כדרך שהוא דר בביתו בשאר ימות השנה וכל שבעת הימים עושה אדם את ביתו עראי ואת סכתו קבע שנאמר בסכות תשבו ואסור לאכול סעודה חוץ לסוכה כל שבעה אלא אם אכל אכילת עראי — אכילה בלילי יום טוב הראשון בסוכה חובה אפילו אכל כזית פת יצא ידי חובתו.

Maimon. Hilch. Sukka. 6. 5 — 12.

> [How is the commandment of dwelling in the sukkah fulfilled? One should eat, drink and live in the sukkah all seven days, by day and by night, just as one lives in one's house during the rest of the year; all seven days a person makes his house temporary and his sukkah permanent, as it is said: "You shall dwell in booths." It is forbidden to eat a meal outside the sukkah all seven days, unless one eats only a casual snack. — Eating in the sukkah on the night of the first festival day is obligatory; even if one ate only an olive's bulk of bread, one has fulfilled one's obligation.]
>
> *Maimonides, Laws of Sukkah 6:5–7*[119]

[119] Behr cites 6:5–12; the passage quoted is from 6:5–7.

בסכת תשבו שבעת ימים כל האזרח בישראל ישבו בסכת למען ידעו דרתיכם כי בסכות הושבתי את בני ישראל בהוציאי אותם מארץ מצרים אני ה׳ אלהיכם.

ויקרא כג, מב – מג.

Seven days you shall dwell in tabernacles; whoever is native in Israel shall dwell in tabernacles, so that your descendants may know that I made the children of Israel dwell in huts when I led them out of Mizraim — I, the Eternal, your God.

Lev. 23:42–43[120]

112. Why is it also called the Feast of Ingathering?

Answer. Because it falls at the time when the harvest is ended and all the fruits have been brought home. This festival is also appointed so that we may thank the Giver of all good for the abundance and riches of nature. Therefore we are commanded at this festival to appear before our Creator with a beautiful fruit of a tree, the paradise-apple (אתרוג), a palm branch (לולב), three [81] myrtle branches (הדסים) and two willows of the brook (ערבות), so as to express by these our joy and our thanks.[121]

מצות לולב להנטל ביו׳ הראשו׳ של חג בלבד שנאמ׳ ולקחתם לכם ביום הראשו׳ משחרב בה״מ התקינו שיהא לולב ניטל בכל מקום כל שבעת ימי החג זכר למקדש. בזמן שבה״מ קיים היה לולב ניטל ביום הראשון שחל להיות בשבת וכו׳ ומשחרב בהמ״ק אסרו חכמים ליטול את הלולב בשבת ביום הראשון. — כמה ניטל מהן לולב אחד ואתרוג אחד ושני בדי ערבה ושלשה בדי הדס.

Maim. Hilch. Lul. 7, 1—8.

[The commandment of the lulav is that it be taken on the first day of the festival only, as it is said: "And you shall take for yourselves on the first day." After the Temple was destroyed, they instituted that the lulav be taken everywhere all seven days of the festival, in remembrance of the Sanctuary. When the Temple stood, the lulav was taken on the first day even when it fell on a Sabbath, etc.; and after the Temple was destroyed, the sages forbade taking the lulav on the Sabbath, even on the first day. — How many of them are taken? One lulav, one etrog, two branches of willow and three branches of myrtle.]

Maimonides, Laws of Lulav, ch. 7[122]

[120]The German reference is misprinted "3. B. M. 28. 42–43"; the Hebrew reference is correct.

[121]Behr's Lesefest means a feast of harvest or ingathering (Lese, "gathering, vintage"), corresponding to the biblical chag ha-asif. "Paradise-apple" (Paradiesapfel) was a common German name for the citron.

[122]Behr cites 7:1–8; the first part of the quotation comes from later in the chapter (about 7:13–16), the final sentence from 7:7.

כי יברכך ה׳ אלהיך בכל תבואתך ובכל מעשה ידיך והיית אך שמח.

הדברים טז, טו.

For the Eternal your God will bless you in the yield of your produce and in all the work of your hands, so that you may give yourself over to enjoyment.

Deut. 16:15

וחג האסף בצאת השנה באספך את מעשיך מן השדה.

שמות כג, טז.

The celebration at the ingathering of the fruits, at the going-out of the year, when you have fully gathered in the fruits of your labor from the field.

Exod. 23:16

ולקחתם לכם ביום הראשון פרי עץ הדר כפת תמרים וענף עץ עבת וערבי נחל ושמחתם לפני ה׳ אלהיכם שבעת ימים.

ויקרא כג, מ.

On the first day you shall take fruit of the tree Hadar, palm branches, a bough of the tree Abot, and willows of the brook, and be joyful before the Eternal your God seven days.

Lev. 23:40[123]

113. What particular duties do we have on these days?

Answer. I. To abstain from all work on the first two days, with the sole exception of preparing food.

[82]

ביום הראשון מקרא קדש כל מלאכת עבודה לא תעשו.

ויקרא כג, לה.

On the first day there is a solemn festal proclamation, and on it you shall do no manual work.

Lev. 23:35

II. On the five intermediate days, to do no work that does not provide one's livelihood (§ 102, sub V).

III. To dwell for seven days in a hut covered with foliage and, if it is not harmful to health, also to sleep in it.

IV. For seven days to appear before God with the four products named above, and to say the blessing over them.

[123]Behr leaves hadar ("goodly") and ʿavot ("leafy," traditionally the myrtle) untranslated, as though they were names of trees.

V. To recite the additional prayer; and finally

VI. To consecrate and hallow the festival with the Kiddush prayer, and to occupy oneself with the laws and deeds of God.

On the Concluding Festival (שמיני עצרת)

114. When do we celebrate this festival?

Answer. Immediately at the close of the Feast of Tabernacles, that is, on the evening of the twenty-first[83] going into the twenty-second of the month Tishri (תשרי); yet it constitutes a festival day of its own.

שמיני רגל בפני עצמו לענין פז״ר קש״ב פייס בפני עצמו זמן בפני עצמו רגל בפני עצמו קרבן בפני עצמו שירה בפני עצמו ברכה בפני עצמו.

Talmud Suka, Fol. 48.

[The Eighth Day is a festival in its own right with respect to PZR KShB: the lottery is its own, the blessing for the season is its own, the festival is its own, the sacrifice is its own, the song is its own, the blessing is its own.]

BT Sukkah 48a[124]

ביום השמיני מקרא קדש יהיה לכם והקרבתם אשה לה׳ עצרת הוא כל מלאכת עבדה לא תעשו.

ויקרא כג, לו.

On the eighth day there shall again be a solemn festal proclamation, when you are to bring fire-offerings in honor of the Eternal; it is the Concluding Festival; you shall do no manual work on it.

Lev. 23:36[125]

115. What is the basis of this festival?

Answer. It is dedicated quite especially to joy, to thanks and to devotion: to joy, for the blessed abundance of the past year; to thanks, for the grace of God, who has given rain and sunshine at the right time; and to devotion, so that we may continue to rely on the grace of God.

116. Why is it called the Concluding Festival?

Answer. Because the three festivals named — Passing-Over, Weeks and Tabernacles (פסח, שבועות, סכות), which make up our joyful festivals of the year (שלש רגלים) — begin with Pesach and close with this festival (שמיני עצרת). Besides this, the festival had yet another reason. For

[124] פז״ר קש״ב is a mnemonic for the six points listed: payis (the priests' lottery), zeman (the Shehecheyanu blessing), regel (festival), korban (sacrifice), shirah (the Levites' song) and berakhah (the blessing in the Grace and Amidah). The same teaching appears in BT Rosh Hashanah 4b and elsewhere.

[125] Only the second half of the verse is quoted.

as long as the Temple in Jerusalem still stood, it was our duty to appear in Jerusalem at each of these three festivals. There the whole nation was to be assembled in one place, in order to tie the bond of brotherly love anew and to inspire the heart of the [84] people to a high degree with love for the Law, for the fatherland, for the king, for the priest and the judge. This happened especially at the end of the year of release (שמיטה), when the king or the head of the nation read out the whole Law to the entire people on the second day of the Feast of Tabernacles (סכות). Through this the covenant that God had made with the people was ever renewed, and a general joy reigned among the whole people. In the fullness of this joy the celebration of this Concluding Festival began.[126]

ויכתב משה את התורה הזאת ויתנה אל הכהנים בני לוי הנשאים את ארון ברית ה׳ ואל כל זקני ישראל. ויצו משה אותם לאמר מקץ שבע שנים במעד שנת השמטה בחג הסכות. בבוא כל ישראל לראות את פני ה׳ אלהיך במקום אשר יבחר תקרא את התורה הזאת נגד כל ישראל באזניהם. הקהל את העם האנשים והנשים והטף וגרך אשר בשעריך למען ישמעו ולמען ילמדו ויראו את ה׳ אלהיכם ושמרו לעשות את כל דברי התורה הזאת. ובניהם אשר לא ידעו ישמעו ולמדו ליראה את ה׳ אלהיכם כל הימים אשר אתם חיים על האדמה אשר אתם עברים את הירדן שמה לרשתה.

הדברים לא, ט – יג.

Moses wrote down this whole teaching and delivered it to the priests, the sons of Levi, who carried the Ark of the covenant of the Eternal, and to all the elders of Israel, and gave them at the same time the following command: At the end of seven years, at the time of the year of release, at the Feast of Huts, when all Israel comes to appear before the Eternal your God at the place that He will choose, you shall read this teaching aloud in the presence of all Israel. You must have the whole people come together there, men, women and children, together with the stranger who stays within your gates, so that they may hear and learn to have reverence before the Eternal your God, and to observe all the words of this [85] teaching most exactly. And so that the children too, who are still ignorant, may hear and learn to have reverence before the Eternal your God as long as you live in the land to which you are now going over the Jordan to take possession of it.

Deut. 31:9–13

117. How long does this festival last?

Answer. Two days, of which the second is kept according to the principles cited above (§ 104), and bears the particular name (שמחת תורה) "Rejoicing of the Law."

[126]This is the hakhel ceremony. According to the Mishnah (Sotah 7:8) the king read selected passages of Deuteronomy, not the whole Torah, on the first of the intermediate days (i.e. the second day) of Sukkot in the year after the sabbatical year.

118. Why is this day called Rejoicing of the Law?

Answer. Because on this day we come to the end of the public reading of the Pentateuch (חמשה חומשי תורה), and so we rejoice especially, with fitting merriment, in the gift of the laws.

וקורין אותו שמחת תורה לפי שמסיימין בו התורה וראוי לשמוח בסיומה ורגילין להתחיל מיד בראשית ועושין משתה ושמחה וי״ט לסיומה של תורה ולהתחלתה.

Tur. Orach chajim 669.

[They call it Simchat Torah because on it they complete the Torah, and it is fitting to rejoice at its completion. It is customary to begin Bereshit immediately, and they make a feast, rejoicing and festival for the completion of the Torah and for its beginning.]

Tur, Orach Chayyim 669[127]

119. On what is the institution of the reading of the Torah based?

Answer. Every Sabbath a portion of the Torah, which [86] we call the Sidra, is read publicly in the synagogue, so that each of us may go through the Law at least once a year and repeat the principal duties.

המנהג הפשוט בכל ישראל שמשלימין את התור׳ בשנה אחת מתחילין בשבת אחר חג הסכו׳ וקורין בסדר בראשית וכו׳ והולכין על הסדר הזה עד שגומרין את התורה בחג הסכות.

Maim. hilch, Thiph. 13, 1.

[The widespread custom in all Israel is to complete the Torah in one year. They begin on the Sabbath after the Feast of Tabernacles and read the portion Bereshit, etc., and continue in this order until they finish the Torah on the Feast of Tabernacles.]

Maimonides, Laws of Prayer 13:1

120. What are the duties incumbent on us at this Concluding Festival?

Answer. I. Abstaining from all work.

ביום השמיני עצרת תהיה לכם כל מלאכת עבדה לא תעשו.

במדבר כט, לה.

On the eighth day you shall celebrate the Concluding Festival, and do no skilled work.

Num. 29:35

II. To hallow the day.

III. To consecrate it with the Kiddush prayer.

IV. The additional prayer.

V. To occupy oneself with God and His laws.

[127]The Arbaʿah Turim of Jacob ben Asher (14th century), the code on which the Shulchan Arukh is built.

121. Are these festivals to be devoted to occupation with God alone?

Answer. No; only half of the day. The other half we should spend cheerfully in the family circle and arrange permitted amusements; for these four festivals are meant to be at the same time days of joy, [87] which is why Holy Scripture says: "You shall gladden yourself and others." We can gladden ourselves when we are free from grief and cares and delight in innocent pleasure. We can gladden others when we do good to those in need, stand by the poor, and let orphans and widows share in our pleasure.[128]

כשם שמצוה לכבד שבת ולענגה כך כל ימים טובי׳ שנאמר לקדש ה׳ מכבד וכל ימים טובים נאמר בהן מקרא קדש וכבר בארנו הכיבוד והענוג בהלכות שבת. וכן ראויה לאדם שלא יסעוד בערבי י״ט מן המנחה ולמעלה כע״ש שדבר זה בכלל הכבוד וכל המבזה את המועדות כאלו נטפל לעכו״ם. וכשהו׳ אוכל ושותה חייב להאכיל לגר ליתום ולאלמנה עם שאר העניים והאמללים אבל מי שנועל דלתות חצרו ואוכל ושותה הוא ובניו ואשתו ואינו מאכיל ומשקה לעניים ולמרי נפש אין זו שמחת מצוה אלא שמחת כריסו וכו׳.

M. H. Jom. tob. 6, 16—22.

[Just as it is a commandment to honor the Sabbath and to delight in it, so too all the festivals, as it is said: "the holy day of the Eternal, honored" [Isa. 58:13]; and of all the festivals it is said "a holy convocation." We have already explained honoring and delight in the Laws of the Sabbath. Likewise it is fitting that a person not eat a meal on the eves of festivals from the afternoon onward, as on the eve of the Sabbath, for this is included in honoring them; and whoever treats the festivals with contempt is as if he attached himself to idolatry. And when he eats and drinks, he is obliged to feed the stranger, the orphan and the widow, together with the other poor and unfortunate. But one who locks the doors of his courtyard and eats and drinks, he, his children and his wife, and does not give food and drink to the poor and the embittered — this is not the joy of a commandment but the joy of his belly, etc.]

Maimonides, Laws of Festivals 6:16–18[129]

ושמחת בחגך אתה ובנך ובתך ועבדך ואמתך והלוי והגר והיתום והאלמנה אשר בשעריך.

הדברים טז, יד.

At your festival you shall be joyful — you, your son, your daughter, your manservant, your maidservant, as well as the Levite, the orphan and the widow who are within your gates.

Deut. 16:14[130]

[128]The division of the festival day "half for God and half for yourselves" follows BT Pesachim 68b and Beitzah 15b. Behr's scriptural "quotation" is a paraphrase summarizing Deut. 16:14, cited below.

[129]Behr cites 6:16–22; the passage quoted is from 6:16–18.

[130]Behr's German omits "the stranger" (והגר), which appears in the Hebrew.

122. In what do these four festivals differ from the other two? (§ 96, sub V and VI)

Answer. The four named are all, besides being days of devotion, at the same time days of joy; but the other two, the New Year festival (ר״ה) and the Day of Atonement (יה״כ), are dedicated more to devotion than to joy.

[88] On the New Year Festival (ראש השנה)

123. When is the New Year festival (ר״ה)?

Answer. On the first day of the seventh month, Tishri (תשרי), and it lasts two days, that is, until the evening of the third of the same month.

בחדש השביעי באחד לחדש יהיה לכם שבתון זכרון תרועה מקרא קדש כל מלאכת עבודה לא תעשו והקרבתם אשה לה׳.

ויקרא כג, כד.

> On the first day of the seventh month there shall be a day of rest, on which the horn is blown as a remembrance, and a holy festal proclamation is held. You shall do no manual work.
>
> *Lev. 23:24–25*[131]

124. What is the basis of this festival?

Answer. On this day, according to our oral tradition, all the actions of human beings are brought before the divine court (יום הדין); fortune or misfortune for the coming year is decreed over them, and the fate of each one is determined by God.

וכשם ששוקלין זכיות אדם ועונותיו בשעת מיתתו כך בכל שנה ושנה שוקלין עונות כל אחד ואחד מבאי עולם עם זכיותיו בי״ט של ר״ה. מי שנמצא צדיק נחתם לחיים ומי שנמצא רשע נחתם למיתה והבינונים תולין עד יום הכפורים וכו׳.

Maim. hilch. Tesch. 3, 3.

> [Just as a person's merits and sins are weighed at the hour of his death, so every single year the sins of each and every one who comes into the world are weighed against his merits on the festival of Rosh Hashanah. Whoever is found righteous is sealed for life; whoever is found wicked is sealed for death; and the intermediate ones are held in suspense until the Day of Atonement, etc.]
>
> *Maimonides, Laws of Repentance 3:3*

[131] Both references give only v. 24, but the quotation continues into v. 25.

[89] **125. Why is this festival also called the Day of Reflection and Remembrance (יום הזכרון)?**

Answer. Because on this day we must reflect on all our actions during the past year, in order to repent of our transgressions and to form the firm resolve to improve. For what hope would otherwise remain to us for the coming year, when we consider that on this day the All-knowing, Almighty and All-just Judge — before whom no denial, no bribery and no dissembling is possible — judges our life and death, our fortune or misfortune, according to our sinful actions? For this reason, too, the blowing of the shofar is commanded us on these days: above all in order to startle the heart out of the giddy whirl of the senses, and so that each person may render himself an exact account. For this reason, too, the festival bears the name Day of Shofar-Blowing (יום תרועה).

