

# Laws of Idolatry, Chapter 6 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Summary of Shiur – Laws of Idolatry Chapter 6

#### General Introduction – The Place of Chapter 6 in the Structure of Hilchos Avodah Zarah

The true name of these laws is "**Hilchos Avodah Zarah V'Chukos HaGoyim**" (not simply "Hilchos Avodah Zarah" as in our editions). "Chukos HaGoyim" means **the statutes of idol worshippers**, not just gentiles in general.

The Rambam counts 51 mitzvos at the beginning of Hilchos Avodah Zarah. Until now we have already learned: the essential prohibitions of idolatry, deriving benefit from idolatry, not swearing in the name of idolatry, blasphemy, inciter and enticer, false prophet.

**Innovation regarding structure:** Chapters 1-5 are **the core laws of idolatry** (the worship itself, acts of idolatry, false prophet, etc.). From **Chapter 6 through Chapter 12** is a second section – **Chukos HaGoyim**, things that idol worshippers do, which are forbidden because "they are the ways of idolatry."

**Innovation regarding the distinction between avodah zarah and kishuf/ov v'yidoni:** Avodah zarah means one **serves** a god – "I serve something." **Kishuf/ov v'yidoni** means one **uses** the powers of idolatry for oneself – "I get benefits." It's not simple that someone who practices ov v'yidoni violates the essential prohibition of idolatry. It's a **use** of idolatry, a **benefit**, not the worship itself. The distinction: prayer to idolatry is more like one **serves** the idolatry; kishuf is one **uses** something for oneself.

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#### Halacha 1 – One Who Practices Ov or Yidoni Willingly and Intentionally

**The Rambam: "One who practices ov or yidoni willingly and intentionally – is liable for kares. And if there were witnesses and warning – he is stoned. If he acted inadvertently – he brings a fixed sin offering."**

##### Plain Meaning

One who performs an act of ov or yidoni with willingness and intention is liable for kares; with witnesses and warning – stoning; inadvertently – a fixed sin offering.

##### Innovations

**1) Meaning of "willingly and intentionally" – two separate conditions:** Why does the Rambam write **both** "willingly" and "intentionally" – isn't it enough to say "intentionally"? "**Willingly**" means **no one is forcing him** (excluding coercion), and "**intentionally**" means **he knows it's a prohibition** (excluding inadvertence). These are two separate categories: one can be **willing but inadvertent** (no one forces him, but he doesn't know it's forbidden), or **coerced but intentional** (he knows it's forbidden but is being forced). Only when **both** are present – willing **and** intentional – is he liable for kares.

**2) Why does the Rambam mention "willingly" specifically by idolatry:** By idolatry it **often happened** that idol worshippers **forced** Jews to perform such acts. The Rambam wants to remind us that under coercion one doesn't receive the punishments (although idolatry is yehareg v'al ya'avur, but punishments from beis din are only when willing).

**3) Three punishments – kares, stoning, sin offering:** This is the same structure as by **Shabbos** and **idolatry** – punishment from Heaven (kares), punishment from beis din (stoning), and inadvertently (fixed sin offering). Coercion is "the Merciful One exempts him" – even by idolatry where one is obligated to give up one's life, one doesn't bring a sin offering for coercion.

**4) Accessories of idolatry:** It's **not so clear** whether by "branches" (accessories) of idolatry – like ov v'yidoni – the law of yehareg v'al ya'avur also applies. In **Hilchos Yesodei HaTorah** (Laws of Sanctification of God's Name) there is a connection to this.

**5) "Types of idolatry" – what does the Rambam mean?** The Rambam calls ov v'yidoni "**types of idolatry**". If it were truly a type of idolatry, it should have appeared in the laws of idolatry (Chapters 2-3). "**Types of idolatry**" **doesn't mean that one serves idolatry with it**, rather it's one of the "powers" or ways of idolatry – a type of sorcery connected to idolatry. **The prohibition is the act itself**, even if he doesn't do it in the name of idolatry.

**6) Chukos HaGoy – the general concept:** The Rambam calls it chukos hagoy in general – all things that are general. But within this there are different levels: some are forbidden with stoning, some are only negative commandments.

**7) Missing verse for punishment:** The Rambam does **not** bring the verse "**And a man who practices ov or yidoni shall surely be put to death**" (Kedoshim) in this halacha. He only brings the prohibition ("Do not turn to the ovos and to the yidanim"), not the punishment of stoning explicitly. This is "**missing**" – in other places (beginning of Mishneh Torah) he perhaps brought it, but here in these laws it's missing. (This stands in contrast to Molech, where he does bring the verse of stoning.)

**8) "Practitioner" vs. "inquirer" – two separate prohibitions:** The Rambam speaks here of the "**practitioner**" – the one who performs the act of ov. Later he speaks of the "**inquirer through ov**" – the one who asks the ba'al ov, which is **another separate prohibition**. The warning for the inquirer is "**Do not turn to the ovos and to the yidanim**".

[Digression: A teaching from R' Mendele Borover's father z"l on the verse "**Do not turn to the ovos**" – one shouldn't follow the ways of the ovos (aleph-interpretation: "ovos" = fathers), one should do things oneself. And "**and to the yidanim**" – not follow after those who "know everything."]

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## Halacha 2 – How is the Act of Ov Done

**The Rambam:** "How is the act of ov done? This is one who burns a known incense and makes known motions and speaks softly with known words among them, until the inquirer hears as if someone is speaking with him and answering him regarding what he asks with words from beneath the earth in a very low voice, as if it's not discernible to the ear but his mind senses it."

**Second method:** "And similarly one who takes the skull of a dead person and burns incense to it and divines with it until he hears as if a voice emerges from under its arms... and answers him. All these are acts of ov, and one who does any of them is stoned."

### Plain Meaning

Two methods of ov: (1) Burns known incense, speaks softly (quietly), until the inquirer hears like a voice answering from beneath the earth, very quietly. (2) Takes a skull of a dead person, burns incense and divines, until one hears a voice from under the arms. "**Bringing up through ov**" means one brings up a soul – this is the act of King Saul.

### Innovations

**1) Meaning of "softly":** One opinion: **quietly/in a whisper** – like "lat lat tenhal leti." Another opinion: perhaps a **scribal error** – exchange of lamed for tes, and it means **in a whisper**. It's also connected to "**belateihem**" by the magicians in Egypt. The **Ramban** says that the magicians did it with such "whisperings" – that if one had listened closely, one would have seen they were saying nothing substantial.

**2) "As if it's not discernible to the ear but his mind senses it" – nature of the voice:** The inquirer hears a voice that is **so quiet** that it's not clear if one hears it at all – "as if it's not discernible to the ear but his mind senses it." This is similar to "**a still small voice**". It's also similar to a "**puppet show**" – where it seems like the figure is speaking, but in reality the voice comes from elsewhere. It's a trick where people can make the voice sound like it comes from other places.

**3) Incense as intoxicant:** Perhaps the **incense** made the inquirer become **somewhat intoxicated**, which made it easier for him to imagine he was hearing things.

**4) "Known incense" and "known words among them" – known to whom?** "Known" – to those who practice idolatry? Or was it known to the Rambam himself? The Sanhedrin had to know what the incense was (in order to judge), but the incantations aren't necessarily known.

**5) What does the word "ov" mean?** Is it a name of a people, a type of person, or the name of the practice? No clear answer is given. "Yidoni" is perhaps from the language of **knowledge** – knowing the future.

**6) Specific act vs. general deception:** The **prohibition is a specific act** – "known boundaries in two methods." It's **not** that every way of deceiving people (for example hypnotizing a person to think he hears things) is an act of ov. Only the specific act that the Rambam describes.

**7) The Rambam's source – Gemara or his own knowledge:** Whether the Rambam's description of the act of ov is taken **from the Gemara** (Sanhedrin, or another tractate) or whether the Rambam had **his own books** that discuss this – the question remains open.

**8) Distinction between ov and yidoni:** By **ov** it comes from the earth (bringing up through ov), and by **yidoni** it comes from under the armpit – the skull.

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## Halacha 3 – Act of Yidoni

**The Rambam:** "He places the bone of a bird called yidoni" – one takes a bone of a certain bird called "yidoni." One burns incense and performs acts, "until he falls like an epileptic" – until the person falls like one who has epilepsy (falling sickness), "and speaks with his mouth things of the future" – and he says with his mouth things that will happen.

### Plain Meaning

The yidoni takes a bone of a specific bird, burns incense, until he falls like an epileptic, and speaks of the future.

### Innovations

By ov the person is the **practitioner** (stands aside), by yidoni it's shorter in practice – the person himself falls and speaks.

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## Halacha 4-5 – Molech

### Halacha 4 – The Punishment

**The Rambam:** "One who gives of his seed to Molech willingly and intentionally is liable for kares, inadvertently he brings a fixed sin offering. And if he did it with warning and witnesses he is stoned, as it says 'And any man from the children of Israel who gives of his seed to Molech shall surely be put to death, the people of the land shall stone him with stones'."

### Plain Meaning

One who gives of his seed to Molech willingly and intentionally – kares; inadvertently – fixed sin offering; with warning and witnesses – stoning.

### Innovations

**1) Contrast with ov v'yidoni:** By Molech the Rambam does **bring** the verse of stoning explicitly, in contrast to ov v'yidoni where he **didn't** bring it. The order is also different – he writes first kares, then inadvertent, then stoning with warning and witnesses.

**2) Two verses for the warning:** The Rambam brings **two verses:** (1) "**And of your seed you shall not give to pass to Molech**" (Vayikra), (2) "**There shall not be found among you one who passes his son or daughter through fire**" (Devarim). The Rambam has a principle that two instances of the same prohibition in the Torah don't make two prohibitions, unless the Gemara says specifically. **Perhaps he brings the second verse because the word "through fire" makes it clearer** that "to pass to Molech" means specifically passing through fire.

