The Steinsaltz Mishne Torah

SEFER ZEMANIM



Steinsaltz
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משנה תורה לרמב"ם שטיינזלץ

THE STEINSALTZ MISHNE TORAH

ספר זמנים

SEFER ZEMANIM

COMMENTARY BY
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Steinsaltz

STEINSALTZ CENTER
KOREN PUBLISHERS JERUSALEM

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The Steinsaltz Mishne Torah
Volume 2: *Sefer Zemanim*

First Hebrew/English Edition, 2026

Koren Publishers Jerusalem Ltd.
PO Box 4044, Jerusalem 9104001, ISRAEL
PO Box 8531, New Milford, CT 06776, USA
www.korenpub.com

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Hardcover edition, ISBN 978 965 583 067 5

First printing, 2026

Printed in PRC

SEFER ZEMANIM

Dedicated to the memory of

Helen Nash *z"l*

חיה רבקה בת משה

כָּל־כְּבוּדָּה בַת־מֶלֶךְ פְּנִימָה

The king's daughter is resplendent within

(Psalm 45:14)

A woman whose inner beauty more than matched
her outer grace and elegance.
She linked the heritage of the past
with a vision for the future.
She cherished family above all, loved the Jewish people with
passion, and cared deeply for the vulnerable.

HILKHOT SHABBAT

This hilkhot section is dedicated to the

Matanel Foundation

of which Rabbi Steinsaltz was a primary pillar.
In his spirit, the Foundation continues its
mission as a philanthropic incubator,
perpetuating the vision he instilled within it.

HILKHOT EIRUVIN

This section is tenderly dedicated to the loving memory of my mother

Beverley Maron

whose teachings continue to light my way through life's tapestry.
To our cherished children,

Maya, Rachel, and Ari

who embody the enduring wisdom and loving-kindness she instilled in our hearts.
And to our brave soldiers, whose valor is safeguarding our
sacred legacy, who will lead Am Yisrael to victory

HILKHOT SHEVITAT ʾASOR
AND
HILKHOT YOM TOV

לכבוד
חיילנו האהובים
חזק ואמץ

ולעלוי נשמות
הגיבורים שמסרו את נפשם בהגנת העם והארץ

סיד טננבאום ויהודית קרדוזו
הושענא רבה תשפ״ח

Beloved Soldiers

Ḥazak ve'ematz

With eternal gratitude to those who fell bravely defending our nation and our land

Sid Tenenbaum & Judith Cardozo

Hoshanna Rabba 5768

HILKHOT
ḤAMETZ UMATZA

In memory of

Ralph (Raphael HaKohen) Goldman

A man of many accomplishments and a lover of the People of Israel,
whose impact shall be preserved for generations.
With profound gratitude for his unconditional friendship,
and for support that was both spiritual and practical.

HILKHOT
SHOFAR VESUKKA VELULAV

To my wonderful Jewish grandchildren

Sir Trevor Chinn

HILKHOT SHEKALIM

To my wonderful Jewish grandchildren

Sir Trevor Chinn

HILKHOT KIDDUSH HAḤODESH AND HILKHOT TAANIT

Dedicated in gratitude to the memory of

Yael and Micḥa Taubman *z"l*

whose lives were bound in love for and dedication to Torah, Am Yisrael, and Eretz Yisrael.

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HILKHOT MEGILLA VAḤANUKKA

Dedicated by
Jewish Community of Singapore

Grace Shua and Jacob Ballas Trust

Isaac Manasseh Meyer Trust

Abdullah Saleh Shooker Trust

Ezra Haim ben Yehuda Benjamin OBM

Frank OBM and Mavis Benjamin

Ben and Claire Benjamin

Victor and Michelle Sassoon

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Preface to This Edition of the *Mishne Torah*

The *Mishne Torah* is the most all-encompassing work of Jewish law ever written. It benefits from a clear style, and is arranged in an impressively orderly and logical manner. This enables the students of the book, whether or not they have a Torah background, to gain a distinct and comprehensive picture of the halakha on any given topic.

With that said, the contemporary reader may still find it somewhat difficult to study this work, due to changes in language and culture since the Rambam's time, which necessitate clarifications of many words and terms. Furthermore, although the Rambam provided the reasoning for a large number of his rulings, there are still numerous laws that lack explanations, with regard to both their rationales and their underlying principles.