ואעפ׳ שתקיעת שופר של ר״ה גזירת הכתוב רמז יש בו כלומר עורו ישנים משנתכ׳ ונרדמי׳ הקיצו מתרדמתכ׳ וחפשו במעשיכם וחזרו בתשובה וזכרו בוראכם אלו השוכחים את האמת בהבלי הזמן ושוגים כל שנתם בהבל וריק אשר לא יועיל ולא יציל הביטו לנפשותיכ׳ והטיבו דרכיכ׳ ומעלליכם יעזוב כל אחד מכם דרכו הרעה ומחשבת׳ אשר לא טובה. ומפני ענין זה נהגו כל בית ישראל להרבות בצדקה ובמעשים טובים ולעסוק במצות מראש השנה עד יום הכיפורי׳ יותר מכל השנה. ונהגו כלם לקום בלילה בעשרי׳ ימים אלו ולהתפלל בבתי כנסיות בדברי תחנונים ובכיבושים עד שיאור היום.

Maimon. Hilch. Teschuba 3, 4.

> [Although the blowing of the shofar on the New Year is a decree of Scripture, it contains a hint, as if to say: "Awake, you sleepers, from your sleep; you slumberers, rouse yourselves from your slumber! Search your deeds, return in repentance and remember your Creator — you who forget the truth in the vanities of the time and stray all your year in vanity and emptiness that neither profits nor saves. Look to your souls and improve your ways and your deeds; let each of you abandon his evil way and his thought that is not good." Because of this, all the house of Israel are accustomed to give much charity, to do many good deeds and to occupy themselves with commandments from the New Year until the Day of Atonement more than in all the rest of the year. And all are accustomed to rise at night during these ten days and to pray in the synagogues with words of supplication and penitential prayers until daybreak.]
>
> *Maimonides, Laws of Repentance 3:4*

[90] **126. What laws do we have on this festival?**

Answer. I. To abstain from all work, with the exception of preparing food.

II. The blowing of the shofar (תקיעת שופר).

III. To give the day a special holiness; therefore on these days we must occupy ourselves more than at other times with prayers and sacred hymns in the house of God.

IV. To consecrate the day with the Kiddush prayer.

V. To recite the additional prayer (Musaf).

VI. To examine our actions.

These two days of the New Year also have a further purpose: they belong, namely, to the ten days of repentance, which begin with the first day of the New Year and end with the Day of Atonement.

127. For what purpose has God appointed these days of repentance for us?

Answer. Because our all-good Father, who knows the human heart, knows that human beings in general will sin — and we Israelites in particular, on account of the many laws that were imposed on us for our own welfare. He therefore appointed ten days in the year in which each person is to examine [91] his actions; and whoever repents of his vices, his wrongdoing and his misdeeds with a contrite spirit may in these days direct his fervent prayer to the Father in heaven and expect forgiveness.

בזמן הזה שאין בית המקדש קיים ואין לנו מזבח כפרה אין שם אלא התשובה׳ התשוב׳ מכפרת על כל העבירות אפי׳ רשע כל ימיו ועשה תשובה באחרונ׳ אין מזכירין לו שום דבר מרשעו שנאמר רשעת הרשע לא יכשל בה ביום שובו מרשעו ועצמו של יה״כ מכפר לשבים שנ׳ כי ביום הזה יכפר עליכם.

Maimon. Das. 1, 3.

[At this time, when the Temple does not stand and we have no altar of atonement, there is nothing left but repentance. Repentance atones for all transgressions; even one who was wicked all his days and repented at the last, nothing of his wickedness is mentioned to him, as it is said: "The wickedness of the wicked shall not cause him to stumble on the day that he turns from his wickedness" [Ezek. 33:12]. And the very day of the Day of Atonement atones for those who repent, as it is said: "For on this day He shall make atonement for you" [Lev. 16:30].]

Maimonides, ibid. 1:3

כי יצר לב האדם רע מנעוריו.

בראשית ח, כא.

For the imagination of the human heart is evil from youth on.

Gen. 8:21

On the Day of Atonement (יום הכיפורים)

128. Why is the tenth day called the Day of Atonement?

Answer. Because on this day God forgives the sins of all who are penitent; for the other nine days are only preparations for this great day of repentance, and God pardons only the one who

in these ten days has repented of his sins and vices with a pure heart [92] and resolves to lead a purer, more pious and better life.

יה״כ הוא זמן תשובה לכל ליחיד ולרבים והוא קץ מחילה וסליחה לישראל לפיכך חייבים הכל לעשות תשובה ולהתודות ב״כ ומצות וידוי יה״כ שיתחיל מערב היום קודם שיאכל וחוזר ומתודה בליל יה״כ ערבית וחוזר ומתודה בשחרית ובמוסף ובמנחה ובנעילה.

Maimon. Das. 2, 7.

[The Day of Atonement is a time of repentance for all, for the individual and for the community, and it is the culmination of pardon and forgiveness for Israel. Therefore all are obliged to repent and to confess on the Day of Atonement. The commandment of confession on the Day of Atonement is that one should begin on the eve of the day, before eating; and one confesses again on the night of the Day of Atonement at the evening prayer, and confesses again at the morning, Musaf, Minchah and Neʿilah prayers.]

Maimonides, Laws of Repentance 2:7[132]

כי ביום הזה יכפר עליכם לטהר אתכם מכל חטאתיכ׳ לפני ה׳ תטהרו.

ויקרא יו, ל.

For on this day atonement is made for you, to cleanse you; from all your sins you shall become clean before the Eternal.

Lev. 16:30[133]

129. May we expect forgiveness for all kinds of sins?

Answer. With all our remorse and self-humbling we can obtain forgiveness only for those sins that we have committed against God alone, but by no means for the violation of our duties toward our fellow human beings. Whoever, then, has taken something from his fellow by theft, robbery, fraud, usury or overreaching, or has hurt his neighbor by insult or contempt, must first make good the theft, damage, etc. to his fellow, and must appease and satisfy the one he has insulted and hurt. (See Introduction, § 6.)[134]

130. What else belongs to repentance?

Answer. That the penitent form the firm resolve to love God and his fellow human beings with all his heart, never again to fall back into his vices, and to cleanse his [93] mind of revenge, pride, avarice and, in general, of every evil and impure thought.

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[132]Maimonides adds, after “before eating”: “lest he choke at the meal before he has confessed”; Behr omits these words.

[133]The Hebrew reference is printed “יו” for the usual “טז” (16).

[134]Cf. Mishnah Yoma 8:9: “For transgressions between a person and God, the Day of Atonement atones; for transgressions between a person and his fellow, the Day of Atonement does not atone until he has appeased his fellow.”

ומה היא התשובה שיעזוב החוטא חטאו ויסירו ממחשבתו ויגמור בלבו שלא יעשהו עוד שנאמר יעזוב רשע דרכו ואיש און מחשבתיו וישוב אל ה׳ וירחמהו כו׳.

Maimon. Das. 2, 2.

> [And what is repentance? That the sinner abandon his sin, remove it from his thoughts and resolve in his heart not to do it again, as it is said: "Let the wicked forsake his way, and the man of iniquity his thoughts, and let him return to the Eternal, and He will have mercy on him," etc. [Isa. 55:7].]
>
> *Maimonides, Laws of Repentance 2:2*

לכן איש כדרכיו אשפט אתכם בית ישראל נאם ה׳ אלהים שובו והשיבו מכל פשעיכם ולא יהיה לכם למכשול עון. השליכו מעליכם את כל פשעיכם אשר פשעתם בם ועשו לכם לב חדש ורוח חדשה.

יחזקאל יח, ל — לא

> I will judge you Israelites, each one according to his works, says God the Lord. Turn back and depart from all your sins; then they shall no longer be your downfall. Cast away from you your sins which you have committed; make yourselves a new heart and a new spirit.
>
> *Ezek. 18:30–31*

ויתכסו שקים האדם והבהמה ויקראו אל אלהים בחזקה וישבו איש מדרכו הרעה ומן החמס אשר בכפיהם. מי יודע ישוב ונחם האלהים ושב מחרון אפו ולא נאבד. וירא האלהים את מעשיהם כי שבו מדרכם הרעה וינחם האלהים על הרעה אשר דבר לעשות להם ולא עשה.

יונה ג, ח — י.

> Let all, man and beast, wrap themselves in sackcloth and call earnestly to God; let everyone leave off his evil conduct and the violence of his hands. Whoever knows himself guilty, let him turn back; then the Almighty will change His mind and let His burning anger go, and we shall not perish. When the Almighty saw their actions, that they had turned back from their evil conduct, the Almighty changed [94] His decree of the evil He had resolved upon them, and did not carry it out.
>
> *Jonah 3:8–10*[135]

מדרכי התשובה להיות השב צועק תמיד לפני השם בבכי ובתחנונים ועושה צדקה כפי כחו ומתרחק כו׳.

Maim. Das. 2, 4.

> [Among the ways of repentance is that the penitent cry out constantly before God with weeping and supplication, give charity according to his means, and keep far away, etc.]
>
> *Maimonides, ibid. 2:4*

[135] Behr renders מי יודע ישוב ("who knows, He may turn") as "Whoever knows himself guilty, let him turn back", making the sinner rather than God the subject.

131. What are the duties on this day?

Answer. I. To do no work whatsoever, as on the Sabbath.

II. To abstain from all food and drink, and from other pleasures specified by tradition[136], from the evening of the ninth to the tenth of Tishri (תשרי) until the evening of the tenth to the eleventh.

III. To spend the whole day in the house of God with edifying prayers, hymns and discourses on our law and our duties; and

IV. Besides the additional prayer and the changes in the prayers generally, also to recite the special closing prayer (תפלת נעילה).

אך בעשור לחדש השביעי הזה יום הכפרים הוא מקרא קדש יהיה לכם ועניתם את נפשותיכם והקרבתם אשה לה׳ וכל מלאכה לא תעשו בעצם היום הזה כי יום כפרים הוא לכפר עליכם לפני ה׳ אלהיכם.

ויקרא כג, כו — כט.

> On the tenth day of this seventh month, however (it is the Day of Atonement), you shall keep a holy festival proclamation and feast day, and also bring a fire-offering in honor of the Eternal. On this day you shall do no skilled [95] work of any kind; for it is the Day of Atonement, to reconcile you before the Eternal, your God.
>
> *Lev. 23:27–28*[137]

132. Are there no days of repentance besides this season?

Answer. This season is appointed only for the whole body of our fellow believers; for the individual, however, no time of repentance is fixed.

133. When, then, should the individual repent?

Answer. Daily; for who can determine the end of his life? Death could overtake him, and he would then have to appear before the Judge in heaven without repentance.

אנוש כחציר ימיו כציץ השדה כן יציץ כי רוח עברה בו ואיננו ולא יכירנו עוד מקומו.

תהלים קג, טו.

> Human life is like grass; they blossom like a flower of the field; a wind passes over it, and it is no more, and the place where it stood knows nothing of it any more.
>
> *Ps. 103:15–16*[138]

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[136] *Behr's note:* Hence going barefoot, and the prohibition of washing, bathing and anointing.

[137] The Hebrew reference is printed "כו — כט" (29–26) and the German "23, 27—29"; the verses actually quoted are 27–28. Behr omits "and you shall afflict your souls" (ועניתם את נפשותיכם) from his German.

[138] The Hebrew reference gives only verse 15; the German reference correctly gives 103:15–16.

וזכר את בוראיך בימי בחורותיך עד אשר לא יבאו ימי הרעה והגיעו שנים אשר תאמר אין לי בהם חפץ.

קהלת יב, א.

Remember your Creator in your youth, before the evil days come and the years draw near of which you will say: they are empty of pleasure for me.

Eccles. 12:1

[96] **134. Is forgiveness then promised to this individual as well?**

Answer. Certainly; for it says in Holy Scripture:

חטאתי אודיעך ועוני לא כסיתי אמרתי אודה עלי פשעי ואתה נשאת עון חטאתי סלה.

תהלים לב, ה.

I made my sin known to You, and did not cover my guilt. I said: I will confess my falling away before God; then You remitted to me the guilt of my sins.

Ps. 32:5[139]

החפץ אחפץ מות רשע נאם ה׳ אלהים הלא בשובו מדרכו וחיה.

יחזקאל יח, כג.

Should I, says God, take pleasure in the death of the sinner? No; rather in this, that he turn back from his way and live.

Ezek. 18:23

On the Fast Days

135. How many fast days do we have besides the Day of Atonement?

Answer. Five fast days.

136. What are they called?

Answer. I. עשרה בטבת, the tenth day of the month of Tevet (טבת).

[97] II. שבעה עשר בתמוז, the seventeenth day of the month of Tammuz (תמוז).

III. תשעה באב, the ninth day of the month of Av (אב).

IV. צום גדליה, the third day of the month of Tishri (תשרי); and

V. תענית אסתר, the thirteenth day of the month of Adar (אדר), and in a leap year the thirteenth day of the second Adar (אדר שני).

[139] The printed Hebrew omits "to the Lord" (לה׳) after עלי פשעי; Behr's German supplies "before God".

137. What is the purpose of fasting?

Answer. In general, fasting is only a preparation for repentance and self-humbling before God. On these days every Israelite should reflect on his transgressions and repent of them with a contrite heart. He should consider that all the misfortune that has ever befallen our fellow believers was a chastisement for our sins; and since such reflections cannot well be undertaken while enjoying food and drink and living in comfort, it is necessary on these days that we abstain from eating, drinking and every pleasure, [98] turn to the all-merciful Father in heaven, plead for forgiveness of our sins and the sins of our fathers, and make known through our prayer our earnest intention to improve.

יש שם ימים שכל ישראל מתענים בהם מפני הצרות שארעו בהן כדי לעורר הלבבות לפתוח דרכי התשובה ויהיה זה זכרון למעשינו הרעים ומעשה אבותינו שהיה כמעשינו עתה עד שגרם להם ולנו אותן הצרות שבזכרון דברים אלו נשוב להטיב שנאמר והתודו את עונם ואת עון אבותם וכו׳. וד׳ ימי הצומות האלו הרי הן מפורשין בקבלה צום הרביעי וצום החמישי וגו׳ צום הד׳ זה י״ז בתמוז שהוא בחדש הד׳ וצום הה׳ זה ט׳ באב שהוא בחדש הה׳ וצום הז׳ זה ג׳ בתשרי שהוא בחדש הז׳ וצום הי׳ זה י׳ בטבת שהוא בחדש הי׳.

Maimonid. Hilchoth Thanith 5, 1 und 4.

[There are days on which all Israel fast because of the calamities that occurred on them, in order to stir the hearts and open the ways of repentance; and this is to be a reminder of our evil deeds and of the deeds of our fathers, which were like our deeds now, until they brought those calamities upon them and upon us; for by remembering these things we will return to doing good, as it is said: "And they shall confess their iniquity and the iniquity of their fathers," etc. [Lev. 26:40]. … And these four fast days are set out explicitly in the tradition: "The fast of the fourth and the fast of the fifth," etc. [Zech. 8:19]. The fast of the fourth is the 17th of Tammuz, which is in the fourth month; the fast of the fifth is the 9th of Av, which is in the fifth month; the fast of the seventh is the 3rd of Tishri, which is in the seventh month; and the fast of the tenth is the 10th of Tevet, which is in the tenth month.]

Maimonides, Laws of Fasts 5:1, 4[140]

למה צמנו ולא ראית ענינו נפשנו ולא תדע הן ביום צמכם תמצאו חפץ וכל עצביכם תנגשו. הן לריב ומצה תצומו ולהכות באגרף רשע לא תצומו כיום להשמיע במרום קולכם. הכזה יהיה צום אבחרהו יום ענות אדם נפשו הלכף כאגמן ראשו ושק ואפר יציע הלזה תקרא צום ויום רצון לה׳. הלוא זה צום אבחרהו פתח חרצבות רשע התר אגדות מוטה ושלח רצוצים חפשים וכל מוטה תנתקו. הלוא פרס לרעב לחמך ועניים מרודים תביא בית כי תראה ערם וכסיתו ומבשרך לא תתעלם. אז יבקע כשחר אורך וארכתך מהרה תצמח והלך לפניך צדקך כבוד יהוה יאספך. אז תקרא ויהוה יענה תשוע ויאמר הנני אם תסיר מתוכך מוטה שלח אצבע ודבר און. ותפק

[140]In the Hebrew the 3rd of Tishri is spelled out as ג׳ בתשרי at the head of p. 98. "The tradition" (קבלה) here means the Prophets, as distinct from the Torah.

לרעב נפשך ונפש נענה תשביע וזרח בחשך אורך ואפלתך כצהרים. ונחך יהוה תמיד והשביע בצחצחות נפשך ועצמתיך יחליץ והיית כגן רוה וכמוצא מים אשר לא יכזבו מימיו וגו׳.

ישעיה נח, ג — יד.

> Ah! why do we fast, and You do not see it? Why do we afflict our souls, and You take no notice? Truly (God replies), even on the fast day you pursue your desires and press your debtors hard. Truly, you fast only for strife and quarrel, and to oppress with a wicked fist. O, fast no more in this way! Let your voices no longer ring out so to heaven. What! would that be a fast that should please Me? When the son of earth mortifies his body the whole day? When his head, bowed, sways like a reed? When sand and ashes wholly cover him? Do you call that a fast, a day acceptable to the Eternal? No; truly! this is a fast that I love: [99] to loose the chains of wickedness, to free the oppressed from their burden, to give the fettered their freedom, and to relieve the brother of every load. Break your bread for the hungry, open your door to the sorrowing wretched; if you see someone naked, clothe him, and do not withdraw from him who is your own flesh, etc.
>
> *Isa. 58:3–7*[141]

138. Why are precisely these days appointed for fasting?

Answer. Because on these days our forefathers were visited by great and terrible afflictions, namely:

On the tenth day of Tevet (טבת) Nebuchadnezzar, king of Babylon, threw up a great siege-work around our former capital, shut it in, and the pitiful siege began.