### Halacha 5 – How They Would Do It

**The Rambam:** "They would light a large fire, and take some of his seed and give them to the priests who serve the fire, and the priests give the son to his father, and after they give him they command them to pass him through the fire with their permission, and his father passes his son through the fire with the priests' permission, and he passes him on his feet from this side to the other side through the flame."

### Plain Meaning

One lights a large fire. One gives the child to the priests (priests of fire-worship). They give the child back to the father. The father leads the child through the fire – the child **walks on his feet** (passes him on his feet) from one side to the other through the flame. **One doesn't kill and burn the children** – it's a passage through fire.

#### Innovations

**1) Molech is not simply idolatry – why do we need a separate prohibition?** A strong question is asked: First of all it's murder, and secondly it's actual idolatry, like a sacrifice to idolatry! The Rambam answers with "therefore" – because Molech is a specific way of worship for specifically the idolatry called Molech. **"Lest you say that it's only forbidden for another idolatry, but only with this worship which is called Molech."** If one does this to another idolatry besides Molech, one is exempt. This is according to **Rabbi Shimon's opinion**, as the Rambam rules (in contrast to the first Tanna in Sanhedrin who holds that even not to Molech one violates).

It does say in the verse **"For they even burn their sons and daughters in fire"** – there is a type of worship where one actually burns children. But **that worship doesn't need a special prohibition** – because (a) it's simply murder, (b) it's proper idolatry (offering a sacrifice to idolatry). **But Molech is not a sacrifice to idolatry** – rather its way of worship is thus (passing through fire), therefore one needs a separate prohibition.

**2) Innovation of Rav Rabinovitz – worship vs. segulah:** He argues that the Rambam doesn't mean that Molech is simply another way of worship like any other idolatry in its manner. The distinction is between **worship** (one gives something to the deity, like a sacrifice) and a **segulah** (one does something for one's own benefit). When one actually burns a child – that's a sacrifice, and that would be liable from the law of burning/offering incense even without the special prohibition of Molech. But **Molech is not a sacrifice – one gets the child back!** It's only a "demonstration of faith" that he believes, a type of segulah-practice. Such a thing wouldn't be idolatry at all without the special verse, because it's not a proper worship (not like slaughter, sprinkling, burning incense). The innovation of the Torah is that specifically by Molech this is indeed a way of worship.

**Further discussion:** If Molech were similar to *ov v'yidoni* (a statute of idolatry for protection/benefit, not actual worship), the "therefore" also wouldn't fit, because then it would apply to every idolatry, not specifically Molech. This confirms that Molech is a specific way of worship – more than a segulah, but less than a full sacrifice.

**3) "Passing out of fear" – exempt:** When someone passes his son to Molech only out of fear (he doesn't believe in the idolatry, he only thinks the segulah will help), he is **exempt**. He doesn't do it "for its sake" – not as worship, but for his own benefit. This is not permitted, but exempt from punishment.

#### Details of the Laws of Molech

**4) Gave over not through passing – exempt:** One is liable for stoning only when one **passes on foot through fire in the manner of passing**. If one **gave over** (handed over the child) not through passing – **exempt**.

**5) Some of his seed and not all of it:** If someone has several children and he gives over only some of them to

Molech, he is liable – "of his seed he gave to Molech" means **some and not all**. It's difficult to understand what "all" means, since one doesn't actually burn the child (one gets it back). The Semag says "some and not all." It's also mentioned the principle that for a greater sin one sometimes doesn't get atonement through exile – "it doesn't hang atonement" – so "exempt" doesn't always mean a good thing.

**6) Kosher seed and invalid seed: "Whether kosher seed or invalid seed"** – even mamzerim. **"Whether his son or his daughter"** – also grandchildren, **"all who come from his loins are liable as seed"** – because it says "his seed" not "his son." But **"If he passed one of his brothers or his fathers or other relatives or himself"** – exempt, because "his seed" means specifically his children/grandchildren.

**7) Sleeping/blind/cannot walk on his feet:** If the child is **sleeping, blind, or cannot walk on his feet** – it's a doubt. The Rambam is lenient (exempt). **"Passing"** means a walking of a person – the child must walk himself with his own strength and sight. One doesn't drag him like an object; the father leads him, but he must be able to walk himself.

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#### Halacha 6 – Matzevah

**The Rambam: "A matzevah that the Torah forbade is a structure where everyone gathers near it. Even for the worship of God it's forbidden, and certainly for idolatry. As it says 'And you shall not erect for yourself a matzevah which the Lord your God hates'."**

#### Plain Meaning

A matzevah – a structure/monument where everyone comes together – is forbidden even for the worship of God, and certainly for idolatry. The one who **builds** the matzevah receives **lashes**, but the people who gather there don't receive any punishment.

#### Innovations

**1) What is a matzevah – Rashi vs. Rambam: Rashi's opinion (Sanhedrin):** A matzevah is similar to a bamah – a bamah is made of several stones, a matzevah is **one stone** upon which one offers **on** it. **The Rambam's opinion:** One doesn't offer **on** the matzevah, but **to** the matzevah – one gathers **near it** (by it). The Rambam holds that a matzevah is not an altar for sacrifices, but a type of monument/pedestal – a specific style of idolatrous architecture. The ancient statues stood on such pedestals, and this style may not be imitated even for the sake of God.

**2) The punishment proves that matzevah is not idolatry itself:** The builder receives only lashes (negative commandment), not stoning. If it were its way of worship to build a matzevah, it would receive stoning like any idolatry in its manner. It's only a separate prohibition of "you shall not erect for yourself a matzevah."

**3) Is a monument forbidden?** The Minchas Yitzchak and other later authorities wanted to argue that according to the Rambam it's forbidden to build a monument (like a war memorial). **But this is rejected:** (a) The Rambam doesn't speak of a simple memorial, but of a specific idolatrous style; (b) In Tanach we find that kings made a "yad" (monument, like Yad Avshalom); (c) If monuments were forbidden, one would seriously consider whether one may build a matzevah

on the grave of a tzaddik where one comes to pray (which is a separate question of inquiring of the dead).

**4) The distinction between matzevah and even maskis:** By matzevah the prohibition is the **making/building** of the monument. By even maskis the prohibition is **bowing** on it. The reasoning: stones are always there – it's not a special architecture that one builds, therefore the prohibition is not on laying stones but on prostration.

[Digression: Yaakov Avinu made a matzevah (and poured oil on it), which proves that a matzevah was previously permitted even for the sake of Heaven, and later the Torah forbade it because it became a way of idol worshippers.]

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#### Halacha 7 – Even Maskis

**The Rambam: "And you shall not place a figured stone in your land to bow upon it" – the prohibition is to bow on paved stones, but in the Beis HaMikdash it's permitted, because "in your land" excludes the Mikdash.**

##### Plain Meaning

One may not make a full prostration (spreading hands and feet) on carved/worked stones in Eretz Yisrael or other places, but in the Beis HaMikdash it's permitted.

##### Innovations

**1) Prostration means spreading hands and feet:** The Rambam holds that "prostration mentioned in the Torah" means a full prostration – spreading hands and feet, when one lies completely stretched out on the ground. This is the Rambam's opinion also regarding other prostrations in the Torah. A "Frail Minchas Tefillah" brings that this is not entirely clear.

**2) What does "maskis" mean:** The **Ibn Ezra** says "maskis" is from the language of "sechiyah" – a beautiful worked stone that one looks at (like "maskiyos kesef" – beautiful silver ornaments). This means carved, paved stones – not from the language of "nesech" (poured). On natural stones (a rock outside) one may bow; only on worked, beautifully carved stones is it forbidden. **"Figured stones"** means paved, carved stones.

**3) Why is it permitted in the Beis HaMikdash:** The verse says "in your land" – in your places, but not in God's place (Jerusalem/Beis HaMikdash).

**4) Prostration with and without spreading hands and feet:** If one prostrates with spreading hands and feet on even maskis – one receives **lashes from the Torah**. If one prostrates without spreading hands and feet (like kneeling – one presses his face to the ground but without stretching out hands and feet) – one receives **rabbinic lashes** (from the Rabbis). It's difficult to understand what the definition is of this rabbinic prohibition.

**5) "There is a crack in the ground":** By idolatry, if one prostrated at four amos – "because there is a crack in the ground" – one is not liable for stoning. **First interpretation:** One bends but the face doesn't reach the ground – like we do during Shemoneh Esrei. **Second interpretation:** "Pressing his face to the ground" means only touching the floor, but not going into it. The question remains open.

**Custom of Israel – Mats in Synagogues**

**The Rambam: "And since all of Israel has the custom to prostrate on mats in synagogues on stone floors" – one places mats or straw and hay, "to separate between their faces and the stones."**

**"And if he doesn't find something separating between him and the stone... he goes to another place... or bows on his side downward."**

##### Innovations

**1) Sephardic vs. Ashkenazic study halls:** In Arabic/Sephardic study halls, where one bows with spreading hands and feet even in the middle of the week, there have always been large carpets/mats. In Ashkenazic study halls, where one doesn't bow with spreading hands and feet (only a bend without the feet), one only needs to place something on Yom Kippur (tissues etc.).

**2) Nefilas apayim during tachanun:** The Rambam apparently means that the bowing is during tachanun – nefilas apayim. The Rema means that "tachanun" is actually nefilas apayim. The Gra and the Chafetz Chaim also bring that prostration is spreading hands and feet.

**3) "Bows on his side":** Means that one still lies on the floor, but not completely stretched out – not "his face and hands and feet" straight. This is like we do during "before You in Your great mercy" – a half bow, not a full prostration. Perhaps in those times people generally sat on the floor (not on benches), and "bows on his side" means he goes to the side a bit.

**4) Why did we stop with true nefilas apayim:** When they began placing benches in study halls (once there were no benches – one stood or bowed), there's simply nowhere to make a full nefilas apayim, and consequently we stopped. This is a "wonder" – it's not clear why we gave up the true custom of nefilas apayim to the ground.

**5) Practical application:** At a grave, where one wants to make a prostration, one must also be careful because the grave also has an even maskis – one must place something under the hand.