From the perspective of the practical halakha, many important factors are absent from the *Mishne Torah*, such as dissenting opinions that have been accepted as halakha by a majority of Jews (or in specific communities), certain halakhic topics that are not addressed by the Rambam at all, customs and enactments that are omitted, and areas of concern that did not exist in the Rambam's day. Consequently, although the *Mishne Torah* was initially designed to serve as a work of practical halakha, and despite the fact that the vast majority of the Rambam's rulings have indeed been accepted as halakha, one who studies the book nowadays cannot rely on it to such an extent that he will know, in every situation, how to act in practice.

The aim of this edition of the *Mishne Torah* is to bridge these gaps. It renders the book accessible to everyone with the addition of study tools which allow readers to use the book as a means of understanding the halakha in practice. The different sections of this edition have been specifically adapted for this purpose, and were prepared with great care, in order that the book would be elegant, professional, useful, and accessible to all.

Many thanks to the team at Koren Publishers, Jerusalem, who worked hard on the design and preparation of the edition.

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Some Observations on this Edition

The text of the *Mishne Torah*

Due to the importance of the *Mishne Torah* to the Torah world, it has been copied, printed, and edited many times, in many different generations and, as a result, the text has fallen prey to numerous changes and corruptions, unconsciously or otherwise. This edition is based on the precise text edited by Rabbi Yitzḥak Sheilat, the *Rambam HaMeduyak* [*The Precise Rambam*], which he prepared through consultation with Mizrahi and Yemeni manuscripts of the *Mishne Torah,* considered the most reliable. Foremost among these is the manuscript approved with the signature of the Rambam himself for *Sefer HaMadda* and *Sefer Ahava* (see Rabbi Sheilat's introduction to his text, where his method of establishing the most accurate version is clarified in detail). The sketches and diagrams that appear in the *Mishne Torah* itself have been precisely arranged, based on the images that appear in the manuscripts of the *Mishne Torah,* as in Rabbi Sheilat's edition.

The division into Halakhot

The Rambam divides every chapter of the *Mishne Torah* into Halakhot. In the manuscripts of the *Mishne Torah,* including those with Rambam's own handwriting, in his drafts of the work, the Halakhot were not numbered. The numbering of the Halakhot was added in the printed editions, but these divisions are often corrupt and do not correspond to the original division of the Rambam. In certain cases, the alternative division stemmed from publishers' errors of comprehension; there are even instances where a Halakha is interrupted in the middle of a sentence. In this edition, the paragraphs have been separated in accordance with the Rambam's original division of the Halakhot, but the standard numbering of the Halakhot of the printed editions was preserved, as an aid to the reader.

Vowels and punctuation

The vowels and punctuation in this edition have been prepared in a meticulous, precise manner. The spelling has been adjusted so that the word is fully spelled out when that is required by the rules of grammar, while the spelling of the biblical verses quoted by the Rambam follows the Masoretic tradition. Aside from this, the verses are presented as they were written in the manuscripts, and it is noted when they deviate from the Masoretic text. Where there is a gap in a quotation, and the manuscripts read וכו׳, "etc.," the Hebrew text states likewise, and where such an indication is missing, an ellipsis […] has been added instead. In the translation, there

is either an ellipsis replacing the "etc." or the verse has been completed. As for the vowels, there are many cases where the vowels were likely added by the Rambam himself in his *Commentary on the Mishna*. In most instances, these vowels are accepted, even if they reflect a tradition of pronunciation that differs slightly from the one in use today, but the vowels of several words have been adjusted to follow the customary contemporary pronunciation. Since the vowels accord with the spelling that appears in the manuscripts, certain words might sometimes appear unusual to the eye.