יו״ד בטבת שבו סמך מלך בבל נבוכדנצר הרשע על ירושלים והביאם במצור ובמצוק.

Maimon. Das. 5, 2.

> [The tenth of Tevet, on which the wicked Nebuchadnezzar, king of Babylon, laid siege to Jerusalem and brought it into siege and distress.]
>
> *Maimonides, Laws of Fasts 5:2*

On the seventeenth of Tammuz (תמוז) the city wall was breached, the Temple service was abolished, the Torah was burned, and an idol was set up in its place. It was also on this day that Moses broke the two tablets of the covenant because of the great sin of our forefathers.

[141] Both printed references give Isa. 58:3–14; the Hebrew actually printed runs to verse 11, and Behr's German covers only verses 3–7. The divine name is printed in full (יהוה) in verses 8–11. "Sand and ashes" renders שק ואפר, "sackcloth and ashes".

י״ז בתמוז ה׳ דברים אירעו בו נשתברו הלוחות ובטל התמיד מבית ראשון והובקעה ירושלים בחרבן שני ושרף אפסטומוס הרשע את התורה והעמיד צלם בהיכל.

Maimon. Das.

> [On the 17th of Tammuz five things happened: the tablets were broken; the daily offering ceased in the First Temple; Jerusalem was breached at the second destruction; the wicked Apostomos burned the Torah; and he set up an idol in the Sanctuary.]
>
> *Maimonides, ibid. 5:2*[142]

[100] On the ninth day of Av (אב) the sad lot of dying in the wilderness was decreed upon the whole generation that had gone out of Egypt. The First and the Second Temple were burned on this day; the great and populous city of Bittar (ביתר) fell into the hands of the emperor Hadrian, and he carried out a terrible bloodbath, in which the greatest and wisest men of our fellow believers perished.

וט׳ באב ה׳ דברים אירעו בו נגזר על ישראל במדבר שלא יכנסו לארץ וחרב הבית בראשונה ובשנייה ונלכדה עיר גדולה וביתר שמה והיו בה אלפים ורבבות מישראל ונהרגו כלם והיתה צרה גדולה כמו חרבן בהמ׳.

Maim. Das. 5, 3.

> [And on the 9th of Av five things happened: it was decreed against Israel in the wilderness that they should not enter the Land; the Temple was destroyed the first time and the second; and a great city was captured, whose name was Betar, in which there were thousands and myriads of Israel, and they were all killed; and it was a calamity as great as the destruction of the Temple.]
>
> *Maimonides, Laws of Fasts 5:3*[143]

On the third of Tishri (תשרי) one of the most excellent men of our nation, the last preserver of our state, Gedaliah son of Ahikam, was murdered, and with him a great number of Israelites.

יום ג׳ בתשרי שבו נהרג גדליה בן אחיקם ונכבת גחלת ישראל הנשארת וסיבב להתם גלותם.

Maimon. Das. 5, 2.

> [The 3rd of Tishri, on which Gedaliah son of Ahikam was killed and the remaining ember of Israel was extinguished, and which brought about the completion of their exile.]
>
> *Maimonides, ibid. 5:2*[144]

[142]The printed reference reads only "Maimon. Das." (Maimonides, ibid.), without chapter numbers; the passage is Laws of Fasts 5:2. The list is from Mishnah Taʿanit 4:6.

[143]Only four of the five events are given; Behr omits Maimonides' fifth, the ploughing up of the Temple site by Turnus Rufus. Behr's German follows the common tradition that Betar fell to Hadrian's forces (135 CE).

[144]Cf. Jer. 41:1–3 and 2 Kings 25:25.

The thirteenth of the month of Adar (אדר) was instituted as a general fast day, in remembrance of the fasting and strict penance that Esther imposed on the whole nation at the time of the great distress.

וביי"ג באדר זכר לתענית שהתענו בימי המן שנאמר דברי הצומות וזעקתם.

Maimon. Das. 5, 5.

[And on the 13th of Adar, in remembrance of the fast that they fasted in the days of Haman, as it is said: "the matters of the fasts and their cry" [Esth. 9:31].]

Maimonides, ibid. 5:5

[101] On the Half-Festivals

139. In what do the half-festivals differ from the principal festivals?

Answer. In that all work is permitted to us on these days, and they affect only the arrangement of the prayers. They are, further, to be days of joy, and therefore fasting is forbidden to us on these days.

וכן אין גוזרין תענית בתחלה בראשי חדשים או בחנוכה ופורים או בחולו של מועד.

Maim. Hil. Thanith. 1, 7.

[Likewise, a fast is not decreed in the first instance on New Moons, or on Chanukah and Purim, or on the intermediate days of a festival.]

Maimonides, Laws of Fasts 1:7

140. What are the names of the six (§ 95) half-festivals?

Answer. I. The Feast of Dedication (חנוכה).

II. The Feast of Purim (פורים).

III. The New Month (ראש החדש).

IV. The eighteenth day of the month of Iyyar (ל"ג בעומר) (אייר).[145]

V. The fifteenth day of the month of Shevat (שבט).

VI. The fifteenth day of the month of Av (אב).

[102] On the Feast of Dedication (חנוכה)

141. For what reason do we celebrate the Feast of Dedication (חנוכה)?

Answer. Because on this twenty-fifth of the month of Kislev (כסלו) the Maccabees won a decisive victory over Antiochus, king of Syria, who had set out to wipe out our whole nation

[145]Lag ba-Omer, the 33rd day of the Omer count, falls on 18 Iyyar.

and to blot out its memory from the whole earth. When the enemy had been driven out of our land, the Temple cleansed again and the altar rebuilt, it was dedicated anew; hence these days bear the name "days of dedication," and for this reason we recite the prayer of thanksgiving (הלל). Since at this time a great miracle also took place in the Temple — namely, that the single jar of oil that had remained undefiled by the hands of the enemy, and that contained oil for only one day, [103] lasted for eight days — we must, in remembrance of this miracle, kindle lights throughout these eight days: on the first evening one, on the second two, and so each evening one more until the eighth evening, when we kindle eight lights.

בבית שני כשמלכי יון גזרו גזירות על ישראל ובטלו דתם ולא הניחו אות׳ לעסוק בתורה ובמצות ופשטו ידם בממונם ובבנותיהם ונכנסו להיכל ופרצו בו פרצות וטמאו הטהרות וצר להם לישראל מאד מפניהם ולחצום לחץ גדול עד שרחם עליהם אלהי אבותיהם והושיעם מידם והצילם וגברו בני חשמנאי הכהנים הגדולים והרגום והושיעו את ישראל מידם והעמידו מלך מן הכהנים וחזרה מלכות לישראל יתר על מאתים שנה עד החורבן השני וכשגברו ישראל על אויביהם ואבדום בכה בחדש כסלו נכנסו להיכל ולא מצאו שמן טהור במקדש אלא פך אחד ולא היה בו להדליק אלא יום אחד בלבד והדליקו ממנו נרות המערכה ח׳ ימים עד שכתשו זתים והוציאו שמן טהור ומפני זה התקינו חכמים שבאותו הדור שיהיה שמונת ימים האלו שתחלתן בכה בכסלו ימי שמחה והלל ומדליקין בהן נרות בערב בכל לילה ולילה משמונת הלילות להראות ולגלות הנס.

M. H. Meg. 3, 1 — 5.

[In the time of the Second Temple, when the Greek kings issued decrees against Israel, abolished their religion and did not allow them to occupy themselves with Torah and commandments, laid their hands on their property and their daughters, entered the Sanctuary, made breaches in it and defiled what was pure, Israel was in great distress because of them, and they oppressed them grievously, until the God of their fathers had mercy on them, saved them from their hand and delivered them. The sons of the Hasmoneans, the high priests, prevailed, killed them and saved Israel from their hand; and they set up a king from among the priests, and kingship returned to Israel for more than two hundred years, until the second destruction. And when Israel prevailed over their enemies and destroyed them, on the 25th of the month of Kislev, they entered the Sanctuary and found no pure oil in the Temple except a single jar, and it held enough to burn for only one day; and they lit the lamps of the arrangement from it for eight days, until they had crushed olives and produced pure oil. Because of this the sages of that generation ordained that these eight days, beginning on the 25th of Kislev, should be days of joy and Hallel, and that lights be kindled on them in the evening, on each and every one of the eight nights, to show and reveal the miracle.]

Maimonides, Laws of Megillah and Chanukah 3:1–3[146]

[146]The printed reference gives 3:1–5; the passage quoted, slightly abridged, is 3:1–3. The Hebrew continues onto p. 103. בכה is the date כ״ה, "the 25th."

On the Feast of Purim (פורים)

142. What lies at the basis of the Feast of Purim?

Answer. On this day Haman, one of the greatest enemies of our fellow believers, was overthrown. He had obtained from the Persian king of that time, Ahasuerus, an order to murder all the Israelites in his realm on the fourteenth day of the month of Adar (אדר); and only through a divine miracle did Queen Esther succeed in winning the king's heart and saving her people, which had been condemned to death. So that this great miracle may never be forgotten among us, we celebrate [104] the fourteenth day of Adar (אדר), and in a leap year the fourteenth day of the second[147] Adar (אדר), as a day of joy, on which every Israelite is obliged: 1) to attend the reading of this story; 2) to give one another gifts (משלוח מנות); 3) to give to the poor (מתנות לאביונים); and 4) to hold a joyful meal in the family circle.[148]

קריאת המגלה בזמנה מצות עשה מדברי סופרים והדברים ידועים שהיא תקנת הנביאים והכל חייבין בקריאתה — מצוה לקרות את כולה ומצוה לקרותה בלילה וביום — מצות יום י״ד להיותו יום שמחה ומשתה ומשלוח מנות לריעים ומתנות לאביונים — מוטב לאדם להרבות במתנות אביוני׳ מלהרבות בסעודתו שאין שמחה גדולה ומפוארה אלא לשמוח לב עניים ויתומים ואלמנות וגרים שהמשמח לב האמללים האלו דומה לשכינה שנאמר להחיות רוח שפלים ולהחיות לב נדכאים. וכן חייב אדם לשלוח שתי מנות בשר או ב׳ מיני תבשיל או שני מיני אוכלין לחברו שנאמר ומשלוח מנות איש לרעהו ב׳ מנות לאיש אחד וחייב לחלק לעניים בפורים.

Maimon. Das. 1 und 2.

[The reading of the Megillah at its proper time is a positive commandment of the Scribes, and it is well known that it is an ordinance of the Prophets; and all are obliged to read it. — It is a commandment to read the whole of it, and it is a commandment to read it at night and by day. — The commandment of the fourteenth day is that it be a day of joy and feasting, and of sending portions to friends and gifts to the poor. — It is better for a person to give many gifts to the poor than to make a lavish meal; for there is no greater and more splendid joy than to gladden the heart of the poor, the orphans, the widows and the strangers; for whoever gladdens the heart of these unfortunates is like the Divine Presence, as it is said: "to revive the spirit of the humble and to revive the heart of the contrite" [Isa. 57:15]. Likewise a person is obliged to send two portions of meat, or two kinds of cooked dishes, or two kinds of food, to his fellow, as it is said:

[147] *Behr's note:* Since the lunar year contains about 11 days fewer than the solar year, the month of Nisan (ניסן) must necessarily, in the course of several years, shift considerably in time. In order, then, to be able to celebrate the Pesach festival in spring, as Holy Scripture requires (שמור את חדש האביב), a whole month (אדר שני) must be intercalated every two or three years. Such a year of thirteen months is called a leap year (שנה מעוברת), and in a period of 19 years (מחזור קטן) there are 7 such leap years. See also § 104.

[148] According to Esth. 3:13 Haman's decree was set for the thirteenth of Adar; the fourteenth is the day of rest and rejoicing that followed (Esth. 9:17).

"and sending portions one to another" [Esth. 9:22] — two portions to one person; and he is obliged to distribute to the poor on Purim.]

Maimonides, Laws of Megillah and Chanukah, chs. 1–2[149]

שנה מעוברת היא שנה שמוסיפין בה חדש ואין מוסיפין לעולם אלא אדר ועושין אותה שנה ב׳ אדרי׳ ומפני מה מוסיפי׳ חדש זה מפני זמן האביב שיהיה חדש זה בזמן האביב ולולי הספת החדש הזה הפסח בא פעמים בימות החמה ופעמים בימות הגשמים.

Maimonid. Hilchoth. Kidusch hachod. 4, 1.

[A leap year is a year to which a month is added; and only Adar is ever added, and that year is made one of two Adars. And why is this month added? Because of the season of spring, so that this month [Nisan] should fall in the season of spring; for were it not for the addition of this month, Pesach would come sometimes in the summer and sometimes in the rainy season.]

Maimonides, Laws of the Sanctification of the New Moon 4:1[150]

[105]

ויכתב מרדכי את הדברים האלה וישלח ספרים אל כל היהודים אשר בכל מדינות המלך אחשורו׳ הקרובי׳ והרחוקי׳ לקים עליהם להיות עשים את יום ארבעה עשר לחדש אדר ואת יום חמשה עשר בו בכל שנה ושנה. כימים אשר נחו בהם היהודים מאיביהם והחדש אשר נהפך להם מיגון לשמחה ומאבל לי״ט לעשות אותם ימי משתה ושמחה ומשלוח מנות איש לרעהו ומתנות לאבינים.

אסתר ט, כ — כג.

Mordecai wrote this to the Jews in all the provinces of the realm, near and far: that they should make it a law for themselves to celebrate the fourteenth day of the month of Adar (אדר) and the fifteenth every year, like the days on which the Jews had rest from their enemies, and the month that was turned for them from grief into joy and from mourning into festival — that they should celebrate this time with feasting, joy, gifts and alms.

Esth. 9:20–22[151]

143. Why is it called the Feast of Purim?

Answer. Because Haman fixed the day of our condemnation by lot, which in Persian, the language of the country where the Israelites then lived, is called "Pur."

[149]A string of sentences from chapters 1 and 2 of Maimonides' Laws of Megillah, separated in the print by dashes and not in their original order. The Hebrew begins on p. 103 and continues onto p. 104.

[150]Printed in the left column beside Behr's footnote on intercalation at the foot of p. 104.

[151]Both printed references give 9:20–23; the verses actually quoted are 20–22. יום טוב ("festival") is abbreviated י״ט in the print.

כי המן בן המדתא האגגי צורר כל היהודים חשב על היהודים לאבדם והפל פור הוא הגורל להמם ולאבדם. — על כן קראו לימים האלה פורים על שם הפור.

אסתר ט, כד. — שם כו.

> For Haman son of Hammedatha, of the race of Agag, that general enemy of all Jews, had resolved to destroy the Jews, and had cast the Pur — that is, the lot — for their destruction and extermination. — Therefore these days are called Purim, after this word.
>
> *Esth. 9:24, 26*[152]

[106] **144. Why do we distinguish the first day of each month (ראש החדש)?**

Answer. Because on this day the moon — which has much influence on the nature of human beings, animals and plants — completes its course around the earth and begins it anew, we distinguish it from the other days and recite the additional prayer (מוסף) and the song of thanksgiving (הלל).

145. What do the remaining half-festivals signify?

Answer. I. The eighteenth day of the month of Iyyar (אייר), or the thirty-third day in the counting of the Omer (עומר), is a day of joy, because on this day a plague that had carried off a great number of scholars, especially of the disciples of the famous Talmudist Rabbi Akiva, suddenly and completely ceased.[153]

II. On the fifteenth day of the month of Shevat (שבט) it is the time in the East when the trees begin to bud. This day is therefore also called the New Year of the Trees (ר״ה לאילנות); and because all nature begins to renew itself, it has been appointed a day of joy.[154]

III. The fifteenth day of the month of Av (אב) is distinguished because on this day the inhabitants of Bittar (ביתר) at last had the necessary respite to be able to bury the many thousands of their brethren slain by the army of the emperor Hadrian, and because on this day the plague among our forefathers in the wilderness had also ceased.[155]

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[152]The two verses are printed as separate Hebrew items, each with its own reference (“אסתר ט, כד.” and “שם כו.”), beside a single German rendering. Behr’s “the language of the country” renders “der damaligen Landessprache der Israeliten.”

[153]The deaths of Rabbi Akiva’s disciples between Pesach and Shavuot are reported in BT Yevamot 62b; the tradition that they ceased on the 33rd day of the Omer is post-talmudic.

[154]Cf. Mishnah Rosh Hashanah 1:1.

[155]Both reasons are given in BT Taʿanit 30b–31a and Bava Batra 121a–b; the Talmud speaks of the dying-out of the wilderness generation rather than a plague.

[107] IX. On Forbidden Foods

146. Which foods are forbidden to us?

Answer. I. Certain animals, birds and fish named in Holy Scripture, partly by name and partly by distinguishing marks (איסור טמאים).

זאת תורת הבהמה והעוף וכל נפש החיה הרמשת במים ולכל נפש השרצת על הארץ. להבדיל בין הטמא ובין הטהור ובין החיה הנאכלת ובין החיה אשר לא תאכל.

ויקרא יא, מו — מז.