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#### Halacha 8-9 – Planting a Tree Near the Altar

**The Rambam: "One who plants a tree near the altar, even not for idolatry... whether a barren tree or a fruit tree... behold he receives lashes, as it says 'You shall not plant for yourself an asherah, any tree, near the altar of the Lord your God which you shall make for yourself'. Because it was the way of idol worshippers to plant trees beside their altar so that the people would gather there."**

##### Plain Meaning

One who plants a tree in the courtyard near the altar – even not for idolatry, even only for beauty – receives lashes. The reason is because idol worshippers planted trees near their altars so the people would gather there.

##### Innovations

**1) "Near the altar" doesn't mean specifically right next to the altar** – but in the courtyard which is near the altar.

**2) The reason "so that the people would gather there":** The tall tree was a sign – one saw it from afar, and one knew that there is an altar there. A regular idolatry is not so tall, but a tall tree one could see.

**3) A sharp question:** Why is it bad to place a tree? A tree is "the most basic thing that exists in the world" – God made trees, what's wrong with a beautiful tree near the altar?

**4) Possible different reason:** The Rambam is perhaps against "gathering of the people" in general – not everyone needs to come to the Beis HaMikdash. The Rambam holds that impure people shouldn't go much to the Beis HaMikdash; only the priests and those who are fit should go, not a gathering of the entire nation. Going up for the festival is three times a year – for that one doesn't need a tree as a sign.

**5) Even at a private bamah** one doesn't place a tree – this is a sign that the bamah is for the sake of Heaven alone, unlike the gentiles.

**The Broader Prohibition – Even a Wooden Porch**

**The Rambam: "To make a wooden porch in the Temple... even if it's in the building... the statutes of idolatry, as it says 'any tree'. Rather all the porches and protrusions extending from the walls of the Beis HaMikdash were of stone and not of wood."**

**Plain Meaning**

One may not make any porch (structure) of wood in the Beis HaMikdash. Even cut wood (not a living tree) – because "any tree" includes all types of wood. All porches in the Beis HaMikdash were of stone.

**Innovations**

**1) The breadth of the prohibition:** Not only a living tree, but even a wooden bench or structure. "So far that one doesn't place a tree? Also not to place a wooden bench?"

**2) An interesting contrast with even maskis:** A matzevah / even maskis one may not anywhere – **except** in the Beis HaMikdash / courtyard one may. And a tree is exactly opposite – elsewhere one may, only in the courtyard one may not. In a synagogue one may place a tree, there's no prohibition at all – only by the altar is there a prohibition, and such a sharp prohibition that not even a piece of wood.

**The Raavad's Objection**

The Raavad doesn't agree with the Rambam. He brings proofs that there was indeed wood in the Beis HaMikdash: (1) **The wood chamber** – the Raavad holds that the chamber itself was made of wood. (2) **A wooden platform for the assembly** – a wooden platform. (3) **Gezuztra for the women's section** – a wooden balcony.

**The Raavad's answer:** Temporary (portable) one may make of wood – but not permanent. This resolves all the proofs – the platform for the assembly and the gezuztra were temporary. The Rambam perhaps has a different answer to the proofs (not elaborated).

[Digression: The Gra held that one shouldn't place trees in the study hall on Shavuot. They held that this is "like the Christmas trees." But the Gra doesn't speak about the matter of placing a tree in the study hall – he only speaks about the altar. The verse only speaks about "near the altar", not about a synagogue or study hall.]

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**General Observation**

We don't always need to understand reasons, and we need to know the halacha first. Sometimes we also understand the reason, once we already know.

## Full Transcript

### Laws of Idolatry Chapter 6 – The Practice of Ov and Yidoni

**Introduction – The Place of Chapter 6 in the Structure of the Laws of Idolatry**

**Speaker 1:**

We are learning the Laws of Idolatry in Sefer HaMada, we are going to learn Chapter 6. The Laws of Idolatry have many commandments, at the beginning of the Laws of Idolatry the Rambam enumerated 51 commandments. We have already learned a large portion of them. We have already covered the essential commandments of idolatry, the prohibitions regarding deriving benefit, and we have learned about not swearing in the name of idolatry, the blasphemer, the inciter and enticer, with all the commandments regarding how to punish the inciter and enticer.

Now we are at the commandment of "not to practice ov and yidoni," which the Rambam also includes under the category of idolatry, because these were things that idol worshippers did. This was perhaps part of how the priests gained followers, they used sorcery, they used special powers that they had.

**Innovation: The True Name of These Laws – "Laws of Idolatry and the Statutes of the Nations"**

It appears, according to what we discussed, that the Rambam says that this book, here in our printed editions it is called entirely Laws of Idolatry, but in the Rambam it is truly called "Laws of Idolatry and the Statutes of the Nations".

Statutes of the nations means statutes of idol worshippers, not just gentiles. It also appears that in this he includes many more laws.

**Innovation: Two Parts in the Laws of Idolatry**

So here, the essence of idolatry, basically until Chapter 5 was the Laws of Idolatry, also the practices of idolatry, the teachers of idol worshippers, the false prophet, all these things. Yes, also the practices of idolatry, every matter has laws that come into it, but the main topic of the false prophet is he speaks of a prophet who prophesies in the name of idolatry, he says to worship idolatry.

And now it appears that from Chapter 6 onwards, it seems like two parts, from Chapter 6 until Chapter 12 is the part of the statutes of the nations, which are indeed forbidden because, he wrote here a note, "they are the ways of idolatry." These are things that idol worshippers do, but it is not simply that through this one worships idolatry.

**Innovation: The Distinction Between Idolatry and Sorcery/Ov and Yidoni**

The Rambam says here yes, "they are types of idolatry," but I think it is not simple that one who practices ov and yidoni transgresses the prohibition of idolatry. It is something that idol worshippers do. It is not the actual worship, but yes. Even if someone says he does this for the sake of Heaven, for example Molech, there is a separate prohibition. But this is not worshipping idolatry, he is speaking about the root of idolatry,

he says it is something that comes with something like. Perhaps a false prophet, perhaps Molech, exactly like that. But I see that here there are separate prohibitions. It appears that it is not simple with this.

One can perhaps say, one must understand that... I think that in a certain place the Rambam gives a deeper explanation about the distinction between plain idolatry and sorcery. Perhaps we will still come to this, we will be able to take something to do. But I think the basic thing is, idolatry means one serves the god, yes? I serve something, the idol, the... or services that are... sorcery means I serve myself. There is, I receive some benefits. It is not simply that I serve the god with this, I perhaps use the god's powers. I extract benefits from the idolatry or from the practice of idolatry to know things.

Right, certainly the idol, the priest who does this, the Rambam says that this is the power of idolatry, but not that one serves the idolatry with this. This is a use of idolatry, this is a benefit.

Different from for example even prayer. It is true that prayer is not worship, but it is more like one serves the idolatry. It is not...

Okay, so, one begins with two things that are called ov...

### **Law 1 – One Who Practices Ov or Yidoni Willingly and Intentionally**

What does the Rambam say? **"One who practices ov or yidoni"**. One performs the acts of ov and yidoni, one performs this type of sorcery that the Rambam will later explain how it works, what ov and yidoni means. If one does it **"willingly and intentionally"**.

#### **Discussion: Meaning of "Willingly and Intentionally"**

Does the word "willingly and intentionally" already bring out the "willingly." What does he want to bring out with the word "willingly" here? All along previously he also said "intentionally." Here in the Laws of Shabbat he also has the same language. This is the same law as idolatry, as Shabbat, and things that have the three punishments. It could be that with idolatry it often happened that one was forced, that the idol worshippers forced the Jews to do. And the Rambam wants to remind again the law that when one is forced it is entirely yehareg ve'al ya'avur (be killed rather than transgress), but one does not receive the punishments for this. I would have thought that perhaps...

First of all, mezid (intentional) is different from... "mezid" he means already in "intentionally." It could be that one must learn below, perhaps he comes to it. Presumably there is a reason. I don't yet know what it is. I remember that when we learned... we didn't learn, ah, my class on Shemonah Perakim we learned a bit. We spoke about it many times. There are many laws, many distinctions of laws from... It could be that "willingly" and "intentionally" are two different things. "Willingly" means that you do it to derive benefit. "Willingly" means to derive benefit, and "intentionally" means to derive unintentionally.

#### **Speaker 2:**

Intentionally means he knows what he is doing, and willingly means that no one is forcing him.

#### **Speaker 1:**

Unintentional and coerced were not mentioned. Coerced is a law unto itself, but conversely, it could be one is willing but it is a law of unintentional. He does it willingly, but he doesn't

know that it is a prohibition, he doesn't know exactly what he is doing.

He does it willingly, no one is forcing him, and he does it intentionally, he knows that he is doing a prohibition, he knows what he is doing, **he is liable for karet (excision). And if there were witnesses and warning, he is stoned**, he receives stoning. **If it was unintentional, he brings a fixed sin-offering**, if he did it unintentionally, he was not warned that it is a prohibition, then he brings a fixed sin-offering. For punishment one does not bring any sin-offering. Very good. Unintentional brings a sin-offering, coerced is coerced, it is the Merciful One exempted him. Even idolatry where one is obligated to be liable to death, but no sin-offering is brought.

The Rambam is not so clear that for idolatry one is liable even for branches of idolatry, not only essential idolatry, what is called in the Gemara its accessories. I don't know what is clearly called its accessories, but I remember in the Laws of Sanctification of God's Name in Yesodei HaTorah, not the Laws of Idolatry, I didn't go into the Laws of Idolatry, but there are many commandments, very many prohibitions, Shabbat, idolatry, everything has the three punishments. It is interesting, simply here there is a punishment from Heaven, karet, and if they catch him, if the court gets him they give him stoning.

### **Law 2 – What is the Practice of Ov**

What does the Rambam say? **What is the practice of ov?** The Rambam makes it that both have a practice. I saw in certain commentators on the Rambam speak about this, that it appears this way, it is implied from the Gemara that also here there is such a thing as being a yidoni and doing a certain practice, plainly telling the future without a certain practice. But then it couldn't be because one is liable for the heart which has no action.