The glosses of the Raavad

The Raavad was a contemporary of the Rambam, and is considered his greatest critic. Throughout the *Mishne Torah* the Raavad comments on the Rambam's statements. Sometimes he disagrees with the Rambam outright, while on other occasions he clarifies his meaning or provides a source. Over the generations, the glosses of the Raavad have been studied together with the text of the Rambam itself, and many of the ruling authorities have assumed that if the Raavad does not take issue with the Rambam on a particular matter, this can be taken as a sign of his agreement with the Rambam's rulings. The text of the Raavad's glosses on *Sefer Zemanim* are based on the text of the Raavad's glosses on Sefer Zemanim in this edition is based on *Yad Peshuta* by Rabbi Naḥum Eliezer Rabinovitch. We thank him for granting us permission to use his edition.[1]

From the Lubavitcher Rebbe

This section features commentaries on the *Mishne Torah* by the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, who instituted a program for the daily study of the *Mishne Torah* and devoted much attention to Rambam's teachings. The Rebbe's commentaries address both the plain meanings of the laws and their spiritual, esoteric message. The commentaries presented here have been gathered from across the Rebbe's extensive teachings. From among the Rebbe's numerous observations on the *Mishne Torah*, those cited here illuminate the Rambam's distinctive approach and the unique wording of his formulations.

Daily study schedule

The *Mishne Torah* is studied by many as part of a regular daily learning schedule. The daily study of the Rambam was proposed by the Lubavitcher Rebbe in the year 5744 (1984). The Rebbe explained that because the *Mishne*

1 Sadly, Rabbi Rabinovitch passed away before the publicationof this volume.

Torah is the only halakhic work that encompasses the entire Torah, studying it gives a person the opportunity to acquire comprehensive knowledge of all parts of the Torah. Studying the *Mishne Torah* daily study can unite the entire Jewish people in shared learning of all the parts of the Torah.

In order to make the daily study suitable for as broad an audience as possible, including people with Torah background and those without, the Rebbe proposed three study tracks:

1. Three chapters per day – In this framework, the entire *Mishne Torah* is completed in slightly under a year.
2. One chapter per day – In this framework, the entire *Mishne Torah* is completed once every three years and three months.
3. Study of the Rambam's *Sefer HaMitzvot* – In this framework the daily content is coordinated with the topics being studied in the three-chapter track. Students in this track complete the *Sefer HaMitzvot* each year.

All frameworks include studying the entire work, beginning with the Rambam's introduction to the *Mishne Torah*. To assist the learner, in this current edition, there are markings for the one-chapter-per-day and three-chapters-per-day tracks as follows:

A symbol of three triangles (◂◂) at the beginning of the introduction serves as the starting point for both tracks. For those studying three chapters per day, the three-triangle symbol marks the transition point from day to day.

The introductions

To every *Sefer* of the *Mishne Torah*, as well as each of its halakhic units, we have added an introduction. The introductions present basic descriptions of the topics of that section, highlighting the main points of each topic. They also include general references to the rabbinic sources that deal with that subject, while addressing the structure of the book as a whole and the position of that section of Halakhot within the entire work.

The headings

At the beginning of each section of Halakhot, we have offered titles for the topics of the chapters and their laws. These serve as a kind of table of contents for the section, while also outlining a general picture of how the unit is organized as a whole. The titles are presented again at the start of each chapter, to help the reader understand its structure and development.

The commentary

The commentary is presented in a concise form. It explains difficult words and halakhic terms, as well as the principles and rationales that underlie the Rambam's decisions. The commentary is based on an in-depth study of the relevant passages in the rabbinic sources and their commentaries, comparisons with other sections of the *Mishne Torah* and different works of the Rambam, the opinions of the early authorities on the work, as well as newer commentaries from recent generations, up to and including our own. This is all part of an effort to establish the true meaning of the Rambam's words. Special note should be made of Rabbi Yosef Kapaḥ's translation of the Rambam's *Commentary on the Mishna*, and his commentary to the *Mishne Torah*, as well as the *Yad Peshuta* commentary by Rabbi Naḥum Eliezer Rabinovitch, of which we have made extensive use. The commentary also provides images and diagrams that clarify and illustrate the Rambam's statements.

Halakhic discussion

This edition notes the opinions of the *Shulḥan Arukh* and the Rema, when they refer to the rulings of the Rambam. It also cites the views of authorities who disagree with the Rambam, or who add details to the halakha, beginning with the *Shulḥan Arukh* and its commentaries, through the later authorities, down to contemporary rabbis. This tells the reader when the Rambam's opinion has been accepted as law, and in which instances the halakha has been decided differently. In those Halakhot that are not discussed in the *Shulḥan Arukh*, such as laws that are not practiced in this age, the main opinions of the early and later authorities over the generations have been referenced, where they take issue with or add to the Rambam's statements.