> This is the law concerning four-footed animals and fowl, concerning every living thing that moves in the water, and concerning every animate thing that creeps on the earth: by it one is to distinguish between the clean and the unclean, and between the living creature that may be eaten and the living creature that may not be eaten.
>
> *Lev. 11:46–47*

II. All blood (איסור דם של בהמות חיות ועופות). Hence all meat must be salted according to certain rules, in order to draw out the blood (מליחת בשר).[156]

וכל דם לא תאכלו בכל מושבתיכם לעוף ולבהמה.

שם ז, כו.

> You shall eat no blood of any kind in all your dwelling places, whether of fowl or of cattle.
>
> *Lev. 7:26*

[108] III. A certain part of the fat of animals, determined by tradition (איסור חלב).

כל חלב שור וכשב ועז לא תאכלו.

ויקרא ז, כר.

> You shall not eat any tallow of an ox, a lamb or a goat.
>
> *Lev. 7:23*[157]

IV. Every living animal (איסור אבר מן החי).[158]

V. Every animal that has died of itself (איסור נבלה), and every animal that has been mortally injured either by disease or by a wound (איסור טרפה)[159].

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[156] The Hebrew term means "the prohibition of the blood of cattle, wild animals and birds."

[157] The verse is Lev. 7:23. The Hebrew reference is printed "כר" (apparently a misprint for כג) and the German "7. 24."

[158] The Hebrew term means "the prohibition of a limb from a living animal," i.e. flesh cut from an animal while it is still alive.

[159] *Behr's note:* Fish are excepted from II, III, IV and V.

לא תאכלו כל נבלה.

הדברים יד, כא.

You shall eat no carrion.

Deut. 14:21[160]

ובשר בשדה טרפה לא תאכלו.

שמות כב, ל.

Flesh of a beast torn in the field you shall not eat.

Exod. 22:30

VI. The sinew of the hip (איסור גיד הנשה).

על כן לא יאכלו בני ישראל את גיד הנשה אשר על כף הירך עד היום הזה.

בראשית לב, לג.

Therefore the children of Israel may not eat the sinew of the hip, which is upon the ball of the thigh, to this day.

Gen. 32:33

[109] VII. All mixing of milk and meat, even the cooking of them together, is forbidden to us, and they are prohibited for any use (איסור בשר בחלב).

לא תבשל גדי בחלב אמו.

שמות כג, יט.

You shall not cook the kid in its mother's milk.

Exod. 23:19

VIII. The fruit of a tree planted from seed, in the first three years after its planting (איסור ערלה).[161]

כי תבאו אל הארץ ונטעתם כל עץ מאכל וערלתם ערלתו את פריו שלש שנים יהיה לכם ערלים לא יאכל.

ויקרא יט, כג.

When you come into the land and plant all kinds of fruit trees, you shall regard their fruit as a foreskin; for three years it shall be regarded by you as foreskin (unusable) and shall not be eaten.

Lev. 19:23[162]

[160]The German reference is printed "3 B. Mos. 14, 21" for 5 B. Mos. (Deuteronomy); the Hebrew reference is correct.

[161]ʿOrlah, literally "foreskin," the fruit of a tree in its first three years.

[162]The German reference is printed "2 B. Mos. 19, 23" for 3 B. Mos. (Leviticus); the Hebrew reference is correct.

IX. All animals and fowl that have not been slaughtered according to our prescription (דיני שחיטה, וכיסוי הדם); and[163]

X. All bread kneaded in the house from which a portion (כזית) has not been taken, over which the blessing has been spoken, and burned (דין חלה).[164]

ראשית עריסותיכם חלה תרימו תרומה.

במדבר טו, כ.

As the first of your dough you shall bring a piece of dough as an offering.

Num. 15:20

[110] **X.**

147. What are the other laws that belong here?

Answer. I. We may not shave our beard with a razor.[165]

לא תקפו פאת ראשכם ולא תשחית את פאת זקנך.

ויקרא יט, כז.

You shall not take off the hair round about the head together with the front corners, nor shall you shave smooth the corners of your beard.

Lev. 19:27

II. Not to make cuttings in our body as a sign of mourning.

ושרט לנפש לא תתנו בבשרכם.

ויקרא יט, כח.

For the sake of a dead person you shall make no cut in your flesh.

Lev. 19:28

III. Not to wear clothes made of a mixture of wool with linen (איסור שעטנז).

ובגד כלאים שעטנז לא יעלה עליך.

ויקרא יט, יט.

And you shall not let any garment come upon you that is mixed of linen and wool.

Lev. 19:19

[163] "The laws of slaughter, and the covering of the blood" (cf. Lev. 17:13).

[164] כזית, "an olive's bulk," the customary size of the challah portion separated from dough and burned.

[165] The section numbered X has no title in the original; cf. the table of contents, where §§ 146–147 likewise stand without a heading.

לא תלבש שעטנז צמר ופשתים יחדו.

הדברים כב, יא.

You shall wear no fabric in which wool and linen are mixed.

Deut. 22:11

IV. Not to wear the clothes of the other sex.

[111]

לא יהיה כלי גבר על אשה ולא ילבש גבר שמלת אשה כי תועבת ה׳ אלהיך כל עשה אלה.

שם, ה.

No woman shall wear a man’s gear, and no man shall put on a woman’s garment; for whoever does this is an abomination before the Eternal your God.

Deut. 22:5

Second Section: On Duties toward Ourselves and toward Our Fellow Human Beings in General

148. For what purpose has God prescribed duties toward ourselves and toward our fellow human beings?

Answer. So that we may be happy in this life on earth as well. Happiness on earth, however, cannot be obtained otherwise than through social union. Who would be so simple as to believe that a human being could do without the help of all other human beings? Can he by himself till, sow, plough, reap, thresh, grind, knead and bake? Can he by himself shear wool, wash it, clean it, spin, weave, and make himself a garment from it? He would die before he was able to provide himself with bread for a single day; he would freeze before he could procure a garment. What would not

[112] befall every single human being at the hands of the wild beasts? Only when human beings come together and form societies can they jointly satisfy their needs, subject the whole earth to themselves, and rule over the beasts of the field, the birds of the air and the fish of the sea. In order to attain this in a happy manner, the All-good has given us those laws.

ויברך אתם אלהים ויאמר להם אלהים פרו ורבו ומלאו את הארץ וכבשה ורדו בדגת הים ובעוף השמים ובכל חי׳ הרמשת על הארץ.

בראשית א, כח.

God blessed them and said to them: Be fruitful, multiply, fill the earth and subdue it; rule over the fish of the sea, over the fowl of the heavens, and over every living creature that creeps upon the earth.

Gen. 1:28

כי כה אמר ה׳ ברא השמים הוא האלהים יצר הארץ ועשה הוא כוננה לא תהו בראה לשבת יצרה אני ה׳ אין עוד.

ישעיה מה, יח.

> For thus says God: He who created the heavens, who formed the earth — He is God. He did not create it to be a waste, but so that it might be inhabited. I am God, and there is no other.
>
> *Isa. 45:18*

149. What does "to form societies" mean?

Answer. That some occupy themselves jointly with agriculture, others with the raising of livestock; some bring timber from the forests, others put up buildings; some engage in hunting, others in fishing; some in handicraft, and still others [113] in the cultivation of their abilities. And since not every land can provide its inhabitants with all the necessities of life, some must bring the surplus of foreign lands into their fatherland and in return carry the superfluous products and manufactures of their fatherland into other lands; these are called merchants[166]. In this way it is the divine will that societies be divided up, and that each should work for all and all for each, so that all human beings may live together in brotherly fashion like one family.

150. How can this order and this brotherly love be maintained?

Answer. When each of us takes up a branch of trade, a craft, or agriculture, etc., and pursues this his occupation tirelessly and untiringly; when, further, each contributes with all his powers to the general welfare and strives to secure the happiness of his fellow human beings.

151. How can the individual contribute to the general welfare?

Answer. When he strictly and exactly observes all the laws and duties that God has prescribed for us toward ourselves and toward our fellow human beings.

הגיד לך אדם מה טוב ומה ה׳ דורש ממך כי אם עשות משפט ואהבת חסד והצנע לכת עם אלהיך.

מיכה ו, ח.

> He has already told you, O man, what is good, and [114] what more does God require of you than justice, brotherly love, and to walk humbly before God?
>
> *Mic. 6:8*

[166] *Behr's note:* Our forefathers in Palestine did not know this branch of livelihood, because their land was provided in abundance with all necessities; but since the destruction of the Temple it has become necessary for us as well, and so long as it is carried on within the bounds of the laws, it is equal to all other branches of livelihood.

On Duties toward Ourselves

152. What are the duties toward ourselves called?

Answer. Above all, the strict prohibition of suicide. We must seek to preserve our body in the condition in which we received it from the divine hand. And not only is he a self-murderer who lays hands on himself and takes his own life; he too has murdered himself who shortens his life through anger, grief and lack of trust in God, through pride, lust, drunkenness and other passions.

המאבד עצמו לדעת אין מתעסקין עמו לכל דבר ואין מתאבלין עליו ואין מספידין אותו.

Maim. Hilch. Abel 1, 11.

[One who destroys himself knowingly: one does not attend to him in any matter, one does not mourn for him, and one does not eulogize him.]

Maimonides, Laws of Mourning 1:11

רבי אלעזר הקפר אמר הקנאה והתאוה והכבוד מוציאין את האדם מן העולם.

Aboth. 4, 28.

[Rabbi Eleazar ha-Kappar said: Envy, lust and the pursuit of honor drive a person from the world.]

Mishnah Avot 4:21[167]

ר׳ אומר עין הרע ויצר הרע ושנאת הבריות מוציאין את האדם מן העולם.

Das. 2, 16.

[Rabbi (Joshua) says: The evil eye, the evil inclination and hatred of one's fellow creatures drive a person from the world.]

Mishnah Avot 2:11[168]

[115]

ונשמרתם מאד לנפשתיכם.

הדברים ד, טו.

Take good care, as dear as your life is to you.

Deut. 4:15

ואך את דמכם לנפשתיכם אדרש.

בראשית ט, ה.

I will also require your blood, on which your life depends.

Gen. 9:5

[167]Behr's numbering (4:28) follows editions that divide the chapter differently; in the standard division this is 4:21.

[168]"Das." (dasselbst, "ibid.") refers to Avot; 2:16 in Behr's edition, 2:11 in the standard division. The saying is R. Joshua's; the print abbreviates the name to ר׳.

153. How do we keep our body in a healthy condition?

Answer. I. Through cleanliness.

II. Through moderation in eating, drinking and other needs.

III. Through industriousness, and

IV. Through moral conduct.

154. In what does cleanliness consist?

Answer. That we keep the body free and clean of sweat and dirt; for every uncleanliness of our body is highly detrimental to health. And because we cannot fulfil our duties when our body is not in the full state of its health, the All-good has given us a number of commandments [116] about washing and bathing. Not only our body, but our clothes too must be clean.

ת״ר ונשמרת מכל דבר רע וכו׳ מכאן אמר רבי פנחס בן יאיר תורה מביאה לידי זהירות זהירות מביאה לידי זריזות זריזות מביאה לידי נקיות נקיות מביאה לידי פרישות כו׳.

Aboda Sara Fol. 20, 2.

[Our Rabbis taught: "You shall keep yourself from every evil thing" [Deut. 23:10], etc. From here Rabbi Pinchas ben Yair said: Torah leads to watchfulness, watchfulness leads to zeal, zeal leads to cleanliness, cleanliness leads to abstinence, etc.]

BT Avodah Zarah 20b[169]

מלבוש ת״ח מלבוש נאה ונקי ואסור לו שימצא בבגדו כתם או שמנונית וכיוצא בהן.

Maim. Hilch. Deoth. 5, 9.

[The clothing of a Torah scholar is handsome and clean clothing, and it is forbidden for a stain, grease or the like to be found on his garment.]

Maimonides, Laws of Character Traits 5:9

בכל עת יהיו בגדיך לבנים.

קהלת ט, ח.

At all times dress yourself in clean clothes.

Eccl. 9:8

155. In what does moderation consist?

Answer. That we never overload ourselves with food, because every excess hinders digestion and leads to other vices. Above all we must beware of indulging in intoxicating drinks. We must further abstain from all unhealthy, untimely and indigestible foods. Likewise we must neither overheat our body nor chill it too much.

[169] In the Talmud נקיות ("cleanliness") means freedom from sin; Behr applies it to bodily cleanliness.

ואכילה גסה היא לגוף של אדם כמו סם המות והוא עיקר לכל החלאים ורוב החלאים שבאים על האדם אינם אלא או מפני מאכלים רעים או מפני שהוא ממלא בטנו ואוכל אכילה גסה אפי׳ ממאכלים טובים הוא ששלמה אמר בחכמתו שומר פיו ולשונו שמר מצרות נפשו כלומר שומר פיו מלאכול מאכל רע או מלשבוע ולשונו מלדבר אלא מצרכיו.

Maim. Das. 4. 15.

> [Overeating is to a person's body like deadly poison, and it is the root of all illnesses. Most of the illnesses that befall a person come only from bad foods, or from his filling his belly and overeating, even of good foods. This is what Solomon said in his wisdom: "Whoever guards his mouth and his tongue guards his soul from troubles" [Prov. 21:23] — that is, whoever guards his mouth from eating bad food or from eating to satiety, and his tongue from speaking anything but what he needs.]
>
> *Maimonides, ibid. 4:15*

אל תהי בסבאי יין בזוללי בשר למו. כי סבא וזולל יורש וקרעים תלביש נומה. למי אוי למי אבוי למי מדונים למי שיח למי פצעים חנם למי חכלילות עינים. למאחרים על היין לבאים לחקור ממסך. אל תרא יין כי יתאדם כי יתן בכיס עינו יתהלך במישרים. אחריתו כנחש ישך וכצפעוני יפרש. עיניך יראו זרות ולבך ידבר תהפכות. והיית כשכב בלב ים וכשכב בראש חבל. הכוני בל חליתי הלמוני בל ידעתי מתי אקיץ אוסיף אבקשנו עוד.

משלי כג, כ — לח.

> Do not join the carousing of revelers and wine-guzzlers; for the glutton and the drunkard grow poor, and drowsiness clothes in rags. Who has woe? Who has [117] sorrow? Who has quarrels? Who complains without cause? Who brings blows upon himself? Who is painted red about the eyes? Those who sit late into the night over wine, who go about to taste the drink. Do not let wine tempt you when it turns deep red, casts its pearls in the cup and glides gently down; for at the same time it bites like a serpent and stings like a basilisk, etc.
>
> *Prov. 23:20–21, 29–35*[170]

156. Why must we be industrious?

> *Answer.* Because the advantages that arise from industriousness are numerous, and the harmful consequences of idleness countless. Idleness leads to poverty, to want, to disgrace and contempt. The man without occupation loses his appetite for eating and drinking; his digestion grows ever worse, and so he brings dangerous illnesses upon himself. The unoccupied man falls into evil [118] thoughts and lapses into the most shameful and pernicious vices.

[170]The Hebrew reference reads 23:20–38 and the German "Sprichw. 13, 20 — 35" (13 a misprint for 23). The Hebrew printed is 23:20–21 and 29–35, skipping verses 22–28; Behr's German breaks off with "etc." at verse 32.

רבי אליעזר אומר אפי׳ הכניסה לו מאה שפחות כופה לעשות בצמר שהבטלה מביאה לידי זמה רשב״ג אומר כו׳ שהבטלה מביאה לידי שיעמום.

Tal. Kethuboth Fol. 59, 2.

[Rabbi Eliezer says: Even if she brought him a hundred maidservants, he compels her to work in wool, for idleness leads to unchastity. Rabban Simeon ben Gamaliel says, etc.: for idleness leads to dullness of mind.]

BT Ketubot 59b (Mishnah Ketubot 5:5)[171]

כל זמן שאדם מתעמל ויגיע הרבה ואינו שבע ומיעיו רפין אין חולי בא עליו וכחו מתחזק וכל מי שהוא יושב לבטח ואינו מתעמל כל ימיו יהיו מכאובים וכחו תשש.

Maimon. Hilchoth Deoth. 4, 14 — 16.

[As long as a person exercises and exerts himself greatly, does not eat to satiety and his bowels are loose, no illness comes upon him and his strength increases. But whoever sits at ease and does not exercise, all his days will be painful and his strength will fail.]

Maimonides, Laws of Character Traits 4:14–15[172]

תאות עצל תמיתנו כי מאנו ידיו לעשות.

משלי כא, כה.

The sluggard dies in his craving, for his hands refuse to acquire anything.

Prov. 21:25

157. What advantages does industriousness afford?

Answer. I. Honor. Through untiring diligence one attains in every occupation a certain perfection, which brings us honor and renown.

גדול הנהנה מיגיעו יותר מירא שמים דאילו גבי ירא שמים כתיב אשרי כל ירא ה׳ ואלו גבי הנהנה מיגיעו כתיב יגיע כפך כי תאכל וגו׳.

Talmud Berach. Fol. 8, 1.

[Greater is one who enjoys the fruit of his own labor than one who fears Heaven; for of one who fears Heaven it is written, “Happy is everyone who fears the Eternal” [Ps. 128:1], whereas of one who enjoys the fruit of his labor it is written, “When you eat the labor of your hands,” etc. [Ps. 128:2].]

BT Berakhot 8a[173]

[171]The Mishnah concerns a wife’s household duties toward her husband; Behr cites it for its general principle about idleness.

[172]Behr omits several words after “does not exercise” (Maimonides adds: “or who holds back his bowels, or whose bowels are hard, even if he eats good foods and takes care of himself according to medical rules”).

[173]The argument rests on the continuation of Ps. 128:2, “happy shall you be and it shall be well with you,” which the Talmud reads as referring to this world and the world to come.