The Rambam brings the practice of ov and yidoni, in such language there is "one who practices ov and yidoni." What is the practice of ov? There is indeed one who inquires of an ov later we will see, one who inquires of an ov, I remember it is a different separate prohibition for the one who asks.

#### **First Method of the Practice of Ov**

Says the Rambam, what is the practice of ov? What is ov? He says, **this is one who says that he burns a known incense**, he burns a certain incense, known means known to those who do for idolatry or for the Rambam this was known.

#### **Speaker 2:**

And one shook it to spread the scent of incense.

#### **Speaker 1:**

Ah, I thought that this is the secret of the movements.

#### **Speaker 2:**

No, this is to spread the scent. Movements are the carriers.

#### **Speaker 1:**

Okay.

#### **Discussion: Meaning of "Quietly"**

**And speaks quietly**, like one speaks quietly, he speaks softly, **with words known to them**.

#### **Speaker 2:**

Quietly, yes, like... "quietly and slowly"? Did they still have this language? Quietly means stands, like one says "lead my affairs

slowly and quietly."

**Speaker 1:**

No, I think it means softly, in a whisper. Like...

**Speaker 2:**

In a whisper, yes. He goes to stand again in a low voice. So perhaps here there is something...

**Speaker 1:**

Yes, he speaks so spooky, soft and stands, could be.

**Speaker 2:**

I think yes, also stands. "Lead my affairs slowly and quietly."

**Speaker 1:**

But here it was indeed a whisper. Quietly, I think that this is an error, exchange of letters lamed and tet, perhaps in a whisper.

**Speaker 2:**

The magicians did with their secret arts, they did...

**Speaker 1:**

I think that the Ramban says that they did with such whispering... that if you will hear you will see that they are saying nothing.

He speaks **with words known to them**, certain things that they know. Then here the Rambam says to them, he says known incense, this knowledge the Sanhedrin must know, but they are very whispered, not necessarily.

**Speaker 2:**

Okay.

**Speaker 1:**

**Until the inquirer hears as if someone is speaking with him.** By the inquirer it sounded, the whispering became mixed, it became some interesting sounds, and the inquirer heard as if...

**Speaker 2:**

I don't know, you say it became mixed. He heard as if, I think he thought that he hears, right?

**Speaker 1:**

Yes, I say, when one speaks clearly one hears, but when one speaks so quietly and...

**Speaker 2:**

Could be that he heard in a still small voice. I don't see it that way. He will say that one hears in a still small voice.

**Speaker 1:**

**And answers him regarding what he asks with words from beneath the earth.**

**Speaker 2:**

And he answers him.

**Speaker 1:**

Very good.

**As if he speaks from beneath the earth**, one hears very softly, **or a very low voice, as if it does not enter the ear but the thought senses it.**

It went a bit in between. It is yes, it is as if he doesn't hear it, but he does hear it yes.

**Speaker 2:**

This means puppet show, what seems like the doll is speaking.

**Speaker 1:**

Very good. That was the trick, but there is a place where people can make it sound like the voice comes from other places.

**Speaker 2:**

Right. By the Rambam he says it is something terribly soft, it is not clear if one hears at all, it seems that one hears.

**Speaker 1:**

Okay, anyway, this is one type of practice. There is another way of making an ov. What is the other way? It could be that the incense makes the person become a bit intoxicated, should make it easier for him to think things.

**Second Method of the Practice of Ov**

**Or he takes the skull of a dead person** - another way of ov, how one takes an empty skull of a dead person, **and burns incense to it and divines with it.** I think even today by tribes and idol worshippers skulls are common. You see even in Mexican culture one sees it, that they keep skulls of dead people. It is something, somewhere it is used in worship or I don't know what. **And burns incense to it** - one makes incense to the dead person, **and divines with it** - one says with this divination, one says with this some incantations, **until he hears a voice coming out from under his armpits** - how one hears as if from under the arms one hears out a **very low voice**, a low voice, **and it answers him** - and how the voice answers the question that the person said. Says the Rambam, **all these are the practice of ov, and one who does one of them is stoned.**

**Discussion: What is "Ov"?**

What does the word "ov" mean? Is ov a certain people, or a certain type of people, or is it the name of the practice? I don't know what the meaning is, especially the meaning. Ov. Yidoni is perhaps like a language of knowledge, of knowing the future, I don't know.

It is very interesting, because I don't know, you say that perhaps in Mexico one knows exactly what ov is, but what exactly is this? The prohibition is "do not turn to the ovot that are among them." The prohibition is not simply to mess with powers, you understand? The Rambam says, the prohibition is the specific practice, known definitions in two methods. He brings, both are in the Gemara, either in "Idolatry" or in "Sorcery" or in "Incense," whatever it is. The practice is forbidden. It is not that fooling people... if someone finds other ways to hypnotize a person so he thinks he hears things, I don't understand that this should be a practice of ov. It is a specific practice. Afterwards there is yidoni, which is a different type of practice. It also does the same thing, but it is a different type of practice.

So, it is not clear to me, and also I don't know, I don't know if anyone knows exactly what we're talking about, that one should say exactly, this is the ov that the Torah speaks of. I don't know what it is. Perhaps you know? One must ask. It is a question to ask. The Rambam also didn't ask. I mean, perhaps the Rambam, yes, he read some books that speak about this. What do you think, he means some certain thing? This is indeed taken from the Gemara, or does the Rambam say this on his own...

**Ov and Yidoni (Continued)**

**Raising with Ov - Bringing a Soul**

**Speaker 1:** I think this is indeed simple, because this is the practice of Shaul. More at length. It says in the Gemara, that he saw him on the side. Do you want this in the meaning of the word ov truly?

**Speaker 2:** Not critically important.

**Speaker 1:** Further, anyway, you know, sometimes you saw him, but Rabbi Mendele Barover, his father of blessed memory said, "**do not turn to the ovot**", one should not go after the ways of the ovot, one should do oneself. Anyway, this is an aleph interpretation. Also "**and to the yidoni**", not to follow after those who know everything.

And there is also something "raising with ov." "Raising with ov" is called when one brings up something like a soul, right? So this is the Rambam.

#### Distinction Between Ov and Yidoni

**Speaker 1:** This is the second thing. The second, the "all so skull," seems more like one brings as if a dead person should speak. There is something called sciences, science? I don't know. It must also be called as if one brings, but this is the essence. This is perhaps the type of idea of bringing that a dead person should speak. Perhaps this is the prohibition of "inquiring of the dead." One must see, there are other definitions.

But ov and yidoni means apparently specifically the specific practice. What else can this be? I don't know, I haven't found anyone who does this. One is it is done with the hands, one is it is done with the skull. There it comes from the earth, and here it comes from under the armpit comes the skull. There it is the practice.

#### Yidoni - The Practice

**Speaker 1:** One stands further in the verse, yidoni is short for the practice. **He places the bone of a bird whose name is yidoni.** One takes a certain bird from a certain... that people know which bird he speaks of.

**Speaker 2:** No, I think the bird is called yidoni.

**Speaker 1:** Or you say it is a different interpretation. Because earlier it was indeed "known words yidoni among them."

**Speaker 2:** Yes, but what is he called yidoni's? Yidoni? What does "you know, the yidoni yidoni" mean?

**Speaker 1:** It is called yidoni. He is I don't know the idea, because it is a yidoni. I don't know. Okay. Yidoni, yidoni. Yidoni. Like the idea starts yidoni once. They know too much such a piece of sorcery.

**Speaker 2:** Yes, one burns and does the acts of freedom, one does the rabbi's, one lets it here open, or until the person or the bird falls down?

**Speaker 1:** All the person. The person falls down like one who is sick runs one who has a seizure like something in the mouth becomes not a seizure upward. And he says with his mouth things that will happen.

#### Discussion: "Types of Idolatry" - What Does the Rambam Mean?

**Speaker 1:** Says our king all these are types of idolatry. How is it understood types of idolatry means types of ways of idolatry? Or the thing...

**Speaker 2:** It is certainly the thing I would have asked at the beginning. It is your question. Because if so it would not have been already, one of the chapters of idolatry, it would not when it when it out of chapter 2, chapter 3. It comes out that

types of idolatry does not mean exactly that it is types of idolatry, or it would be collected.

**Speaker 1:** But on the other hand, in general, in the statutes go to you not and each is only a prohibition, right?

**Speaker 2:** Here you have started different things. The Rambam calls statutes in general, all things that are general. But I say, punishments, here one sees that the severity of it is as hard as idolatry itself, also receives kingship, I mean, one also receives stoning.

**Speaker 1:** Yes yes, I understand, but this is indeed the Torah's prohibition. So when the Rambam says a note "statutes of the nations," it means in general that everything has statutes of the nations. A part of them are indeed things forbidden by stoning, a part of them are prohibitions, whatever, fine.

#### Translation

But I see, he brings the language "in the Moreh Nevuchim, in every place that designates something for its practices," just like ov. That's how he brings the language here. So it appears clear that the Rambam understood that ov is some kind of worship. So it is a thing designated for this worship.

**Speaker 2:** So the Rambam brings the Gemara this way, but the main thing is whether one comes to the state of mind, or to the trick.

**Speaker 1:** No, no, the trick to the state of mind is generally permitted, I mean, one needs to see it.

**Speaker 2:** No, but again, the Rambam speaks of the exact actions that one does. So is the prohibition the action, or is the prohibition arriving at being able to show that one knows?

**Speaker 1:** So the prohibition is the action. And even if he doesn't do it in the name of idolatry, right? The reasons that the Torah prohibited, because these are types of idolatry, means to say the idolatry of sorcery. But as I said before, it's not simple that we say that with this one serves idolatry. This is one of the powers of idolatry, something like that.

#### Discussion: Where is the Punishment for Ov and Yidoni Stated?

**Speaker 1:** Says the Rambam, first we learned the punishment, that idolatry is of heresy. Where is the punishment that you brought stated?