The appendices

The appendices, which form an independent unit at the end of each book, offer analyses of halakhically complex topics. They present a comprehensive overview of the subject matter, from the sources of the halakha to rulings by contemporary authorities, while referencing the historical, social, and technological changes that have occurred over the generations, as well as the degree of their influence on the halakhic reality as practiced today. This section thus complements the "Halakhic Discussion" notes on subject matters that include, among other issues, various topical questions that arise in the modern world.

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Introduction to *Sefer Zemanim*

Sefer Zemanim of the *Mishne Torah* focuses on every aspect of one specific topic: all the mitzvot of the yearly calendar cycle, from *Shabbatot*, festivals, and other commemorative dates, to general issues involving the establishment of the calendar itself.

These halakhot, which deal with the times [*zemanim*] of the year, broadly correspond to the second of the six orders of the Mishna, *Seder Moed*. There are, however, some differences. One of these is the structure in which the Rambam arranged the various laws, or halakhot. Although in some cases the Rambam follows the division of the Mishna (such as the split between *Shabbat* and *Eiruvin*), in other instances he combines laws from two tractates of the Mishna into a single section (for example, *Hilkhot Yom Tov* parallel the tractates *Beitza* and *Moed Katan*), while in other cases he separates topics that appear together in the Mishna (the laws of *Hilkhot Kiddush HaḤodesh* are part of Tractate *Rosh HaShana*). The overall order of the sections in the Rambam also differs from their order in the Mishna.

A second point of difference involves the content of these halakhot. In the tractates of *Seder Moed*, the topics of Shabbat and the yearly festivals are discussed in full. In contrast, the Rambam did not include in *Sefer Zemanim* those mitzvot and topics that do not relate to the nature of Shabbat and the festivals themselves, even though they are performed on and are connected to these special days. For example, the laws of the communal offerings that must be brought on *Shabbatot* and festivals are not included in *Sefer Zemanim*, but rather are clarified in the books that are devoted specifically to the Temple and its service: *Sefer Avoda* and *Sefer Korbanot*.

On the other hand, *Sefer Zemanim* has a few additional sections that are not found in the Mishna and the Talmud, which can be regarded as appendices. One of these is the Passover Haggadah that appears at the end of *Hilkhot Ḥametz UMatza*. Another addition is the last section of *Hilkhot Kiddush HaḤodesh*, which is essentially an astronomical appendix. Every so often, the Rambam will discuss a topic that is not actually the main focal point of the halakha, but which provides background to understand and engage with the halakha in a more complete manner.

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"בְּשֵׁם יי אֵל עוֹלָם" (בראשית כא, לג)

"In the name of the Lord, God of the Universe" (Genesis 21:33)

"נָחַלְתִּי עֵדְוֹתֶיךָ לְעוֹלָם, כִּי שְׂשׂוֹן לִבִּי הֵמָּה" (תהלים קיט, קיא)

"Your precepts are my possession forever,
for they are the joy of my heart"* (Psalms 119:111).

סֵפֶר שְׁלִישִׁי וְהוּא

סֵפֶר זְמַנִּים

The third book, which is *Sefer Zemanim*

INSIGHTS OF THE LUBAVITCHER REBBE

*Your precepts are my possession forever, for they are the joy of my heart – נָחַלְתִּי עֵדְוֹתֶיךָ לְעוֹלָם כִּי שְׂשׂוֹן לִבִּי הֵמָּה: The Rambam presents the halakhot of *Sefer Zemanim* in an order that is different from how they appear in the Torah, in *Parashat Emor*, whose arrangement is followed by Rabbi Yehuda HaNasi in the Mishna. In the Torah and the Mishna, the mitzva of Shabbat comes first, followed by the festivals in general, and then Yom Kippur, Passover, and the festivals of Tishrei. While there is a logical reason for the Rambam's order, one may still consider why he would deviate from the order of both the Torah and the Mishna. In explanation, it can be suggested that there are two aspects to mitzvot that apply on certain dates of the year: the obligation that goes into effect at that time, which is in force only on that particular date, and the obligation that applies to the person himself, which is always in effect (with respect to his basic commitment to the mitzva, not as a practical duty). While the emphasis in the Torah is on the times, the Rambam is stressing one's unceasing obligation, and he therefore chose an order that relates to a person's level of obligation and its severity (see the introduction of the *Maggid Mishne* to *Sefer Zemanim*). This is also why the Rambam chose to introduce *Sefer Zemanim* with this particular verse (Psalms 119:111), for it highlights the eternal nature of the obligation: "A heritage for ever."