חזית איש מהיר במלאכתו לפני מלכים יתיצב.

משלי כב, כט.

Have you noticed that one who is diligent in his business can appear before kings?

Prov. 22:29

II. Prosperity. Through diligence one can support oneself and one's household in a respectable [119] manner, and one has no need of gifts from other people.

אמר ר״ל מאי דכתיב עובד אדמתו ישבע לחם אם עושה אדם עצמו כעבד לאדמה ישבע לחם ואם לאו לא ישבע לחם.

Talmud Sanhedr. Fol. 89.

[Resh Lakish said: What is the meaning of what is written, "He who tills his ground shall have plenty of bread" [Prov. 12:11]? If a person makes himself like a servant to the ground, he will have plenty of bread; and if not, he will not have plenty of bread.]

BT Sanhedrin 58b[174]

יגיע כפיך כי תאכל אשריך וטוב לך.

תהלים קכח, ב.

Nourish yourself from your labor; happy are you, it is well with you.

Ps. 128:2

III. Health. Through work and movement of the limbs one keeps the body in its healthy condition.

רב ששת הוי עסק בכשורא אמר גדולה מלאכה שמחממת את בעליה.

Talmund Gitin. Fol. 66.

[Rav Sheshet used to busy himself carrying beams; he said: Great is labor, for it warms the one who does it.]

BT Gittin 67b[175]

מתוקה שנת העובד אם מעט ואם הרבה יאכל והשבע לעשיר איננו מניח לו לישון.

קהלת ה, יא.

Sweet is the sleep of the laborer, whether he eats much or little, while abundance grants the rich man no sleep.

Eccl. 5:11

158. What does it mean to lead a moral life?

Answer. I. That we carefully guard ourselves against all passions.

[174]Printed "Fol. 89"; the passage is at Sanhedrin 58b.

[175]Printed "Talmund Gitin. Fol. 66"; the passage is at Gittin 67b.

איזהו גבור הכובש את יצרו שנאמר טוב ארך אפים מגבור ומושל ברוחו מלכד עיר.

Aboth. 4, 1.

[Who is mighty? He who conquers his inclination, as it is said: "One who is slow to anger is better than the mighty, and one who rules his spirit than one who captures a city" [Prov. 16:32].]

Mishnah Avot 4:1

[120]

תאוה נהיה תערב לנפש ותועבת כסילים סור מרע.

משלי יג, יט.

To suppress passion is the soul's delight; only fools abhor turning back from evil.

Prov. 13:19[176]

II. That we have no self-love or selfishness.

ואל תאמן בעצמך עד יום מותך.

Aboth 2, 5.

[And do not trust in yourself until the day of your death.]

Mishnah Avot 2:4[177]

אל תהי חכם בעיניך ירא את ה׳ וסור מרע.

משלי ג, ז.

Do not consider yourself wise; fear God and shun evil.

Prov. 3:7

III. That we are not ambitious or proud.

רבי יוחנן אמר כל מי שיש בו גסות הרוח כאלו כופר בעיקר.

Talmud Sota Fol. 4, 2.

[Rabbi Yochanan said: Whoever has haughtiness of spirit is as though he denied the fundamental principle (of faith).]

BT Sotah 4b

תועבת ה׳ כל גבה לב.

משלי יו, ה.

Arrogance is an abomination to the Eternal.

Prov. 16:5[178]

[176]Behr takes תאוה נהיה as "passion overcome"; the phrase is usually understood as "desire fulfilled" ("desire fulfilled is sweet to the soul").

[177]2:5 in Behr's edition, 2:4 in the standard division; the saying is Hillel's.

[178]The Hebrew reference is printed "יו" for the usual "טז" (16).

IV. That we never fall into anger, and that we bear even the adversities of life with patience, gentleness and composure.

כל הכועס כאלו עובד ע״ז וכל הכועס אם חכם חכמתו מסתלקת ממנו.

Talmud Psach. Fol. 66, 2.

[Whoever is angry is as though he worshipped idols; and whoever is angry — if he is a sage, his wisdom departs from him.]

BT Pesachim 66b[179]

[121]

כי לאויל יהרג כעש ופתה תמית קנאה.

איוב ה, ב.

Only the fool is killed by his anger; only the simple is brought to his death by envy.

Job 5:2

אל תבהל ברוחך לכעוס כי כעס בחיק כסילים ינוח.

קהלת ז, ט.

Do not be hasty with angry arrogance; for anger rests only in the bosom of fools.

Eccl. 7:9

מוסר ה׳ בני אל תמאס ואל תקץ בתוכחתו. כי את אשר יאהב ה׳ יוכיח וכאב את בן ירצה.

משלי ג, יא — יב.

My son! Do not think lightly of God’s chastening; do not murmur when He punishes you. The Eternal chastises only out of love, like a father who wishes to improve his son.

Prov. 3:11–12

V. That we never speak an untruth, and that we faithfully keep every word we have uttered, whether to God or to a human being.

רבי יוסי בר יהודא אמר מה ת״ל הין צדק והין בכלל איפה היא אלא לומר לך שיהא הן שלך צדק ולאו שלך צדק וכו׳.

Tal. Baba mez. Fol. 49.

[Rabbi Yose bar Yehudah said: What does Scripture teach by “a just hin” [Lev. 19:36]? Is not the hin included in the ephah? Rather, it is to tell you that your “yes” should be just and your “no” should be just, etc.]

BT Bava Metzia 49a[180]

[179]Only the second clause is in Pesachim 66b; the first is from BT Shabbat 105b (cf. Maimonides, Laws of Character Traits 2:3).

[180]A play on הין (hin, a liquid measure) and הן (“yes”).

מוצא שפתיך תשמר ועשית.

הדברים כג, כה.

What has once gone out from your lips you must carefully observe.

Deut. 23:24[181]

מדבר שקר תרחק.

שמות כג, ז.

Keep away from every false matter.

Exod. 23:7

[122] VI. That we keep away from evil company; for it corrupts the heart and the morals of a person and leads to every vice. But we should always seek the company of the pious and the wise.

מצות עשה להדבק בחכמים ותלמידיהם כדי ללמוד ממעשיהם כענין שנאמר ובו תדבק וכי אפשר לאדם להדבק בשכינה אלא כך אמרו חכמים בפירוש מצוה זו הדבק בחכמים ותלמידיהם.

Maim. Hilch. Deoth. 6, 2.

[It is a positive commandment to cleave to the sages and their disciples in order to learn from their deeds, as it is said: "And to Him shall you cleave" [Deut. 10:20]. But is it possible for a person to cleave to the Divine Presence? Rather, thus the sages said in explaining this commandment: Cleave to the sages and their disciples.]

Maimonides, Laws of Character Traits 6:2

אשרי האיש אשר לא הלך בעצת רשעים ובדרך חטאים לא עמד ובמושב לצים לא ישב.

תהלים א, א.

Hail to the man who does not walk in the counsel of the wicked, who never trod the way of sinners, never sat where scoffers sit.

Ps. 1:1

הולך את חכמים וחכם ורעה כסילים ירוע.

משלי יג, כ.

Whoever keeps company with the wise becomes wise; whoever attaches himself to fools will come to ruin.

Prov. 13:20

159. Do we also have to look after our soul?

Answer. Yes, namely: that we strive to develop all the faculties that lie in the soul.

[181]Both printed references give verse 25; in the Hebrew Bible the verse is 23:24 (23:23 in English versions).

160. How can we attain this development?

Answer. If we, through diligent study of our laws and also [123] of other sciences, broaden our knowledge as far as possible.[182]

כל היודע לחשוב בתקופות ומזלות ואינו מחשב עליו הכתוב אומר והיה כנור ונבל תוף וחליל ויין משתיהם ואת פועל ה׳ לא יביטו.

Talm. Schab. 75, 1.

> [Whoever knows how to calculate the cycles of the seasons and the courses of the planets and does not do so — of him Scripture says: "The lyre and harp, timbrel, flute and wine are at their feasts, but they do not regard the work of the Eternal" (Isa. 5:12).]
>
> *BT Shabbat 75a*[183]

Third Section: On Duties toward One's Fellow Human Beings

161. How do we divide the duties toward our fellow human beings?

Answer. I. Into duties toward our parents.

II. Into duties toward our teachers.

III. Into duties toward our king, prince and his officials.

IV. Into duties toward the sage and the aged. Finally,

V. Into duties toward every human being without distinction.

[124] I. On Duties toward Parents

162. Why do we have special duties toward our parents?

Answer. Because the benefits that parents confer on their children are countless. How many hardships do they not have with them from birth onward! The mother cares for her children unceasingly. The father provides for their food, care, clothing and other needs. He takes pains to give them a good education. He looks after their advancement and has them instructed in a craft or other branch of trade.

[182] Behr's German sentence runs across the page break ("unserer Gesetze, und auch an- / derer Wissenschaften so viel als möglich erweitern"); its object, "our knowledge," stands earlier in the sentence. The English has been recast as one sentence.

[183] The quotation runs from p. 122 onto p. 123. The Talmud applies the verse to one who could study astronomy and neglects it — Behr's warrant for the study of "other sciences."

163. What are the duties toward our parents?

Answer. I. To honor them; always to remember with grateful feeling the benefits they have shown us, to do everything that gives them joy, to promote their prosperity as far as we possibly can, and to carry out at once everything they ask.

כבוד אב ואם מצות עשה גדולה היא וכו׳ איזהו כיבוד מאכיל ומשקה מלביש ומכסה משל האב וכו׳. וזן אביו ואמו כפי מה שהוא יכול וכו׳.

Maimonid. Hichoth Mamrim 6, 1 — 4.

[Honoring father and mother is a great positive commandment, etc. What is honor? He gives him food and drink, clothes and covers him, at the father's expense, etc. And he supports his father and mother as far as he is able, etc.]

Maimonides, Laws of Rebels 6:1–4[184]

כבד את אביך ואת אמך למען יארכון ימיך.

שמות כ, יב.

Honor your father and your mother, so that you may live long.

Exod. 20:12

[125] II. To cherish reverence and esteem for them, never to contradict them, and even to accept their punishments calmly and composedly.

מורא לא עומד במקומו ולא יושב במקומו ולא סותר את דבריו ולא מכריע את דבריו ולא יקרא בשמו לא בחייו ולא במותו.

Maim. Hilch. Mam. 6, 3.

[Reverence: one does not stand in his place, nor sit in his place, nor contradict his words, nor decide between his words and another's, nor call him by his name, either in his lifetime or after his death.]

Maimonides, Laws of Rebels 6:3

איש אמו ואביו תיראו.

ויקרא יט, ג.

Let everyone have reverence for his father and his mother.

Lev. 19:3[185]

[184]"Hichoth" is a misprint for "Hilchoth." The last clause ("he supports his father and mother as far as he is able") is not in Maimonides' wording, which holds that a son may be compelled to support a needy parent (6:3); Behr's Hebrew summarizes.
[185]The Hebrew names the mother first; Behr's German reverses the order.

164. What duties do parents have toward their children?

Answer. To feed their children and give them a good education; to have them instructed early in the laws and duties, and, as soon as they are sufficiently acquainted with these, to have them learn some craft or other branch of livelihood.

האב חייב בבנו למולו ולפדותו וללמדו תורה ולהשיאו אשה וללמדו אומנות.

Talm. Kidusch. Fol. 29, 1.

[The father is obliged, with respect to his son, to circumcise him, to redeem him, to teach him Torah, to marry him to a wife, and to teach him a craft.]

BT Kiddushin 29a

באושא התקינו שיהא אדם זן את בניו ואת בנותיו כשהן קטנים.

Talm. Ketubot Fol. 49, 2.

[At Usha they enacted that a man should support his sons and his daughters while they are minors.]

BT Ketubot 49b[186]

כי ידעתיו למען אשר יצוה את בניו ואת ביתו אחריו ושמרו דרך ה׳ לעשות צדקה ומשפט.

בראשית יח, יט.

For I have chosen him (Abraham) as a friend, and know that he will command his children and his household after him to keep the way of the Eternal, to practice virtue and justice.

Gen. 18:19[187]

[126]

חושך שבטו שונא בנו ואהבו שחרו מוסר.

משלי יג, כד.

Whoever withholds the rod from his child hates it; whoever loves his child chastises it early.

Prov. 13:24

II. On Duties toward the Teacher

165. For what reason do we have special duties toward our teacher?

Answer. Because, after our parents, our teacher is our greatest benefactor; for he teaches us to know our duties and gives us help in forming our understanding.

[186]Usha in Galilee was the seat of the rabbinic court after the Bar Kokhba revolt (mid-2nd century).

[187]Behr renders ידעתיו ("I have known him") as "I have chosen him as a friend," and צדקה as "virtue."

166. What duties do we have toward our teacher?

Answer. We must meet our teacher with reverence and esteem, and have love and gratitude for him.

רבי אליעזר בן שמוע אומר יהי כבוד תלמידך חביב עליך כשלך וכבוד חבירך כמורא רבך ומורא רבך כמורא שמים.

Aboth 4, 15.

[Rabbi Elazar ben Shammua says: Let the honor of your pupil be as dear to you as your own, the honor of your fellow as the reverence for your teacher, and the reverence for your teacher as the reverence for Heaven.]

Mishnah Avot 4:12[188]

167. Does the teacher have no duties toward his pupil?

Answer. Great and holy duties. To him is entrusted the education of the [127] heart and mind of his pupils. He must apply every effort to form and ennoble them and to acquaint them with their duties, so that they can become useful and capable people. He must go before them with the best example, so that they may always have in him a mirror of the good. He must therefore never fall into anger, nor be impatient if the pupils ask about one subject a hundred times. Nor may he prefer the children of the rich to the children of poor parents. With him, as with God, the pupils must all be equal, without distinction.

מלמד התינוקות שהוא מניח התינוקות ויוצא או שהוא עושה מלאכה אחרת עמהן או מתרשל בלימודן הרי זה בכלל ארור עושה מלאכת ה׳ ברמיה לפיכך אין ראוי׳ להושיב מלמד אלא בעל יראה מהיר לקרות ולדקדק.

Maimon Hilchoth. Talmud Thora 2, 3.

[A teacher of children who leaves the children and goes out, or who does other work while with them, or who is negligent in teaching them, falls under “Cursed is he who does the work of the Eternal deceitfully” [Jer. 48:10]. Therefore it is not fitting to appoint as teacher anyone but a God-fearing man, quick at reading and precise.]

Maimonides, Laws of Torah Study 2:3

כשם שהתלמידים חייבין בכבוד הרב כך הרב צריך לכבד את תלמידיו ולקרבן וכך אמרו חכמים יהי כבוד תלמידך חביב עליך כשלך וצריך אדם להזהר בתלמידיו ולאוהבם שהם הבנים המהנים לעולם הזה ולעולם הבא.

Maimon. Das. 5, 12.

[Just as pupils are obliged to honor their teacher, so the teacher must honor his pupils and draw them near; and so the sages said: “Let the honor of your pupil be as dear to

[188] Numbered 4:15 in some older editions; 4:12 in the standard numbering.

you as your own" [Avot 4:12]. A person must take care of his pupils and love them, for they are the children who bring delight in this world and in the world to come.]

Maimonides, ibid. 5:12

III. On Duties toward King, Prince and His Officials

168. Why are we especially obligated to the king and prince?

Answer. Because every well-ordered civil society must have a head — to whom the entire administration of the state[128] is entrusted, who protects the state against hostile attacks, decides on war and peace, establishes great and important institutions for the welfare of society, spreads right and justice through wise and strict laws, and secures public peace and order — our God has prescribed for us special duties toward this sanctified person, who, as it were, represents God on earth (רב ששת אמר מלכותא דארעא כעין מלכותא דרקיעא). Our own welfare, then, and gratitude bind us to those duties.[189]

תועבת מלכים עשות רשע כי בצדקה יכון כסא.

משלי יו, יב.

Unjust actions are an abomination to princes; for only through justice do they protect the throne.

Prov. 16:12[190]

169. What duties do we have toward rulers?

Answer. I. To have love, esteem, devotion and attachment toward their person.

כבוד גדול נוהגין במלך ומשימין לו אימה ויראה בלב כל אדם שנאמר שום תשים שתהא אימתו עליך.

Maimon. Hilchoth. Melachim 2, 1.

[Great honor is shown to the king, and awe and fear of him are instilled in the heart of every person, as it is said: "You shall surely set [a king over you]" [Deut. 17:15] — that his awe be upon you.]

Maimonides, Laws of Kings 2:1

II. To render loyalty and obedience to all their laws.

רשות יש למלך ליתן מס על העם לצורכיו או לצורך המלחמות וקוצב לו מכס ואסור להבריח מן המכס.

Maim. Das. 4, 1.

[The king has the right to impose a tax on the people for his needs or for the needs of war; he fixes customs duties for himself, and it is forbidden to evade the customs.]

Maimonides, ibid. 4:1

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[189] "Rav Sheshet said: The kingship of earth is like the kingship of Heaven" (BT Berakhot 58a).

[190] The Hebrew reference is printed "יו" for the usual "טז" (16).

[129]

ירא את ה׳ בני ומלך עם שונים אל תתערב.

משלי כד, כא.

Fear God, my son, and the king, and do not mingle with agitators.

Prov. 24:21

אני פי מלך שמור ועל דברת שבועת אלהים.

קהלת ח, ב.

Observe the king's command, and that for the sake of the oath you have sworn by God.

Eccles. 8:2

170. Do we still have duties toward our sovereign now, when our fellow believers no longer have a king of their own and we live among other nations?