**Speaker 2:** The Rambam brought the verse at the beginning.

**Speaker 1:** At the beginning? "**Al tifnu**" (Do not turn), perhaps you'll say soon? It's strange, how did he bring the punishment? Liable to stoning, karet, he didn't say any punishment at all.

**Speaker 2:** In the beginning, beginning, beginning it should be. Look in "oved Hashem Elokecha," "ki to'evat Hashem Elokecha," "ki shayach bezeh lav dela tachyeh," one needs to know which, where is the punishment clearly stated?

**Speaker 1:** "**Ve'ish ish asher ya'aseh ov o yidoni mot yumat**" (And any man who practices ov or yidoni shall surely be put to death), that's a verse in Parashat Kedoshim, true. But the Rambam doesn't bring it. He didn't bring it in the laws.

**Speaker 2:** That's not. It's missing here. He didn't bring the verses, he brought "shelo," he brought the negative commandment of "shelo."

**Speaker 1:** Always at the beginning, he brought it at the beginning of the Mishneh Torah, apparently he brought it.

Here he didn't bring it.

#### Warning - "Al Tifnu El Ha'elilim"

**Speaker 1:** Okay, further he says, "warning from idolatry." Okay, it says, Talmud lomar "**al tifnu el ha'elilim ve'elohai masecha lo ta'asu lachem**" (Do not turn to idols, nor make for yourselves molten gods). This doesn't speak of "al tifnu" to the people who do idolatry and divinations, but rather that the person should not be the one who goes to the sorcery or to the priests who practice idolatry and perform the actions. This is the warning against doing idolatry, the act of idolatry.

#### Molech - Law 5

##### The Punishment

**Speaker 1:** The next thing is Molech. Says the Rambam, "**One who gives of his seed to Molech willingly and intentionally,**" again the same thing, "willingly and intentionally," **is liable to karet. If done unintentionally, he brings a fixed sin offering.**

But here he writes the language interestingly, there he writes... yes, the Or made it differently. "**One who gives of his seed to Molech willingly and intentionally is liable to karet, if done unintentionally he brings a fixed sin offering. And if he did it with warning and witnesses,**" if he passes his seed to Molech with warning and witnesses, "**he is stoned,**" he receives stoning, "**as it says 'And any man of the children of Israel who gives of his seed to Molech shall surely be put to death, the people of the land shall stone him with stones.'**"

Here he does write the language of the verse about stoning, about Molech. And he... it's interesting, he goes in a slightly different order, and he goes immediately to write its warning, Talmud lomar "**and of your seed you shall not give to pass to Molech,**" and he says again the same negative commandment stands, "**there shall not be found among you one who passes his son or daughter through fire.**" This is stated in Deuteronomy, he brings.

##### Discussion: Why Two Verses?

**Speaker 2:** Why does the Rambam bring two verses? I don't know. One is in Mishneh Torah, I mean there's always such a rule that it can appear twice, but...

**Speaker 1:** Ah, perhaps he'll say what he means exactly. He says there's no practical difference, the Rambam in... he brings the language of Sefer HaMitzvot, that there's no distinction. The Rambam has a rule, the same negative commandment can appear twice in the Torah, that doesn't make it two negative commandments, unless the Gemara says specifically. Usually one can have the same thing twice.

But it could be that the Rambam held that the word "ba'esh" (through fire) makes it clearer. That "leha'avir laMolech" means specifically in the manner of bringing it through fire.

#### How They Would Do It - The Act of Molech - Law 6

**Speaker 1:** Says the Rambam, how would they do it? **They would kindle a great fire,** one lights a fire, **and take some of his seed and hand them over to the priests who serve the fire,** one gives it to the priests who serve with fire, **and the priests give the son back to his father,** they give the child back to the father, **and after they give, they command them to pass him through the fire under their authority,** again, one gives it to the priests, and then the priests tell the father, it shouldn't be the father who carries

him through the fire, after they give they command them to pass him through the fire under their authority, it's under their supervision, the father should be the one who carries through, yes.

**Speaker 2:** First he must sanctify it, first the son to the... it should be like finally bringing a sacrifice, but the Rambam says one doesn't actually kill the children, one doesn't burn them.

**Speaker 1:** That's what he explains, yes. **And his father passes his son through the fire with the priests' permission, and passes him on his feet,** it means "passes him on his feet" means that the child walks, yes? But "passes," he doesn't mean he lifts him up, but the child walks on his feet. Okay. **From this side to the other side within the flame,** he walks through the fire.

##### Innovation: Molech is Not Simply Idolatry

**Speaker 1:** Not clear, here it's not clear. Here it only says "leha'avir laMolech," not that there's a type of laMolech. That's the meaning. Molech, **lest you say that it's not forbidden for another idolatry.** Molech is actually the name of a certain idolatry. He says, you shouldn't think that "leha'avir laMolech" means burning an idolatry for the Molech.

**Speaker 2:** Yes, yes, he explains, "that Molech is not."

**Speaker 1:** Very good. **Just as you find that it's not forbidden for another idolatry, but only in this worship alone which is called Molech.** The worship of the idolatry called Molech is the way of passing through...

There is actually, the verse actually states "**for they even burn their sons and daughters in fire,**" there is such a type of worship where one actually burns the children. But that worship, apparently one doesn't need a special prohibition for it, it's simply murder, and secondly, it's proper idolatry, it's actually like offering a sacrifice to idolatry.

The Molech is not a sacrifice to idolatry, but its manner of worship is thus. According to this says the Rambam, because this is a type...

#### Continuation of Laws of Molech - The Manner of Worship

##### Speaker 1:

The worship of the idolatry called Molech is the way of passing through.

The verse actually states "**like a weaned child on his mother, like a weaned child is my soul,**" there is such a type of worship where one actually burns the children. So that worship, apparently one doesn't need a special prohibition for it. First of all, it's murder, and secondly, it's actually an idolatry, it's actually like one is offering a sacrifice to idolatry. That's a sacrifice, but it's the manner of its worship. Why so? Therefore says the Rambam, because this is a specific way of worship for the idolatry called Molech. If he does this to another idolatry besides Molech, he is exempt.

So if so, essentially one wouldn't have needed the whole thing to be stated, because this is merely a manner of worship of a specific idolatry. That's how it sounds. That's actually what it says in Tractate Sanhedrin he brings that the Gemara asks the question, and the Gemara has a dispute whether Molech is idolatry, a dispute of Tannaim. And likewise, there are those who hold, the first Tanna in the Baraita that the Gemara brings, actually holds that Molech and worship, the innovation

is that the worship, even when one does it not for Molech one also transgresses, because it's called like a law of the four services. But according to Rabbi Shimon, as the Rambam rules, no, the simple meaning is that it's not a service, it's only a worship because its worship is specifically thus. But on this it's actually difficult, you actually ask a question, if so this is included, included in every idolatry that if one does its worship thus.

#### **Innovation of Rabbi Rabinowitz - Worship Versus Charm**

Right, Rabbi Rabinowitz argues that the Rambam doesn't mean it that way, he means to say as we said before, worship must mean one gives something to the deity. If it was actually a sacrifice, for example if it was burning in fire, it's certain that it's even from the four services, even if one burns his son to an idolatry where there isn't the custom to burn, that's a type of sacrifice, it's a human sacrifice, it's a sacrifice. Kal vachomer from slaughtering and burning before it, where he is certainly liable. But Molech isn't a sacrifice, one gets back the son, it's just some kind of demonstration, it's a revealing of one's mind that he is believing, he does something. So what is revelation, revelation is not usual services, but Molech is yes, because this was actually something like a manner of their worship.

That's what he says. It's simply because it definitely looks more like idolatry than ov and yidoni. It's not the statutes of idolatry, this is actually worship, a type of worship. If one says it's just passing through, I don't know. But the Rambam says, if one were actually a burner, it would be worship for its own sake actually. The Rambam says very clearly, this is the worship of this. A worship for its own sake actually. I know, I'm not here for criticism, I don't want to squeeze the language of worship, it's actually not so clear.

#### **Discussion - Why is There a "Therefore"?**

And what you say "therefore," if it were such a thing similar to practitioners of yidoni, the "therefore" also wouldn't be there. On the contrary, if it were an actual worship, if it were burning his son and daughter in fire, or it were a new innovation that one serves idolatry in general, if one says if Molech were such a thing like ov and yidoni, that it's a certain type of statutes of idolatry that one does for protection, just as one does ov and yidoni to hear the future, it's a type of thing that the Torah innovated a certain stoning, it would already be by every idolatry, by every one, not specifically Molech.

Right, but the Torah didn't say that. The Torah said, specifically for Molech passing his son and daughter one is forbidden. It means it's a type of idolatry. But the innovation in the Torah is not that there's such a type of idolatry that is specifically thus, you can ask that from the priests of idolatry. It must be that here there's a new aspect.

Right, you can ask that, exactly, because the Torah already accounts, the Torah doesn't make any extra prohibition on Markulis or on Pe'or, because we know that it's in the category of idolatry thus one is liable.

#### **Innovation - Passing Through Out of Fear**

It looks like this, I very much like this distinction of what is worship and what is a charm. Because you see that even passing through out of fear the Rambam interpreted that if he doesn't mean at all to serve, not at all, he simply holds that the charm perhaps took effect, he is exempt. It's not permitted, but it's exempt. He doesn't do it for its own sake so to speak.

For its own sake is a sharp word, he doesn't do it as worship, he only does it for his own benefit, you could say.

I don't know, it's a bit difficult here. It can always be that there are certain details that the Torah was concerned about, the Torah prohibited, and every mitzvah has such things. Generally speaking is, I know, those who learn is even not necessarily yes?

For whatever reason, sometimes there's something extra prohibited, a Gemara in general, regarding kingship. And other things have seen such things, before others have seen such a thing. It's a thing, every mitzvah has rules, there are certain details that are also forbidden. So, they spoke in chapters, yes? In Hilchot De'ot, they spoke, a law of astrology and not to walk in their ways, you know also the wise one thought in their ways? Yes. It can be so. Okay. Now details, interesting details.

#### **Detailed Laws of Molech**

##### **Passing on Foot Through Fire**

###### **Speaker 1:**

He goes into the passing on foot, he says one detail, it's stoning if one passes his seed to Molech, and passes on foot through fire, the manner of worship. But if he handed over to them not in the manner of worship, he's exempt. Interesting. Because it needs to be the manner of worship. Yes.

###### **Speaker 2:**

And one is liable... you know further... yes.

##### **Some of His Seed and Not All**

###### **Speaker 1:**

And one is liable, what if he gives some of his seed and leaves some? But if one has several children, and he gives over some to Molech and leaves some over, he's already **"from his seed he gave to Molech from his seed"**. Means some and not all. He says that the language of the Rambam explains... one has two children, and one he does and one he doesn't.

###### **Speaker 2:**

Yes, he has two, and one he makes pass through. Or he speaks of passing through, some of his seed.

###### **Speaker 1:**

No, I see you... it makes a bit some of his seed all, and one only speaks of when he has two three four and two two.

###### **Speaker 2:**

No, he sees you with one difficult.

###### **Speaker 1:**

The main thing is all, and he brings very interestingly that it's very difficult what is the simple meaning of all. If one said that it burns, I can understand, it burns the children, and enough or not. Because it's only passing through. What's this some and not all. Yes, because the matter is, is that with this is a protection on all other children. Otherwise what is understood. He brings a Sma"g, that the Sma"g said that with half and not all.

It's understood that it says in the Gemara that one who is a greater transgressor, a murderer doesn't receive exile, there's no atonement for him. So, what is exempt, and not even what is exempt from punishment, is a good thing. Sometimes he says, one has already given up on you. Woe to him from this.

Further, this is the manner of worship, this is simple from the Siman, from the Siman from the church, it says "this is how one goes here."

**Speaker 2:**

Ah, this is how one goes here. It makes more sense with you.

**Speaker 1:**

He brings here that there were those who said it that way, but he has proof that it was yes the custom for everyone to do. Okay.

**Legitimate Seed and Illegitimate Seed**

**Speaker 1:**

Says the Rambam further: "**Whether legitimate seed or illegitimate seed,**" which type of children one should give over. One would have thought that if one has children who are mamzerim, he may not be "whether legitimate seed or illegitimate seed." It must be the word "seed" which one might think is a limitation.

"**And whether his son or his daughter,**" or grandchildren, children of his children. "**All who come from his loins are liable for seed.**" If it says "seed," it doesn't say "his son."

But "**if he passed one of his brothers or his fathers or other relatives or himself,**" or himself, he's exempt. Because "his seed" means specifically.

**Sleeping or Blind**

**Speaker 1:**

Says the Rambam: "**If he passed his seed while he was sleeping or carried and not walking on his feet,**" or he's blind, he can't walk by his own power, so one leads him completely. But what does he do, he grabs him with his hands and carries him. "Passing" means a walking with a person's nature, it seems. That one walks, he walks with his own power, with his own sight, it seems. He says that it's a doubt in the Gemara, and the Rambam is lenient. That's what he says yes. If not "passing" means that he walks, the father leads him through, but he must be able to walk himself, not that one drags him like a piece.

**Speaker 2:**

Yes.

**Speaker 1:**

Very good. So these were the laws, we've already learned two mitzvot in this chapter, if I remember three mitzvot. And we'll learn a fourth mitzvah.

**Laws of Matzevah**

**Law of Matzevah**

**Speaker 1:**

"Matzevah." Says the Rambam: "**The mitzvah not to make a matzevah.**" It means, one should struggle a bit with what it is, but it means building a large structure of stone and one should gather before it for the sake of idolatry.

Says the Rambam: "**The matzevah that the Torah prohibited is a building that all will gather at it.**" Let's build a type of building, all should gather at this building. Even for the worship of Hashem, the prohibition is even if one does it to serve the Almighty. And how much more so if it's a manner of idolatry to build a matzevah for idolatry, to serve idolatry. But the Torah prohibited that one should not at all set up such a matzevah even if one does it to serve the Almighty.

**"As it says 'and you shall not set up for yourself a matzevah which Hashem your God hates.'"**

For setting up a matzevah, one who builds such a matzevah, receives lashes but one doesn't receive for those who gather.

That means the people who gather to serve Hashem at it, they didn't receive any punishment.

The builder, the one who builds it, because he builds the same type of thing as if the idolaters build.

It's explained, it explains the dispute, the question is what is the meaning of this matzevah?

**Discussion - What is a Matzevah?**

**Speaker 1:**

One doesn't know, the Rambam brings in the end, it's very unclear.

What does it mean one may not build any place?

Okay, let's say, a building doesn't mean a building, it means some kind of monument.

**Not Something You Just Walk Into**

It's not something that you just walk into, and you walk in and you serve some giant mother.

And he brings that the Rambam says, what was the custom of idol worshippers?

The custom of idol worshippers was to build such a platform, such a matzevah, and on this you place the idol, the statue that you serve.

And on this you place the idol.

**Speaker 2:**

Yes, on this you place it so that you shouldn't do it, in order that you shouldn't make it similar to idol worship.

Even the service of Hashem should not be made similar to the service of idolatry.

**Speaker 1:**

But the Rav says that even without the statue, right?

Even just to make it so that someone wants to make, like someone wants to place a stone, like he wants his offering to be on it?

It's very unclear.

The Rav must have had a need to say that even if he doesn't do it in the name of idolatry, because here he only gets lashes.

If it were a service, a way of serving to build a matzevah, it would seemingly have to receive stoning, it would have to be called avodah, idolatry itself.

It would have to be called avodah, idolatry itself.

Just like it's not called building an idol.

Every time we build an idol.

Except idol worship we learned gets stoning.

**Digression – Yaakov Avinu's Matzevah**

**Speaker 2:**

Ah, do you remember Rashi brings the opinion of the Sifrei?

**Speaker 1:**

Yes, that matzevah was beloved when Avraham made a matzevah?

**Speaker 2:**

Yes, not Avraham, Yaakov made a matzevah?

**Speaker 1:**

Later it became hated, you see that matzevah is forbidden even for the sake of Heaven.

Like, that matzevah was seemingly a sort of altar.

**Speaker 2:**

How do you know?

**Speaker 1:**

Because usually oil was poured on it.

Like that one?

Pouring oil is a concept of like a sacrifice, a libation.

So, it's similar to this, seemingly the dispute.

**Dispute Between Rashi and Rambam****Speaker 1:**

Rashi indeed says so, he brings here, he said matzevah is like a bamah, a bamah is made of many stones, and a matzevah is one stone that you offer sacrifices on. But the Rambam doesn't say you offer sacrifices on it, the Rambam says you offer sacrifices to the matzevah.

**Matzevah – Continuation of Discussion****Speaker 1:**

That matzevah was seemingly a sort of altar. Because you know, because usually oil was poured on it, pouring oil is a concept of like a sacrifice, a libation. So there is seemingly a dispute here, Rashi indeed brings it this way, he said matzevah is like a bamah, a bamah is made of many stones and a matzevah is one stone that you offer sacrifices on.

But the Rambam doesn't say you offer sacrifices on it, the Rambam says you gather around the matzevah. It seems that the Rambam understood that it's not about offering sacrifices, rather the Rambam held that it's a sort of structure that the custom of idolatry is to make, not a sort of structure, a sort of let's say, a sort of stone, a sort of monument, you're not allowed to do even for Heaven.

**Discussion: Is a Monument Forbidden?**

I once spoke about how the Minchas Yitzchak and other contemporary authorities wanted to argue that therefore it's forbidden to make a monument. By Jews it's not so customary, but in the world it's customary to make a monument in memory of a war or such a thing, they wanted to argue that the Rambam means this is forbidden, but it's not correct, as he himself says, that first of all he says not in the name of idolatry, it's simply for remembrance. We find explicitly in Tanach that for war... If this were forbidden, would one seriously think to build a matzevah on the grave of a tzaddik, because people go there to pray.

I wanted to say that it's a different question of seeking the dead, in practice when you go there. What you need to fear in practice, you need to fear the prohibition of matzevah. Right, it's certain, it's clearly stated in Tanach that kings used to make a yad, you can always say it was a problem, Avshalom's yad. A yad means a monument, but it doesn't mean a monument! It seems, I would think, I would imagine it's some style, a certain style of idolatry is to make such a sort of pedestal. Yes, all the old statues stand on such a pedestal and on that they serve. So don't make that style even for the sake of Hashem, when you're going to make it for the sake of Hashem, some front for your beis medrash let's say, don't make it. Even that, does it make sense that it's not offering on the front let's

say. Yes, do you have Jewish places where there are almost such... It's not clear to me that this is included in the prohibition of matzevah.

**Even Maskis****Speaker 1:**

The Rambam says that the two things, matzevah and even maskis, the prohibition is not when you do it for idolatry, but because usually it's done for idolatry, even when you do it for the sake of Heaven, because it used to be done for idolatry, even when you do it for the sake of Heaven you get lashes. "**Lo sishtachavu laHashem Elokeichem ken, v'even maskis lo sitnu b'artzechem l'hishtachavos aleha**", you shouldn't make an even maskis to bow on it, not in the manner of idolatry, "**ki ani Hashem Elokeichem**", to lay a stone floor, or I don't know what, lay a stone and bow on it, a flat stone.

**Speaker 2:**

I'm still not clear. A specific kind of stone?

**Speaker 1:**

Don't know. Okay. Yes, says the Rambam, but the concept is interesting, because at first glance we would have thought that the prohibition is the laying, the making of the stones into a floor. But now the Rambam wants that the halachah is about the bowing. Different from matzevah. Right. Could be because stones are always there. It's not simple that this is a special sort of architecture that you make. Even in a shul you make stones. The Rambam says that in shul, you'll see, you place mats on the stones. But it's not simple that this is to build a sort of thing. The prohibition is to bow itself.