Answer. Exactly the same, without any exception; and not only in the states where we have been restored to the rights of humanity and made equal to all other citizens, but also in those where we live merely under the protection and security of the law and are permitted the free and undisturbed exercise of our religion. A formula of blessing (ברכה) is even prescribed for us on seeing our sovereign. (See § 59, III.)

השבעתי אתכם בנות ירושלים בצבאות או באילו׳ השדה וכו׳ מכאן שהשביע הקב״ה את ישראל שלא ימרדו באומת העולם.

Talmud Ketub. 111.

["I adjure you, O daughters of Jerusalem, by the gazelles or by the hinds of the field," etc. [Song 2:7]. From here [we learn] that the Holy One, blessed be He, made Israel swear that they would not rebel against the nations of the world.]

BT Ketubot 111a

הוי מתפלל בשלומה של מלכות שאלמלא מוראה איש את רעהו חיים בלעו.

Aboth 3, 2.

[Pray for the welfare of the government; for were it not for the fear of it, people would swallow one another alive.]

Mishnah Avot 3:2[191]

171. Why do we also have special duties toward the officials of the prince?

Answer. Because the prince alone cannot possibly attend to all the business of the state, and he chooses the most [130] noble-minded and most discerning men in the land as his assistants, who partly draft laws and partly administer the existing ones. We therefore owe such servants of

[191] A saying of Rabbi Hanina, the deputy high priest.

the state and their ordinances the same unconditional obedience as to the prince himself, and all their ordinances and institutions must be followed most exactly.

172. For what purpose has God imposed these laws on us, since the laws of the land already oblige us to this and have fixed a punishment in case of transgression?

Answer. Because man judges only by appearance, but God by the heart. Every prince punishes evildoers, thieves, men of violence, robbers and murderers, but he cannot punish secret crimes. He is a human being and can be deceived and misled; therefore God has commanded us these duties toward the prince and his laws. What, then, could it profit us to deceive the prince or his officials? How can we still believe that we may refuse obedience to the duties and laws of the state secretly or with impunity, when God, who tries the heart and the reins, and from whom we can hide nothing, leaves no crime against His holy laws unpunished?

גם במדעך מלך אל תקלל.

קהלת י, כ.

Do not curse kings, even in your thoughts.

Eccles. 10:20

האדם יראה לעינים וה׳ יראה ללבב.

שמואל א, יו, ז.

Man sees only what meets the eye, but God looks into the heart.

1 Sam. 16:7[192]

[131] IV. On Duties toward the Sage and the Aged

173. What do we need sages (חכמים) for?

Answer. Given the wide extent of our divine laws, it is impossible for every Israelite to master all the commandments with all their ramifications. It is therefore necessary that individual men, to whom God has granted special gifts of mind, occupy themselves exclusively with the study of the Law and devote their whole life to this occupation.

174. But what use is this to the rest of the people?

Answer. They, whom we call sages (תלמידי חכמים), are obliged to instruct the others publicly in the laws and duties on Sabbaths and festivals, and to encourage them to good deeds. They must further watch over the moral life of the others and take care for the good education of the young. Finally, in doubtful cases they must give information about the Law and its precepts to anyone who asks, at any time.

[192]The Hebrew chapter number is printed "יו" for the usual "טז" (16).

175. What duties, then, do we have toward our sages?

Answer. To honor them and to love them. Their words must be sacred to us; and since they have devoted their time [132] to the divine Law, we in turn must provide them with all the necessities of life and free them from all burdens.

כל תלמיד חכם מצוה להדרו ואע״פ שאינו רבו שנאמר מפני שיבה תקום והדרת פני זקן זקן זה שקנה חכמה.

Maimon. Hilchoth. Talmud Thora 6, 1.

[It is a commandment to honor every Torah scholar, even if he is not one's own teacher, as it is said: "You shall rise before the hoary head and honor the face of the elder (זקן)" [Lev. 19:32] — "elder" means one who has acquired wisdom.]

Maimonides, Laws of Torah Study 6:1[193]

176. Do we also have these duties toward the sages of other faiths?

Answer. Certainly; for however active and watchful the prince and all his officials may be, and however good and wise the arrangement of the laws, they are nevertheless not sufficient to prevent the evils that are committed in secret. Only when the fear of God and good morals are spread generally does happiness dwell among human beings. For this purpose the state has formed special societies, whose endeavor is directed solely, on the one hand, to enlightening the human mind through correct concepts and useful knowledge, and, on the other, to enlivening the feeling for what is right, beautiful and noble, and to attuning the heart to godly sentiments. These have therefore divided into various branches: some occupy themselves with theology, others with medicine, some with natural science, others with mathematics, etc.; but all contribute very much to the welfare of human society, and quietly and inwardly they accomplish the same thing that the laws, the judges and the officials achieve outwardly. We must therefore love, respect and honor them, and a blessing is even prescribed for us when we see a sage of another faith. (§ 59.)[194]

177. What duties do we have toward the aged?

Answer. An old man, even one who is not learned, we must [133] honor; for by virtue of the long series of his years he has come to understand God's deeds and His wonders better than the younger world, and we can learn much from him.

[193]The reading of זקן as זה שקנה חכמה ("one who has acquired wisdom") is from BT Kiddushin 32b.

[194]Behr's "societies" (Gesellschaften) evidently means learned bodies such as universities and academies, with their faculties of theology, medicine, natural science and mathematics.

מי שהוא זקן מופלג בזקנה אע״פ שאינו חכם עומדין לפניו ואפילו זקן עכו״ם מהדרין אותו בדברי׳ ונתנו לו יד לסמכו שנא׳ מפני שיבה תקום.

Maimon. Das. 9.

[One who is very advanced in age, even if he is not a sage, is risen for; and even an aged gentile is honored with words, and one gives him a hand to support him, as it is said: "You shall rise before the hoary head" [Lev. 19:32].]

Maimonides, ibid. 6:9[195]

V. On Duties toward Every Human Being without Distinction

178. What is the fundamental law of the duties we have toward every human being?

ואהבת לרעך כמוך.

ויקרא יט, יח.

Love your neighbor as yourself.

Lev. 19:18

This is at the same time the foundation of our entire religion. From it there now arise two kinds of duties: duties toward the person of our fellow human being, and duties toward his property.

מעשה בנכרי אחד שאמר גיירני ע״מ שתלמדני כל התורה כולה כשאני עומד על רגל אחת אמר ליה דעלך סני לחברך לא תעביד זו היא כל התורה כולה ואידך פירושא הוא זיל גמור.

שבת לא.

A heathen who wished to go over to Judaism came to Rabbi Hillel and said to him: Teach me the whole Law while I stand on one foot. — "What you[134] do not like from another," Hillel answered him, "do not do to him either." This is our whole Law; all the rest is only commentary; go and learn.

BT Shabbat 31a[196]

On Duties toward the Person of One's Fellow Human Being

179. How many principal duties do we have toward the person of our fellow human being?

Answer. Sixteen principal duties.

[195]The printed reference gives only the paragraph number (9) of chapter 6. Maimonides reads ונותנין ("one gives") for the printed ונתנו. עכו״ם (literally "star- and planet-worshipper") is the censored printers' term for a gentile.

[196]The German column gives the reference as "Talmud Schabbath Fol. 31." In the Talmud the heathen first goes to Shammai, who drives him away; Behr's Hebrew omits this. Hillel's answer is in Aramaic: "What is hateful to you, do not do to your fellow; that is the whole Torah, and the rest is its commentary; go and learn."

180. What does the first of these duties command?

Answer. To spare the life of our fellow human beings. We may not kill even an animal unless its death either brings some benefit or prevents some harm; indeed, we may not cut down a fruit-bearing tree without necessity. How much more, then, is the life of a human being, the image of God, to be [135] respected? Therefore we may not only not kill any human being; even the slightest injury or mutilation of his body is a great sin. Only the judge is permitted to have put to death one who has forfeited his life through a crime.

ומוזהרין ב״ד שלא ליקח כופר מן הרוצח ואפילו נותן כל ממון שבעולם ואפי׳ רצה גואל הדם לפוטרו שאין נפשו של זה הנהרג קניין גואל הדם אלא קניין הקב״ה שנאמר ולא תקחו כפר לנפש רוצח ואין לך דבר שהקפידה תורה עליו כשפיכות דמים שנאמר ולא תחניפו את הארץ וגו׳ כי הדם הוא יחניף את הארץ ולארץ לא יכופר לדם אשר שפך בה כי אם בדם שופכו וכו׳.

Maimonid. Hilch. Rozeach 1, 4.

> [The court is warned not to take ransom from a murderer, even if he offers all the money in the world, and even if the avenger of blood wishes to release him; for the life of the slain man is not the property of the avenger of blood but the property of the Holy One, blessed be He, as it is said: "You shall take no ransom for the life of a murderer" [Num. 35:31]. There is nothing about which the Torah is so strict as bloodshed, as it is said: "You shall not pollute the land," etc., "for blood pollutes the land, and no expiation can be made for the land for the blood that is shed in it, except by the blood of him who shed it," etc. [Num. 35:33].]
>
> *Maimonides, Laws of Murder and Preservation of Life 1:4*

ואך את דמכם לנפשתיכם אדרש מיד כל חיה אדרשנו ומיד האדם מיד איש אחיו אדרש את נפש האדם. שפך דם האדם באדם דמו ישפך.

בראשית ט, ה — ז.

> Also I will require your blood, on which your life depends; from the hand of every living thing will I require it, from the hand of man, and from the hand of every brother will I require the life of man. Whoever sheds human blood, his blood shall in turn be shed by men.
>
> *Gen. 9:5–6*[197]

181. What is the second of these duties?

Answer. When we see our fellow human being hovering in mortal danger, we are obliged to rescue him.

[197] Both the Hebrew and the German references read 9:5–7, but the text printed ends with v. 6.

הרואה את חבירו טובע בים וכו׳ ויכול להצילו וכו׳ ולא הציל וכו׳ עובר על לא תעמד על דם רעך.

Maimon. Das. 14.

[One who sees his fellow drowning in the sea, etc., and is able to save him, etc., and does not save him, etc., transgresses "You shall not stand by the blood of your neighbor" [Lev. 19:16].]

Maimonides, ibid. 1:14[198]

[136]

לא תעמד על דם רעך.

ויקרא יט, יו.

Do not stand back when your neighbor is in danger.

Lev. 19:16[199]

182. What does the third duty forbid?

Answer. That we bear a grudge in our heart against our fellow human beings.

לא תשנא את אחיך בלבבך.

ויקרא יט, יז.

Do not hate your brother in your heart.

Lev. 19:17

כשיחטא איש לאיש לא ישטמנו וישתוק אלא מצוה עליו להודיעו ולומר לו למה עשית לי כך וכך ולמה חטאת לי בדבר פלוני ואם חזר ובקש ממנו למחול לו צריך למחול ולא יהיה המוחל אכזרי.

Maim. Hilch. Deoth 6, 6.

When a person wrongs his fellow human being, the latter may not bear him a grudge in his heart, nor hate him; rather it is a duty to call him to account: Why have you done this to me? — and then to forgive him.

Maimonides, Laws of Character Traits 6:6[200]

183. What is the fourth duty?

לא תקם ולא תטר.

ויקרא יט, יח.

You shall not take revenge, nor harbor hatred.

Lev. 19:18

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[198]The printed reference gives only the paragraph number (14) of chapter 1.

[199]The Hebrew verse number is printed "יו" for the usual "טז" (16).

[200]Behr's German summarizes. The Hebrew reads: "When one person sins against another, the other should not hate him and keep silent … rather it is a commandment to let him know and say to him, 'Why did you do such-and-such to me, and why did you wrong me in this matter?' And if he turns back and asks him to forgive him, he must forgive, and the one forgiving should not be cruel."

[137]

הנוקם מחבירו עובר בלא תעשה ודיעה רעה היא עד מאוד אלא ראוי לו לאדם להיות מעביר על מדותיו על כל דברי העולם וכו׳ וכן כל הנוטר עובר בלא תעשה לא יאמר הריני משאילך ואיני כמותך לא אשלם לך כמעשיך אלא ימחה הדבר מלבו ולא יטרנו וכו׳. וזו היא הדיעה הנכונה שאפשר שיתקיים בה ישוב הארץ ומשאם ומתנם של בני האדם זה עם זה.

Maimon. Hilchoth Deoth 7, 7.

> Whoever takes revenge has transgressed the law "You shall not take revenge," and is therefore a great sinner, for everyone must be forgiving. Likewise, whoever merely remembers the offense has acted against this law. Therefore no one may say: See, I lend to you, although you lent me nothing — do not repay like with like; rather, one must banish what has happened entirely from one's heart.
>
> *Maimonides, Laws of Character Traits 7:7*[201]

184. What does the fifth duty forbid?

Answer. To put any human being to shame.

המלבין פני חבירו ברבים אין לו חלק לעולם הבא לפיכך צריך אדם להזהר שלא לבייש חבירו ברבים בין קטן ובין גדול ולא יקרא לו בשם שהוא בוש ממנו. ולא יספר לפניו דבר שהוא בוש ממנו.

Maimon. Das. 6, 8.

> Whoever puts his fellow human being to shame publicly forfeits his salvation. Therefore everyone must take particular care not to shame anyone, from the most distinguished to the lowliest, and not to call anyone by a name of which he is ashamed.
>
> *Maimonides, ibid. 6:8*[202]

185. What is the sixth duty?

לא תלך רכיל בעמך.

ויקרא יט, טז.

> Do not go about as a slanderer among the people.
>
> *Lev. 19:16*

[138]

[201] Behr's German paraphrases; his "do not repay like with like" is the Hebrew "I am not like you; I will not repay you according to your deeds." The Hebrew closes: "This is the right disposition, by which the settled life of the land and people's dealings with one another can endure."

[202] Behr renders "has no share in the world to come" as "forfeits his salvation." The Hebrew adds: "nor relate in his presence a matter of which he is ashamed." The opening saying is from Mishnah Avot 3:11.

המרגל בחברו עובר בלא תעשה שנאמר לא תלך רכיל בעמך ודבר זה עון גדול הוא וגורם להרוג נפשות רבות לכך נסמך לו ולא תעמוד על דם רעך. צא ולמד מה אירע לדואג האדומי. אי זהו רכיל זה שטוען דברים והולך מזה לזה ואומר כך אמר פלוני כך וכך שמעתי על פלוני אע״פ שהוא אמת הרי זה מחריב העולם.

Maimen. Das. 7.

> Whoever slanders his fellow human being has transgressed the law "Do not go about as a talebearer among the people"; and this is one of the greatest sins and often causes bloodshed. Therefore Holy Scripture places this law beside the law "Do not stand back when your neighbor is in danger." Take to heart the story of Doeg the Edomite (1 Sam. 22:9–20).
>
> *Maimonides, ibid. 7:1–2*[203]

186. What does the seventh duty forbid?

Answer. To give anyone evil counsel.

ולפני עור לא תתן מכשול.

ויקרא יט, יד.

> You shall put a stumbling-block in no one's way.
>
> *Lev. 19:14*[204]

ולפני עור לא תתן מכשול לפני סומא בדבר היה נוטל בך עצה אל תתן לו עצה שאינו הוגנות לו.

Thorath Kohanim.

> If someone asks you for advice, do not advise him to his disadvantage.
>
> *Sifra, Kedoshim 2:14 (on Lev. 19:14)*[205]

187. What does the eighth of these duties command?

Answer. That we must clear out of the way everything that can cause danger to our fellow human being.

[139]

[203]"Maimen." is a misprint for "Maimon."; the passage is chapter 7, paragraphs 1–2. Behr's German omits the closing definition: "Who is a talebearer? One who collects tales and goes from one person to another, saying, 'So-and-so said this; I heard such-and-such about so-and-so' — even if it is true, he destroys the world."

[204]The Hebrew reads "before the blind."

[205]Torat Kohanim is the halakhic midrash Sifra on Leviticus. The Hebrew: "'Before the blind you shall not put a stumbling-block' — before one who is blind in a matter: if he takes counsel with you, do not give him advice that is not fitting for him." The print's שאינו הוגנות is a misprint for שאינה הוגנת.

ולא תשים דמים בביתך.

הדברים כב, ח.

You shall bring no blood-guilt upon your house.

Deut. 22:8[206]

מכשול שיש בו סכנת נפשות מצות עשה להסירו ולהשמר ממנו ולהזהר בדבר יפה יפה שנאמר השמר לך ושמור נפשך ואם לא הסיר והניח המכשולות המביאין לידי סכנה ביטל מצות עשה ועבר בלא תשים דמים בביתך.

Maimon. Hilchoth. Rozeach 11, 4.

We are obliged to remove everything that brings danger; for it says in Holy Scripture: "Guard yourself and your life well" [Deut. 4:9]. But whoever does not remove it, or even lays something dangerous in the way, has transgressed this commandment and also that one: "You shall bring no blood-guilt upon your house."

Maimonides, Laws of Murder and Preservation of Life 11:4[207]

188. What does the ninth duty forbid?

Answer. To strike any human being.

כל המכה אדם מישראל בין קטן בין גדול בין איש בין אשה עובר בלא תעשה אפילו להגביה ידו על חבירו אסור וכל המגביה ידו על חבירו אע״פ שלא הכהו ה״ז רשע.

Maimon. Hilchoth Chobel umasik 5, 1 — 3.

Even to raise one's hand against one's fellow human being is forbidden; and whoever raises his hand against his fellow human being, even if he does not strike him, is already called wicked by Holy Scripture.

Maimonides, Laws of Wounding and Damaging 5:1–2[208]

189. What is the tenth duty?

לא תקלל חרש.

ויקרא יט, יד.

You shall curse no one (no deaf person).

Lev. 19:14

[140]

[206]The Hebrew reference is misprinted "הדברים" for "דברים."

[207]Behr's "or even lays something dangerous in the way" goes beyond the Hebrew, which speaks only of one who leaves dangerous obstacles in place.

[208]Behr's German omits the opening clause: "Whoever strikes an Israelite, whether minor or adult, man or woman, transgresses a prohibition." The scriptural basis for "wicked" is Exod. 2:13 (BT Sanhedrin 58b).

המקלל את חברו לוקה שנאמר לא תקלל חרש ולמה נאמר חרש שאפילו זה שאינו שומע ולא נצטער בקללה זו לוקה על קללתו וכו׳. המקלל עצמו עובר על לא תעשה כמו שקלל אחרים שנאמ׳ השמ׳ לך ושמור נפשך וכו׳.

Maimon. Hilchoth Sanhedrin 26, 1 — 4.

> Whoever curses his fellow human being has transgressed the law "You shall curse no deaf person"; and Holy Scripture speaks of the deaf for this reason, to indicate that even if he does not hear it, and so feels no hurt, it is nevertheless forbidden.
>
> *Maimonides, Laws of the Sanhedrin 26:1–3*[209]

190. What does the eleventh duty forbid?

Answer. To deceive any human being with words.

ולא תונו איש את עמיתו.

ויקרא כה, יז.

> You shall not deceive one another.
>
> *Lev. 25:17*

אסור לאדם להנהיג עצמו בדרך חלקות ופיתוי ולא יהיה אחד בפה ואחד בלב אלא תוכו כברו והענין שבלב הוא הדבר שבפה ואסר לגנוב דעת הבריות ואפילו דעת העכו״ם.

Maimon. Hilchoth Deoth 2, 6.

> Every human being is strictly forbidden to be double-tongued; nor may the mouth say anything other than what the heart thinks. We may not deceive any human being with words, not even the heathen.
>
> *Maimonides, Laws of Character Traits 2:6*[210]

הוי רודף שלום ודן את האדם לכף זכות.

Maimon. Hilchoth Deoth 5. 7.

> To make peace and to judge every human being favorably is our duty.
>
> *Maimonides, Laws of Character Traits 5:7*[211]

[141] **191. What does the twelfth duty forbid?**

Answer. To bear no false witness against our fellow human being.

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[209] The printed reference gives 26:1–4; the passage quoted is from 26:1 and 26:3. Maimonides says the curser "is flogged." Behr's German omits the Hebrew's last sentence: "One who curses himself transgresses a prohibition just as one who curses others, as it is said: 'Guard yourself and guard your soul' [Deut. 4:9]."

[210] "To deceive with words" renders the Hebrew idiom "to steal the mind (גנבת דעת)" of people. The print has ואסר for ואסור.

[211] Behr's Hebrew condenses Maimonides' wording, which echoes Mishnah Avot 1:6 ("judge every person favorably") and 1:12 ("love peace and pursue peace").

לא תענה ברעך עד שקר.

שמות כ, יג.

You shall testify nothing against your neighbor as a false witness.

Exod. 20:13[212]

מפיץ וחרב וחץ שנון איש ענה ברעהו עד שקר.

משלי כה, יח.

Like a war-hammer, a dagger and a sharpened arrow is the man who becomes a false witness against his neighbor.

Prov. 25:18

192. What does the thirteenth duty command?

Answer. To correct every human being in matters of conduct and morals — not, however, with harsh and offensive words, but with gentleness and sparing love, or through our own virtuous behavior.

הוכח תוכיח את עמיתך ולא תשא עליו חטא.

ויקרא יט, יז.

You shall reprove your neighbor (that is, when he has offended you), but do not bear the offense against him.

Lev. 19:17[213]

הרואה את חברו שחטא או שהולך בדרך לא טובה מצוה להחזירו למוטב וכו׳ — המוכיח את חברו בין בדברים שבינו לבין חברו בין בדברים שבינו לבין המקו׳ צריך להוכיחו בינו לבין עצמו וידבר לו בנחת ובלשון רכה ויודיעו שאינו אומר לו אלא לטובתו להביאו לחיי עה״ב ולא ידבר לו קשות עד שיכלימנו שנא׳ ולא תשא עליו חטא.

Maimon. Das. 6, 7 — 9.

Whoever sees his fellow human being straying from his duties is obliged to correct him — not publicly, however, but in private, in [142] gentle and sparing language, not with harshness. He must tell him that he does it only for his good and for the sake of his salvation; nor may he put him to shame; for this is what Holy Scripture means by the words: Do not bear the offense against him.

Maimonides, Laws of Character Traits 6:7–8[214]

[212]Exod. 20:16 in most English Bibles.

[213]The parenthesis is Behr's. The second clause is usually understood as "and do not incur sin because of him."

[214]The Hebrew applies the rule to offenses "between him and his fellow or between him and God (המקום)"; Behr's "salvation" renders "the life of the world to come."

193. What is the fourteenth duty?

וכי ימוך אחיך ומטה ידו עמך והחזקת בו גר ותושב וחי עמך.

ויקרא כה, לה.

> If your brother beside you becomes poor and lets his hand sink, you shall support him, so that even the stranger and the tolerated sojourner may live with you.
>
> *Lev. 25:35*[215]

חייבין אנו להזהר במצות צדקה יותר מן כל מצות עשה. כל הנותן צדקה לעני בסבר פנים רעות ופניו כבושות בקרקע אפילו נותן לו אלף זהובי׳ אבד זכותו והפסידה אלא נותן לו בסבר פנים יפות ובשמחה ומתאונן עמו על צרתו שנאמ׳ אם לא בכיתי לקשה רוח עגמה נפשי לאביון ומדבר לו דברי תחנונים שנא׳ ולב אלמנה ארנין.

Maimon. Hilchoth Mathnoth Anijim 10, 1 — 5.

> Of all duties, the foremost is to support the poor. But whoever gives to a poor man with vexation and unfriendliness, even if he gives him a thousand gold pieces, has still not fulfilled his duty. We must meet him with friendliness and take part in his distress. So it says in Holy Scripture (Job 30:25): "Did [143] I not weep with the embittered, and feel pain with the needy?"
>
> *Maimonides, Laws of Gifts to the Poor 10:1–5*[216]

194. What do the fifteenth and sixteenth of these duties command?

Answer. To visit the sick and to give him help and support; further,

To bury the dead honorably, and to observe the mourning prescribed for parents and blood relatives.

מצות עשה של דבריהם לבקר חולים ולנחם אבלים ולהוציא המת ולהתעסק בכל צרכי הקבורה ואלו הן גמילות חסדים שבגופו שאין להם שיעור.

Maimonid. Hilchoth Abel 14, 1.

> It is our duty to visit the sick, to comfort the mourners, and to bury the dead honorably. The reward of these benefactions is boundless with God.
>
> *Maimonides, Laws of Mourning 14:1*[217]

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[215] "Tolerated sojourner" renders Behr's "Geduldete," the legal term of his day for Jews admitted on sufferance, for תושב.

[216] Here Behr's German is a free summary of the Maimonides passage rather than a translation. The Hebrew ends with Job 29:13 ("I made the widow's heart sing"), quoted in Maimonides 10:5. In the quotation of Job 30:25 the print has לקשה רוח for the Masoretic לקשה יום ("for one whose day is hard").

[217] The Hebrew calls these a positive commandment "of their [the sages'] words," i.e. rabbinic, and "acts of lovingkindness done in person that have no fixed measure"; Behr turns "no fixed measure" into a boundless reward.

On Duties toward the Property of One's Fellow Human Being

195. On what are the duties toward the property of one's fellow human being founded?

Answer. On this: that the property and possessions of our fellow human being must be sacred to us. We may appropriate nothing [144] of it that he does not let come to us of his own good will and free decision. From this arise ten laws.

196. What does the first of these laws say?

לא תגנבו ולא תכחשו ולא תשקרו איש בעמיתו.

ויקרא יט, יא.

You shall not steal, nor shall one deny anything to another, nor lie.

Lev. 19:11

כל הגונב ממון משוה פרוטה ולמעלה עובר על ל״ת שנאמ׳ לא תגנבו ואחד הגונב ממון ישראל ואחד הגונב ממון עכו״ם עובר ע״ז ואחד הגונב את הגדול או את הקטן.

Maimon. Hilchoth. Geneba. 1, 2.

Whoever steals a penny has transgressed the law "You shall not steal," whether he has stolen it from an Israelite or a non-Israelite, from an adult or a child.

Maimonides, Laws of Theft 1:1[218]

197. What does the second of these laws forbid?

Answer. To deceive any human being.

אסור לרמו׳ את בני האדם במקח וממכר או לגנוב את דעתם ואחד עכו״ם ואחד ישראל שוים בדבר הזה היה יודע שיש בממכרו מום יודיעו ללוקח ואפילו לגנוב דעת הבריות בדברים אסור.

Maimon. Hilchoth mechira 18, 1.

It is strictly forbidden to deceive any person, whether he be an Israelite or not. If the seller knows that his goods have a defect, he must inform the buyer of it. He may not mislead him even with words.

Maimonides, Laws of Sale 18:1[219]

[218]The passage is in 1:1 in standard editions. The Hebrew reads "anything worth a perutah [the smallest coin] or more" and "transgresses a negative commandment ע״ז ".(ל״ת) apparently abbreviates על זה, "thereby."

[219]The Hebrew specifies deceit "in buying and selling" and "stealing their mind" (לגנוב את דעתם), i.e. creating a false impression.

[145] **198. What does the third of these laws say?**

וכי תמכרו ממכר לעמיתך או קנה מיד עמיתך אל תונו איש את אחיו.

ויקרא כה, יד.

> Whenever one of you sells something to another, or one buys something from another, you may not overreach one another, that is, sell an article at a far higher price, or buy it at a far lower price, than it is worth.
>
> *Lev. 25:14*[220]

199. What is the fourth of these laws?

לא יהיה לך בכיסך אבן ואבן גדולה וקטנה לא יהיה לך בביתך איפה ואיפה גדולה וקטנה. אבן שלמה וצדק יהיה לך למען יאריכו ימיך על האדמה אשר ה׳ אלהיך נתן לך כי תועבת ה׳ אלהיך כל עשה אלה כל עשה עול.

הדברים כה יג.

> Do not keep two kinds of weights in your bag, large and small. Do not keep two kinds of bushels in your house, large and small. Full and correct weight, as well as full and correct measure, you shall have; — for whoever does this, whoever practices injustice, is an abomination to the Eternal your God.
>
> *Deut. 25:13–16*[221]

השוקל לחברו במשקולת חסרות מן המשק׳ שהסכימ׳ עליו בני אותה המדינה או במדה חסרה הרי זה עובר בל״ת שנא׳ לא תעשו עול במשפט במדה במשקל ובמשורה — כל מי שמשהא בביתו או בחנותו מדה חסרה או משקל חסר עובר בל״ת שנאמר לא יהיה לך בכיסך וגו׳ שמא יבא מי שאינו יודע וימדוד בה.

Maimon. Hilchoth. Geneb. 7, 1 — 4.

> Whoever weighs with weights other than those introduced in the land has transgressed the law: "You shall do no injustice[146] in weight, nor injustice in ell and measure"; whoever keeps them in his house has violated the duty: "Do not keep in your bag, etc."; for someone could come who does not know them and weigh with them.
>
> *Maimonides, Laws of Theft 7:1–4*[222]

200. What does the fifth of these laws forbid?

Answer. To pay interest to any Israelite, or to take interest from him.

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[220] The explanation ("that is …") is Behr's addition, reflecting the rabbinic law of onaʾah (overcharging or underpaying).

[221] Both references give only v. 13; the passage runs to v. 16. The printed Hebrew omits the clause on the full and just ephah (v. 15); Behr's German supplies it but omits the promise of long life.

[222] The Hebrew speaks of weights or measures "short of the standard agreed upon by the people of that country," kept "in his house or his shop." The verses are Lev. 19:35 and Deut. 25:13.

כדרך שאסור להלות כך אסור ללות בריבית שנא׳ לא תשיך מפי השמועה למדו שזו אזהרה ללוה.

[no reference printed]

[Just as it is forbidden to lend at interest, so it is forbidden to borrow at interest, as it is said: "You shall not cause [your brother] to take interest" [Deut. 23:20]. From the oral tradition they learned that this is a warning to the borrower.]

Maimonides, Laws of Lender and Borrower 4:2[223]

לא תשיך לאחיך נשך כסף נשך אכל נשך כל דבר אשר ישך.

הדברים כג, כ.

You shall pay your brother no interest, neither on money, nor on produce, nor any other interest that leads to harm.

Deut. 23:20[224]

אל תקח מאתו נשך ותרבית ויראת מאלהיך וחי אחיך עמך. את כספך לא תתן לו בנשך ובמרבית לא תתן אכלך.

ויקרא כה, לו — לח.

You shall take neither interest nor increase from him, but fear your God and let your brother live beside you. Do not give him your money at interest, nor your provisions for increase.

Lev. 25:36–37[225]

[147] **201. What does the sixth of these laws command?**

Answer. That we should not often remind the poor man to whom we have lent money, and who is not in a position to pay us, about repayment.

אם כסף תלוה את עמי את העני עמך לא תהיה לו כנשה.

שמות כב, כד.

If you lend money to one of My people, namely to the poor man beside you, do not be toward him like a debt collector.

Exod. 22:24

[223]Behr prints no reference; the wording matches Maimonides, Laws of Lender and Borrower 4:2 (cf. BT Bava Metzia 75b).

[224]Behr follows the rabbinic reading of תשיך as addressed to the borrower ("you shall not pay interest"); "that leads to harm" plays on נשך, literally "bite."

[225]Both references give vv. 36–38; the quoted text is vv. 36–37.

כל הנוגש את העני והוא יודע שאין לו מה יחזיר לו עובר בל״ת שנא׳ לא תהיה לו כנושה אסור לאדם להראות לבעל חובו בזמן שידע שאין לו אפילו לעבור לפניו שלא יפחידו או יכלימו אע״פ שאינו תובעו וכן אסור ללוה לכבוש ממון חברו ואומר לו לך ושוב והוא שיש לו שנא׳ אל תאמר לרעך לך ושוב.

Maimonid. Hilchoth. Malwelow. 1, 2 — 4.

> Whoever presses the poor man for payment has transgressed the law: "Do not be toward him, etc." Even to show oneself to him often, or deliberately to pass by him, is forbidden. Likewise the debtor, if he is able to pay, may not withhold the money from his creditor, as it says in Holy Scripture: "Do not say to your neighbor: Go, and come back tomorrow, when you can already pay today."
>
> *Maimonides, Laws of Lender and Borrower 1:2–4*[226]

202. What does the seventh of these laws say?

לא תסיג גבול רעך.

הדברים יט יד.

> You shall not move your neighbor's boundaries from their place.
>
> *Deut. 19:14*

[148] **203. What does the eighth of these laws declare?**

Answer. That we are obliged, when we see the property of our fellow human being lying in an unsafe place, to bring it to safety and to deliver it to him.

השבת אבידה מצות עשה שנאמר השב תשיבם והרואה אבידה ונתעלם ממנה והניחה עובר בל״ת שנאמר לא תראה כו׳ ובטל מצות עשה ואם השיב׳ קיים מצות עשה.

Maimon. Hilchoth Gesela waabe 11, 1.

> [Returning lost property is a positive commandment, as it is said: "You shall surely return them" [Deut. 22:1]. Whoever sees lost property and ignores it and leaves it transgresses a negative commandment, as it is said: "You shall not see," etc. [Deut. 22:1], and has neglected a positive commandment; if he returns it, he has fulfilled a positive commandment.]
>
> *Maimonides, Laws of Robbery and Lost Property 11:1*

[226]The Hebrew limits the first rule to a creditor who knows the poor man has nothing to repay, and forbids even passing before him "lest he frighten or shame him." The verse is Prov. 3:28, freely expanded in Behr's German.

לא תראה את שור אחיך או את שיו נדחים והתעלמת מהם השב תשיבם לאחיך. ואם לא קרוב אחיך אליך ולא ידעתו ואספתו אל תוך ביתך והיה עמך עד דרוש אחיך אתו והשבתו לו. וכן תעשה לחמרו וכן תעשה לשמלתו וכן תעשה לכל אבדת אחיך אשר תאבד ממנו ומצאתה לא תוכל להתעלם.

הדברים כב, א.

> If you see your brother's stray ox or sheep, you may not pass by unconcerned, but you shall bring them back to your brother. But if your brother is far from you, or you do not know to whom they belong, take them into your house and let them stay with you until your brother asks after them, so that you can give them back to him. You shall do the same with his donkey, likewise with his garment, likewise with every lost thing that has slipped from your brother's hands and been found by you.
>
> *Deut. 22:1–3*[227]

[149]

כי תפגע שור איבך או חמרו תעה השב תשיבנו לו. כי תראה חמור שנאך רבץ תחת משאו וחדלת מעזב לו עזב תעזב עמו.

שמות כג, ד — ו.

> If you come upon your enemy's ox or donkey going astray, lead it back to him. If you see your enemy's donkey collapsing under its burden, beware of leaving it to him alone; rather, help him unload it.
>
> *Exod. 23:4–5*[228]

204. What does the ninth law say?

לא תלין פעלת שכיר אתך עד בקר.

ויקרא יט, יג.

> You shall not let the wages of the day laborer remain with you overnight until morning.
>
> *Lev. 19:13*

205. What does the tenth of these laws forbid?

Answer. To covet any possession of one's fellow human being.