**Hishtachava'ah – Spreading Hands and Feet**

Yes, it's the Rambam, one who doesn't hold the opinion of spreading hands and feet on a stone. Until he stretches out completely so that he makes a type of hishtachava'ah which is spreading hands and feet. He gets stoning completely, he lies completely on the stone. That this is the hishtachava'ah mentioned in the Torah, this means a full hishtachava'ah. The Rambam holds this way also regarding other hishtachava'ahs. That hishtachava'ah means to bow fully and still think in prayer. There's a question, Minchas Chinuch brings that it's not clear if he means that you should do it.

Just bowing down, in the Torah when it says you must say biblically accurately hishtachava'ah, and also it's not serving for idolatry. The Rambam there didn't need to say it so importantly, because he needs to awaken Jews, ah, can you bow a little? You're absolutely not allowed. It's stated even adding on Shabbos to pick up money. It's not a full hishtachava'ah. Okay, which is indeed only rabbinic. But here he wants to say what you say stone before the Almighty, because you can easily confuse the prohibition.

I need to understand the prohibition better, because... What's the simple meaning? Because it needs to be... And idolatry is very widespread. Yes, but in certain things that have... But to bow in general. Before you should bow in general. And exactly... To bow in general is... I mean, all services that you do for Hashem are the same services that idolatry does. Except for the four specific services.

**Discussion: What Does "Maskis" Mean?****Speaker 1:**

In this way, exactly here there was a dispute. Some missing context that you're saying, I would understand. Also, it could be that something is wrong with this. I mean that there must be some hint, something that's not so wrong. It wouldn't have been proper. But the thing is, something is a bit wrong. So I would think, you need to find some simple explanation, because I don't know what the simple meaning is.

He says further, "**Medaber ba'avanim bish'ar aratzos**". It's said in the whole world. In other places. "**Aval bamikdash mutar l'hishtachavos laHashem al ha'avanim**". In the Beis Hamikdash you do bow before the Almighty on the stones of the floor. As it says, "**Uv'artzechem lo sitnu even maskis l'hishtachavos aleha**". "**B'artzechem**" means in yours, not "in the land of Hashem", like in Jerusalem, but in the other lands. Apparently "b'artzechem" means "**lo sishtachavu al ha'avanim, aval tishtachavu al ha'avanim hamfutzalos bamikdash**".

But the word here, the word is "mfutzalos"? "Maskis" means a stone that is cast, that is like one large stone. "Maskis" means cast, "maskis" means already a deed. But no, he says, the reason why it's permitted in the Beis Hamikdash is because it's "mfutzalos" or because it's not "b'artzechem"? No, in the Beis Hamikdash it's permitted. But here "mfutzalos" means paved stones. There's a dispute. "Mfutzalos" is ah, not that "mfutzalos" is obligatory. Forget, forget. Ibn Ezra brings, forget. Ibn Ezra brings, that stones that are not "mfutzalos" is permitted. "Avanim mfutzalos" means carved stones, so beautiful, so well made.

Ah, what is similar to "even maskis"? It's a natural stone. So he says, on a stone that is a rock you may bow, a stone from outside. What does the word "maskis" mean at all? "Maskis" doesn't mean cast. It's not like a cast stone. I have in my hand here a fake stone, a man-made granite. No, it's not that. That's a brick, it's completely permitted, it's a brick, it's not a stone. Eh, granite is a real stone, but the bricks that you have there. "Maskis" means a language of painted stones. And he says "avanim mfutzalos" would also have been... Stop a minute.

So it comes out "avanim mfutzalos" means paved, carved stones. So if you go in the street somewhere and you find just stones in the forest, that's permitted. That's a sort of stone that is cut to make a beautiful floor, that's called "maskis". What did he say "maskis" is from the language of? I mean that... Ah, he says, Ibn Ezra says "maskis" is from the language of "sechiyah", which is a beautiful stone that you look at.

Not from the language of cast like libation, libation thing? No, it's not cast, it's carved. So he says, I don't know. Like maskiyos kesef, yes, the Rambam says maskiyos kesef means beautiful decorations of silver that you look at. Through this you see it. It's from the language of looking, it's sechiyah, and you look, sechiyim shekol sechiyim b'yofi. Yes.

### Custom of Israel – Mats in Synagogues

#### Speaker 1:

So the Rambam says further... Here the Rambam goes to speak about the custom of Israel Torah. Nu, so it is, **V'ho'il v'nahagu kol Yisrael**... Since you're not allowed to bow on... No, since you're not allowed to bow on stones of floors, and he told you earlier that there's no prohibition stated in the Torah means the bowing, he came out that you're not allowed to bow in the beis medrash when it's the custom to bow, when praying you do bow. The Rambam says so, **V'ho'il v'nahagu kol**

**Yisrael l'hishtachavos b'machtzalos b'batei knesses al ritzfos shel avanim**, synagogues where the floor is made of stone, you place either mats or types of straw and hay, why? **L'havdil bein pneihem uvein ha'avanim**. It's actually interesting, the Arabic study halls, or the Sephardim, the Rambam's beis medrash, where you have to bow even in the middle of the week, you bow with spreading hands and feet, you always place mats in the beis medrash, yes? The Arabic study halls have large carpets. Ashkenazi study halls, where you don't bow, you just give a bend without the feet, you only need to place on Yom Kippur indeed. And it was indeed in our study halls, you place some tissues, I don't know what you place something. In Arabic study halls, according to the Rambam it comes out that you really need this.

#### Discussion: Nefilas Apayim

It's not clear, when such a hishtachava'ah came about, and it seems it's not clear, and the Gra brings in Chofetz Chaim also this that hishtachava'ah is spreading hands and feet, but it's not clear that the Rambam means to say that the Ashkenazim bowed this way. But this is yes certain, even for the Ashkenazim by the way, it's yes certain that at tachanun it's called nefilas apayim. Nefilas apayim you certainly have to make hishtachava'ah with spreading hands and feet, it's also brought also by Ashkenazi poskim.

#### Speaker 2:

No, it's not what we're used to sitting. It's not nefilas apayim at all.

#### Speaker 1:

And they feel this way, simply because according to what the Rambam says, that they started to place benches in the beis medrash, it seems that once there were no benches, you stood or you bowed. But today there are benches, simply there's nowhere to do it, so they stopped doing real nefilas apayim. It's also a great difference in reasons, this is not clear, truly seemingly nefilas apayim.

#### Speaker 2:

Nefilas apayim to the ground like it's usually tachanun originally.

#### Speaker 1:

And the Rambam this is certainly stated in the Rambam, which at tachanun is also not just Rambam, but it's stated that tachanun you do nefilas apayim. He says that the Rambam seemingly means here during tachanun.

#### Speaker 2:

Ah, okay, they go further.

#### Speaker 1:

But let's see further, "**V'im lo yimtza davar mavdil beino uvein ha'even**" - ah, but it's the midrash that wasn't placed.

### Continuation: Hishtachava'ah on Even Maskis – The Rema's Opinion on Tachanun

"**V'im Lo Matza Davar Mafsik Beino Uvein Ha'even**"

**Speaker 1:** There's also a doubt in the reasons, it's not clear.

Truly, seemingly, tachanun is tachanun.

I feel, I feel that nefilas apayim is like it's usually tachanun originally.

And the Rema, the Rema says it certainly in the Rema, which at tachanun he doesn't just say Rachum v'Chanun, he says instead of doing tachanun do nefilas apayim.

The Rema on the side says that the Rema seemingly means here instead of tachanun.

**Speaker 2:** Okay, very good, further.

**Speaker 1:** But he says further, "**V'im lo matza davar mafsik beino uvein ha'even**", ah, this is the midrash that was placed.

Does this mean that bowing on the stone that covers the floor is a big problem, "**Yeilech l'makom acher**", he should go to a place where the floor is not made of stone.

He goes to another part of the shul and prays.

"**O shocheh al tzido l'matah**", he says that you can do nefilas apayim like we do, at "Lefanecha b'rachamecha harabim".

It's still not fully bowing, but he bows halfway.

He's still talking about on the floor, but not straight.

I don't know, it could be the Rema stood and you sat on the floor at all, you didn't sit on a bench.

Could be.

But "shocheh al tzido" means he still lies on the floor, but not completely stretched on the floor.

Not straight his face and hands and feet.

"**Tzarich l'hatos panav al tzido**", he goes to the side a bit.

Simply what we do, I don't know if it's even a full bow.

**Practical Application: Hishtachava'ah on a Grave**

And because of this you also need to be careful if someone tries to make a hishtachava'ah on a grave, you need to be careful, the grave also has some even maskis.

**Speaker 2:** Even maskis, yes.

**Speaker 1:** You need to be careful that you should do it in a way, place something under the hand.

**Speaker 2:** Yes.

**Hishtachava'ah With and Without Spreading Hands and Feet**

**Speaker 1:** The Rema says further, very good.

"**Hamishtachaveh laHashem al apav, im hu pishut yadayim v'raglayim**", ah, if it's with spreading hands and feet it's lashes.

If you do it without spreading hands and feet, but hishtachava'ah, which means what yes?

That you are yes pressing your face, but not spreading hands and feet?

Because that's how you do at kri'ah.

What does the Rebbe's bowing mean?

I saw how the Rebbe bows during prayer.

He bends.

He bends, but not spreading hands and feet.

He bends, but not his face and hands and feet.

"**Eino lokeh, aval mekablin oso makas mardus**".

What, rabbinically it is yes forbidden?

**Speaker 2:** But he becomes is...

**Speaker 1:** So it seems.

I don't know, I don't know why.

Seemingly there's a definition, but it's hard to understand.

He brings it this way from the Gemara.

The Gemara speaks about the distinction between spreading hands and feet or without spreading hands and feet.

I don't know, he certainly took it from somewhere.

**Discussion: "Ika Shafna B'karka" – What Does This Mean?**

**Speaker 2:** Which wasn't very elaborated. Yes, yes. When you do it for the Almighty. But for idolatry, I bowed simply on four amos, I bowed simply on four amos, because there's a rabbit in the ground?

**Speaker 1:** No.

As long as, once you make enough hishtachava'ah that the face becomes, like the face comes to the ground, it's called one hishtachava'ah which is called one of the four services, and gets stoned, he receives stoning.

So there's a question here, he brings in the commentators, what does "ika shafna b'karka" mean?

I interpreted it in New York, that he bends, but the face still not.

Like we do at Shemoneh Esrei, it's not at all pressing face to the ground, you just give a bend.

This is perhaps not even forbidden even for idolatry.

That's how I understood as it was written.

The other interpretation is that touching the floor is called pressing face to the ground.

Doesn't mean going into details, because as it was written earlier "yad b'kefunah ba'even", not everything means the same.

**"Yad bakfuna ba'even" and "kovesh panav bakarka" - Not Everything Means the Same Thing**

Perhaps it means a different expression?

"Ikka shifna bakarka" simply means he gives a bow, shocheh like, he gives a bow.

Not clear, it's not clear to me what is the... It seemingly means even touching the floor, because earlier it said that if money fell...

**Speaker 2:** Okay, that one could be that it's only a geder, it's only a halacha techila, that certainly one shouldn't even kneel at all.

**Speaker 1:** But that doesn't solve the question, the question is that he wants to receive the skilah, what does actual hishtachava'ah mean?

Shechiyah in the Torah?

Or is he even speaking of touching the ground?

If touching the ground can be a small touch is touching the ground.

But we're talking about touching the ground, it must be a hishtachava'ah that is in the Torah for the sake of avodah zarah.

So, not clear.

We'll see the Rambam further.

But what does kri'ah mean?

Not clear here.

**Halacha 15: Planting a Tree Near the Altar**

**Speaker 1:** Okay, so we're going to learn about the prohibition of... another one, another one.

About planting an asherah, planting a tree by the altar.

Says the Rambam, another prohibition that is in the category of chukos avodah zarah, is **hanotei'a ilan etzel hamizbe'ach**, one who plants a tree next to the altar, even if not for avodah zarah, even if it's not for avodah zarah.

Etzel hamizbe'ach doesn't mean specifically right next to the altar, but in the azarah which is next to the altar.

There's no difference which tree, whether it's an ilan srak, even an ilan ma'achal, even a simple fruit tree, "**asher lo ya'aseh nora mikdash yafeh**", he made it for beauty.

It's not meant to say for avodah zarah or one wants to serve the tree.

It's only for beauty.

**"Ela zehu lokeh, shene'emar 'lo sita lecha asherah kol etz etzel mizbe'ach Hashem Elokecha asher ta'aseh lach"**.

Why?

He says, "**lefi shehayah derech ovdei avodah zarah not'im ilanot betzad mizbacham kedei sheytkabetzu sham ha'am**".

It was like a sign, one sees a tall tree, they planted this next to the altar, so that the people should gather there.

**Discussion: The Rambam's Position on "Hitkabtut Ha'am"**

This is the second time that the Rambam says this "kedei sheytkabetzu sham ha'am".

I feel that the Rambam is against it.

Perhaps he holds that this hitkabtut ha'am is not a good thing at all, not everyone needs to come to the Beit HaMikdash.

I mean yes.

You disagree?

**Speaker 2:** I mean no.

**Speaker 1:** I'm afraid that the hitkabtut ha'am is not a good thing.

**Speaker 2:** No, the Rambam says explicitly why they placed the tree.

**Speaker 1:** It could be that he means to say that the tree wasn't even for avodah zarah.

The tree was a sign that next to it there is avodah zarah.

A tall tree can be seen from far away.

A regular avodah zarah is not so tall.

A tall tree was seen.

**Speaker 2:** Let's say, so, and why is it not allowed?

What's wrong with just gathering for Hashem?

**Speaker 1:** No, because now you're doing something that looks similar.

Because now you're doing like the goyim placed a tree next to theirs, you're placing a tree next to yours.

This is a practical thing.

Like it says that one may not place soap in the beit midrash, because they placed soap in their beit midrash.

**Speaker 2:** I wouldn't be so sure.

Perhaps he wants to say that it was a specific type of way, a sign of avodah zarah.

**Speaker 1:** You see this is the second time he says this "hitkabtut ha'am".

I don't know.

I'm afraid that here there's some explanation.

Perhaps hitkabtut ha'am is not desirable at all.

You see that the Rambam teaches that all teme'im and tehorot, teme'im shouldn't go much to the Beit HaMikdash.

The Rambam doesn't hold that it's a concept that everyone should go all the time.

It could be that hitkabtut ha'am is not a way.

The kohanim should go, the one who is worthy, not hitkabtut of the entire people.

**Speaker 2:** The Rambam didn't hold of oleh regel?

**Speaker 1:** Oleh regel is three times a year.

For that you don't need a tree, one knows how to go.

I wouldn't... everyone would have asked a local moreh hora'ah.

One can't build a Torah... I wouldn't base a Torah on this expression, because one needs to know the Rambam's understanding of what the neti'at ilanot was.

**Speaker 2:** Okay.

Yes.

Let me ask you a question, there can't be any trees in the Beit HaMikdash?

What's wrong with a tree?

A beautiful tree, the Almighty made trees.

**Speaker 1:** Something is with the custom of ovdei avodah zarah.

It's like saying one shouldn't sit on any benches.

A tree is the most basic thing that exists in the world.

You want to place something beautiful, you place a tree there.

Right?

It's not a fancy thing.

**Speaker 2:** Because it's a fancy thing.

**Speaker 1:** But I hear, there's much talk that in order to beautify the city they left an empty area, they didn't plant trees in front of the city.

Today's way of aesthetics was seemingly different.

**Speaker 2:** No, I don't believe it.

On the contrary, an empty space is more beautiful, an empty large area.

**Speaker 1:** No, simply there was enough space.

Even if you add that it was beautiful, well, yes.

It doesn't say it's ugly.

Something is here, something is here, the halacha is here, I'm missing, I'm missing, I don't know what, but I'm missing something.

I believe I'm missing something.

**Speaker 2:** Okay, another thing.

Look how far it goes.

On the contrary, he brings there from the Albag, that on the contrary, that on a bamas yachid one also doesn't place a tree.

Like it means that the bamah is for the sake of Heaven alone.

This is a way of a sign that they are different from the goyim.

**Speaker 1:** I'm missing something.

Let's go further.

**Halacha 16: A Wooden Porch in the Mikdash**

**Speaker 1:** What is **la'asot achsarah shel etz bamikdash**, those who made in the courtyards?

**Speaker 2:** Courtyards means when batei midrashim that one makes in courtyards?

**Speaker 1:** No, in the courtyards of the House one makes such an achsarah.

**Speaker 2:** Ah, an achsarah is such a porch, such a structure that one makes around a building, around a house.

**Speaker 1:** **Afilu sheyihyeh bivnin einot netu'ah**, this doesn't go on a planted tree, it's a structure that one makes with wood, with cut wood, it's more like a building, like wooden beams.

**But they are chukei avodah zarah, shene'emar "kol etz".**

**Ela kol ha'achsadrot vehatichkachot hayotz'ot min hakirot shel Beit HaMikdash shel even hayu velo shel etz.**

Therefore, the achsarah that was made around the Beit HaMikdash, in Masechet Sukkah where it says about the achsarah, yes, there the people placed their... there was the sukkah, there they placed their boards, there they placed...

**Speaker 2:** Ah, you mean the room where they placed the lulavim?

**Speaker 1:** Well, what?

All these things were made specifically of stone, it shouldn't be of wood, it shouldn't be similar even in any way.

Wood, wood is very important, it's a tree, there are no trees in the Beit HaMikdash.

Something is, you see I'm missing something.

So far that one doesn't place any tree?

Okay.

You say it's avodah zarah, but it's so broadly that there are trees, okay, by us there are no trees.

Also not to place any wooden bench because something, something is going on here, I don't know what.

I don't have much information, I'm missing some basic information to understand what's going on here.

**The Ra'avad's Objection**

**Speaker 2:** Yes, not everything we understand so precisely, one must try.

**Speaker 1:** The Ra'avad challenges this.

Ah, the Ra'avad doesn't agree.

The Ra'avad says that there was indeed a lishkat ha'etz.

He says that during the time of permission... a lishkat ha'etz can mean a chamber that was full of wood for the altar, but he says that he held that the chamber itself was made of wood.

He brings differently, a wooden platform that was made for the congregation, also the gezuztra that was made for the ezrat nashim.

You know that the Rambam didn't bring this?

The Ra'avad made it of wood, the Ra'avad can... It's difficult to make a contradiction on an explanation of Rashi, I don't understand so difficult.

But the Ra'avad gives a different answer.

The Ra'avad says that temporarily one may make.

This is the Ra'avad's answer.

The Ra'avad says that temporarily one may make, just not permanently.

This is clear.

**Speaker 2:** Yes.

**Speaker 1:** Okay, one can say that the Rambam has a different answer to this.

The Gra speaks something about this, about placing trees in the beit midrash on Shavuot, about the reason?

**Speaker 2:** No, they held that one makes like the Christmas trees, so he also says no source.

**Speaker 1:** He doesn't speak about the matter of placing a tree in the beit midrash, he only speaks about the altar.

**An Interesting Contrast: Matzevah Versus Tree**

This is very interesting.

It's a fact, ah, I'm thinking now of an interesting thing.

Look, look.

A matzevah, even maskis, one may not anywhere, but in the Beit HaMikdash, in the azarah one may yes.

And a tree one specifically may not in the azarah.

In a shul one may place a tree, there's no prohibition to place a tree next to a shul.

But by the altar there is a prohibition, and even such a sharp prohibition, even not a piece of wood.

And you know, we need to understand this better, but not always must one understand reasons, and we need to know the halacha first.

Sometimes understand the reason also, when one already knows, yes.

So.