[227]The Hebrew reference gives only v. 1, the German 22:1–4; the quoted text is vv. 1–3. Behr's German omits the closing words "you may not hide yourself."

[228]Both references give vv. 4–6; the quoted text is vv. 4–5.

לא תחמד בית רעך לא תחמד אשת רעך ועבדו ואמתו ושורו וחמרו וכל אשר לרעך.

שמות כ, יד.

> You shall have no desire for your neighbor's house; you shall have no desire for your neighbor's wife, for his male slave, for his female slave, for his ox, for his donkey, or for anything your neighbor possesses.
>
> *Exod. 20:14*

[150] **206. Do these laws and duties, commandments and prohibitions, also apply toward non-Israelites?**

> *Answer.* Certainly; for the fundamental law of all those duties, "Love your neighbor as yourself" (ואהבת לרעך כמוך), is expressly prescribed for us by Holy Scripture itself with reference to the non-Israelite, indeed even to the heathen; as it is said:[229]

וכי יגור אתך גר בארצכ׳ לא תונו אתו. כאזרח מכם יהיה לכם הגר הגר אתכם ואהבת לו כמוך כי גרים הייתם בארץ מצרים אני ה׳ אלהיכם.

ויקרא יט, לג — לה.

> If a stranger stays in your land, you must not deceive him. The stranger who stays among you shall be to you as a native; you shall love him as you love yourself; for you too were strangers in the land of Mizraim.
>
> *Lev. 19:33–34*[230]

וכן יראה לי שנוהגין עם גירי תושב בדרך ארץ וגמילות חסדים כישראל שהרי אנו מצווין להחיותן שנאמ׳ לגר אשר בשעריך וכו׳. אפילו העכו״ם צוו חכמים לבקר חוליה׳ ולקבור מתיהם עם מתי ישראל ולפרנס ענייהם בכלל עניי ישראל מפני דרכי שלום הרי נאמר טוב ה׳ לכל ורחמיו על כל מעשיו ונאמר דרכיה דרכי נועם וכל נתיבותיה שלום.

Maimonid. Hilchoth Melachim 10, 12.

> We must treat the non-Israelites who dwell among us with justice and love, like an Israelite. Indeed, we must even feed them, which Holy Scripture means by the words: To the stranger in your gates you shall give it, that he may eat it. Even to visit the sick of the heathens, to bury their dead,[151] and to give them alms, our sages command us for the welfare of society. For it is said of our Creator: He is good to all beings and merciful toward all His creatures.
>
> *Maimonides, Laws of Kings 10:12*[231]

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[229] Behr prints the commandment in spaced type for emphasis.

[230] Both references give vv. 33–35; the quoted text is vv. 33–34. Behr prints "you shall love him as you love yourself" in spaced type.

[231] Maimonides speaks of the ger toshav (resident alien) and grounds the duties toward gentiles "for the sake of the ways of peace" (מפני דרכי שלום), which Behr renders "for the welfare of society." The verses are Deut. 14:21, Ps. 145:9 and Prov. 3:17 (the last not rendered in the German).

207. But why do the expressions "your brother" (אחיך) and "My people" (עמי) occur in the passages cited?

Answer. Because Moses wrote down the whole Law for Israel as a united people, independent of all other nations; nevertheless he carefully avoided these expressions in the more important duties toward one's fellow human being (§§ 180, 181, 183, 186, 189, 190, 191, 192, 196, 197, 204, 205). When we later had to leave our land and came among other nations, God had the prophet Jeremiah say to us:

כה אמר ה׳ צבאות אלהי ישראל לכל הגולה אשר הגליתי מירושלם בבלה. בנו בתים ושבו ונטעו גנות ואכלו את פרין. קחו נשים והולידו בנים ובנות וקחו לבניכם נשים ואת בנותיכם תנו לאנשים ותלדנה בנים ובנות ורבו שם ואל תמעטו. ודרשו את שלום העיר אשר הגליתי אתכם שמה והתפללו בעדה אל ה׳ כי בשלומה יהיה לכם שלום.

ירמיה כט, ד — ח.

Thus says the Eternal Zebaoth, the God of Israel, to all the captives whom I have sent away from Jerusalem to Babylon: Build houses and live in them, lay out gardens and enjoy their fruits; marry and beget sons and daughters. Take wives for your sons, give your daughters in marriage, seek the welfare of the city to which I have had you led, and pray for [152] it to God; for if it fares well, it will fare well with you too.

Jer. 29:4–7[232]

208. Does the whole Law make no mention of any distinction between Israelites and non-Israelites?

Answer. Yes, once: namely, that we may pay interest to the non-Israelite.

לא תשיך לאחיך נשך כסף נשך אכל נשך כל דבר אשר ישך. לנכרי תשיך ולאחיך לא תשיך.

הדברים כג כ — כב.

You shall not pay interest to your brother, neither on money nor on produce, nor any other interest that causes harm. To a foreigner you may pay interest,[233] but not to your brother.

Deut. 23:20–21[234]

[232]Printed as Jer. 29:4–8; the words quoted end with v. 7. Behr's German omits "that they may bear sons and daughters; multiply there and do not decrease" (v. 6).

[233]*Behr's note:* Hence (תשיך) in the Hiphil, not (תשך) in the Kal. In the prohibition of taking interest, however, this deviation does not occur in Holy Scripture.

[234]Both printed references give vv. 20–22; the verses quoted are 20–21. Behr takes the Hiphil תשיך as "to pay interest" (literally, to cause another to take interest), against the usual "to lend at interest"; his "interest that causes harm" plays on the root meaning of נשך, "to bite."

209. How can this be reconciled with the other laws?

Answer. In the following way. Since no prohibition of taking interest is imposed on the non-Israelite, it is not forbidden on our part to pay him interest. Tradition, on the other hand, also permits us to take lawful interest from him, and this solely in order to promote dealings with non-Israelites, so that no separation and disruption, or even hostile relations, may pass from religion into civil[153] life. But all usury is strictly forbidden to us, as is taking more interest than has been fixed by the laws of the state.

מרבה הונו בנשך ותרבית לחונן דלים יקבצנו מאי לחונן דלים אמר רב הונא לא נצרכה אלא דאפי רבית דנכרי פי׳ רשי׳ שישראל נוטל מן הנכרי יורד לטימיון.

Talmud Baba mezi. Fol. 70, 2.

"Whoever increases his wealth by interest and usury gathers it for poverty" (Prov. 28:8). On this Rabbi Huna says: Holy Scripture speaks here of excessive interest, and of usury against a non-Israelite.

BT Bava Metzia 70b[235]

כספו לא נתן בנשך ושחד על נקי לא לקח עושה אלה לא ימוט לעולם.

תהלים טו, ה.

Whoever lends money without usury and protects the innocent incorruptibly — whoever does this will never perish.

Ps. 15:5

[235]Behr prints "(Sp. 8. 18.)" for Prov. 28:8. His German departs from the Hebrew, which reads: "He who increases his wealth by interest and increase gathers it for him who is gracious to the poor. What is 'for him who is gracious to the poor'? Rav Huna said: It is needed only to teach that even interest from a gentile [is included]. Rashi explains: what an Israelite takes from a gentile goes to ruin." "Excessive interest" is Behr's own gloss.

[154] # Appendix

I. On Duties in Marriage

1. What does our religion command concerning marriage?

Answer. That the man, as soon as he is able to support a family, is also obliged to marry, so that human society may be propagated and preserved.

דרך בעלי דעה שיקבע לו אדם מלאכה המפרנסת אותו תחלה ואח״כ יקנה בית דירה ואח״כ ישא אשה.

Maim. Hilch. Deoth 5.

[The way of people of understanding is that a man first establishes for himself an occupation that supports him, then acquires a house to live in, and after that marries a wife.]

Maimonides, Laws of Character Traits 5:11[236]

ויברך אתם אלהים ויאמר להם אלהים פרו ורבו ומלאו את הארץ וכבשה.

בראשית א, כח.

God blessed them and said to them: Be fruitful, multiply, fill the earth, and subdue it.

Gen. 1:28

[155] **2. What duties does the husband have toward his wife?**

Answer. I. To provide for all the needs of the household by his industry.

II. To treat his wife with love and gentleness.

יהי מקורך ברוך ושמח מאשת נעוריך אילת אהבי׳ ויעלת חן דדיה ירוך בכל עת באהבתה תשגה תמיד.

משלי ה, יח.

Let your fountain be blessed; enjoy happiness with the wife of your youth. Lovely as the doe, lively as the chamois — may her tenderness always refresh you, her love delight you.

Prov. 5:18–19[237]

3. What duties does the wife have toward her husband?

Answer. I. Above all, to love her husband sincerely, to obey him willingly, and to acknowledge him as the father of the family.

[236]The printed reference gives only the chapter; the passage is 5:11.

[237]The printed references give only v. 18; the quotation continues through v. 19. For דדיה (“her breasts”) Behr writes “her tenderness.”

II. To manage the household with all care, and to look after everything that belongs to the home. (See Prov. 31:10 to the end.)

4. What duties do husband and wife have in common?

Answer. I. Through the marriage covenant that they conclude, they take on the duty of uniting their hearts and of living each for the other.

II. To bring up their children with all care, so that they may become pious, well-mannered and cultivated people, pleasing and dear to God, and useful to the state and to human society in general.

[156] **5. Is intercourse between a married couple permitted without interruption?**

Answer. No: all intercourse, indeed even any touching, between husband and wife is forbidden:

I. During her periodic flow of blood, until after the fixed time of purification and the bath taken according to the law (טומאת נדה וטהרתה).

ואשה כי תהיה זבה דם יהיה זבה בבשרה שבעת ימים תהיה בנדתה. ואם טהרה מזובה וספרׄ לה שבעת ימים ואחר תטהר.

ויקרא טו, יט, כח.

When a woman has her flow — namely, when her discharge is actual blood — she shall remain seven days in her separation. When she becomes free of her flow, she must count seven days; after that she shall be clean.

Lev. 15:19 and 28

II. During the prescribed time after childbirth (טומאת יולדת וטהרתה).

וידבר הׄ אל משה לאמר דבר אל בני ישראל לאמר אשה כי תזריע וילדה זכר וטמאה שבעת ימים כימי נדת דותה תטמא.

ויקרא יב, א — ג.

When a woman brings forth seed and bears a male child, she shall be unclean seven days, for as long as she must remain separated during her monthly pains.

Lev. 12:1–2[238]

[238]The Hebrew citation gives vv. 1–3, but only vv. 1–2 are quoted; Behr's German omits the introductory words ("The Eternal spoke to Moses: Speak to the children of Israel").

ואם נקבה תלד וטמאה שבעים כנדתה וששים יום וששת ימים תשב על דמי טהרה.

ויקרא יב, ה.

But if she bears a female child, she shall be unclean two weeks, as in her usual separation.

Lev. 12:5[239]

[157] **6. What does our religion say about unchaste living outside marriage?**

לא תהיה קדשה מבנות ישראל ולא יהיה קדש מבני ישראל.

הדברים כג, יח.

No unchaste woman shall be tolerated among the daughters of Israel, just as no unchaste man among the children of Israel.

Deut. 23:18

According to oral tradition, unchaste living is counted among the gravest sins, since besides this law the grave commandment of purification (איסור נדה) is also transgressed.

ואין חילוק בין פנויה לנשואה לענין איסור נדה כי כל הבא על הנדה חייב כרת.

Jore Dea 183, 1.

[There is no difference between an unmarried and a married woman with regard to the prohibition of the menstruant; for whoever has intercourse with a menstruant is liable to karet.]

Shulchan Arukh, Yoreh De'ah 183:1[240]

7. Which marriages are entirely forbidden to us?

Answer. I. Certain degrees of kinship (עריות).

איש איש אל כל שאר בשרו לא תקרבו לגלות ערוה אני ה׳.

ויקרא יח, ו.

No one shall approach a blood relative to uncover her nakedness.

Lev. 18:6

II. Marriage with a woman who is already married (איסור אשת איש).

[239]Behr's German reference for both passages is "3 B. Mos. 12, 2—5." The Hebrew citation is partly cut off in the photograph. Behr's German leaves out the second half of the verse (the sixty-six days of "blood of purification").

[240]Karet ("cutting off") is the biblical penalty of being cut off from one's people, imposed by Heaven. The point is that an unmarried woman, who would not have immersed, is presumed to be in the state of niddah.

ואל אשת עמיתך לא תתן שכבתך לזרע לטמאה בה.

ויקרא יח, כ.

You shall not have carnal relations with your neighbor's wife, so as to become unclean through her.

Lev. 18:20

[158] III. Any marriage with a non-Israelite woman.

ואשר לא נתן בנתינו לעמי הארץ ואת בנתיהם לא נקח לבנינו.

נחמיה י, לא.

We shall not give our daughters to the peoples of the land, nor take their daughters for our sons.

Neh. 10:31

IV. For the Kohanim (כהנים), or descendants of Aaron, marriage with a woman divorced from her husband.

ואשה גרושה מאישה לא יקחו.

ויקרא כא, ז.

Nor shall they marry a woman who has been put away by her husband.

Lev. 21:7

On the Kohanim (כהנים)

8. By what are the Kohanim (כהנים), or descendants of Aaron, especially distinguished?

Answer. Because, as long as the Temple service in Jerusalem still existed, they were priests, interpreters and guardians of the laws; special honor and esteem therefore had to be paid them, and the first among them, the High Priest, was, as it were, the prince of God. For this reason they also had many[159] special laws to observe, by which they had to stand separated and sanctified before the whole people.

זרע לוי כולו מובדל לעבודת המקדש שנאמר בעת ההוא וכו׳ ומצות עשה להיות הלוים פנויין ומוכני׳ וכו׳ הכהני׳ הובדל מכל הלוים לעבודת הקרבנות שנאמר ויבדל אהרן וגו׳ וצריך כל אדם מישראל לנהוג בהן כבוד הרבה ולהקדם אותם לכל דבר שבקדושה לפתוח בתורה ראשון ולברך ראשון וכו׳.

Maimonid. Hilchoth Kele hamikdosch 3 und 4.

[The whole seed of Levi is set apart for the service of the Sanctuary, as it is said: "At that time [the Eternal set apart the tribe of Levi]," etc. [Deut. 10:8]; and it is a positive commandment that the Levites be free and ready, etc. The priests were set apart from all the Levites for the service of the sacrifices, as it is said: "And Aaron was set apart," etc. [1 Chron. 23:13]. And every person in Israel must show them great honor and give

them precedence in every matter of holiness: to open the reading of the Torah first, to say the blessing first, etc.]

Maimonides, Laws of the Temple Vessels, chs. 3–4[241]

9. Do the Kohanim (כהנים) still have special duties at present, when we no longer have the sacrificial service?

Answer. Yes, namely three: two prohibitions (לא תעשה) and one commandment (מצות עשה).

10. What do these prohibitions contain?

Answer. I. The Kohanim may not defile themselves through any dead body, except for parents, children and siblings.

ויאמר יי אל משה. אמר אל הכהנים בני אהרן ואמרת אלהם לנפש לא יטמא בעמיו כי אם לשארו הקרב אליו לאמו ולאביו ולבנו ולבתו ולאחיו ולאחתו הבתולה הקרבה אליו אשר לא היתה לאיש לה יטמא.

ויקרא כא, א — ד.

God said to Moses: Say the following to the Kohanim, the sons of Aaron: You may not defile yourselves through any dead person, except for your nearest relatives: the mother, the father, the son, the daughter, the brother and the virgin sister.

Lev. 21:1–3[242]

II. The prohibition, mentioned in § 7, of marriage with a woman divorced from her husband.

[160] **11. To what does the commandment (עשה) oblige them?**

Answer. That on every major festival they are to bless all their fellow believers with the "priestly blessing" (ברכת כהנים).[243]

כל כהן שאינו עולה לדוכן אע״פ שבטל מ״ע אחת ה״ז כעובר על שלש עשה שנאמר כה תברכו וכו׳.

Maim. Hilch. Teph. 15, 12.

[Any Kohen who does not go up to the platform (דוכן), even though he has neglected only one positive commandment, is like one who transgresses three positive commandments, as it is said: "Thus shall you bless," etc. [Num. 6:23].]

Maimonides, Laws of Prayer 15:12[244]

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[241]"3 und 4" means chapters 3 and 4; the Hebrew is an abridged combination of passages from both chapters.

[242]Both printed references give vv. 1–4; the passage quoted is vv. 1–3.

[243]*Behr's note:* This blessing ought properly to be spoken daily. But since among us the Kohanim are not supported at the expense of their fellow believers, as our former priests were, and are therefore subject to the daily cares of earning a living and not always disposed to joyfulness, while the blessing should come from a joyful heart, our sages have restricted this bestowal of the blessing to the major festivals alone, which are in and of themselves days of joy, on which we are to tear ourselves away from all worldly cares.

[244]The three commandments are derived from the three expressions in Num. 6:23 and 27: "thus shall you bless," "say to them," and "they shall put My name."

דבר אל אהרן ואל בניו לאמר כה תברכו את בני ישראל אמור להם. יברכך ה׳ וישמרך. יאר ה׳ פניו אליך ויחנך. ישא ה׳ פניו אליך וישם לך שלום.

במדבר ו, כג — כז.

> Speak to Aaron and his sons, and say to them: In the following way you shall bless the children of Israel: The Eternal bless you and keep you. The Eternal make His countenance shine upon you, and be gracious to you. The Eternal turn His countenance toward you, and give you blessedness.

Num. 6:23–26[245]

[End of the book.]

[245]Both printed references give vv. 23–27; the quotation ends with v. 26. Behr renders שלום ("peace") as "blessedness" (Glückseligkeit).