On a deeper level, the mitzvot of the festivals are active "testimonies" that are constantly bestowing their unique influence (such as the sign of Shabbat, the joy of Sukkot, and the like) over the entire year, from one Shabbat to the next, from one festival to another, and so on (*Torat Menaḥem, Hitvaaduyot, Erev Ḥag HaShavuot* 5754, 5755; *Likkutei Siḥot* 32, p. 127).

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סֵפֶר זְמַנִּים

Sefer Zemanim

Sefer Zemanim contains **ten sections, in the following order:** ***Hilkhot Shabbat*** (Laws of Shabbat), ***Hilkhot Eiruvin*** (Laws of Mergings), ***Hilkhot Shevitat Asor*** (Laws of Resting on the Tenth [of Tishrei]), ***Hilkhot Yom Tov*** (Laws of Festivals), ***Hilkhot Ḥametz UMatza*** (Laws of Leavened and Unleavened Bread), ***Hilkhot Shofar VeSukka VeLulav*** (Laws of the Shofar, *Sukka* and *Lulav*), ***Hilkhot Shekalim*** (Laws of *Shekalim*), ***Hilkhot Kiddush HaḤodesh*** (Laws of the Sanctification of the New Moon), ***Hilkhot Taaniyot*** (Laws of Fast Days), and ***Hilkhot Megilla VaḤanukka*** (Laws of Megilla and Hanukkah).

הִלְכוֹתָיו עֶשֶׂר, וְזֶה הוּא סִדּוּרָן: הִלְכוֹת שַׁבָּת, הִלְכוֹת עֵרוּבִין, הִלְכוֹת שְׁבִיתַת עָשׂוֹר, הִלְכוֹת שְׁבִיתַת יוֹם טוֹב, הִלְכוֹת חָמֵץ וּמַצָּה, הִלְכוֹת שׁוֹפָר וְסֻכָּה וְלוּלָב, הִלְכוֹת שְׁקָלִים, הִלְכוֹת קִדּוּשׁ הַחֹדֶשׁ, הִלְכוֹת תַּעֲנִיּוֹת, הִלְכוֹת מְגִלָּה וַחֲנֻכָּה.

***Hilkhot Shabbat* include five mitzvot: two positive mitzvot and three negative mitzvot. Their enumeration follows: 1) To rest on the seventh** day (positive mitzva 154); **2) Not to perform labor** on that day (negative mitzva 320); **3) Not to administer** judicial **punishments on Shabbat** (negative mitzva 322); **4) Not to go beyond** the established **boundary on Shabbat** (negative mitzva 321); **5) To sanctify the day through** verbal **mention** (positive mitzva 155).

הִלְכוֹת שַׁבָּת – יֵשׁ בְּכֻלָּן חָמֵשׁ מִצְוֹות, שְׁתֵּי מִצְוֹות עֲשֵׂה וְשָׁלֹשׁ מִצְוֹות לֹא תַעֲשֶׂה, וְזֶה הוּא פִּרָטָן: א) לִשְׁבֹּת בַּשְּׁבִיעִי (עשה קנד). ב) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכ). ג) שֶׁלֹּא לַעֲנֹשׁ בְּשַׁבָּת (לא תעשה שכב). ד) שֶׁלֹּא לָצֵאת חוּץ לַגְּבוּל בְּשַׁבָּת (לא תעשה שכא). ה) לְקַדֵּשׁ הַיּוֹם בְּזִכְרָה (עשה קנה).

Hilkhot Eiruvin include **one positive mitzva, which** applies **by rabbinic law, and is** therefore **not counted** as one of the six hundred and thirteen mitzvot of the Torah.

הִלְכוֹת עֵרוּבִין – מִצְוָה עֲשֵׂה אַחַת, וְהִיא מִדִּבְרֵי סוֹפְרִים, וְאֵינָהּ מִן הַמִּנְיָן.

***Hilkhot Shevitat Asor* include four mitzvot: two positive mitzvot and two negative mitzvot. Their enumeration follows: 1) To rest on this** day **from** prohibited **labor** (positive mitzva 165); **2) Not to perform labor on it** (negative mitzva 327); **3) To afflict oneself on it** (positive mitzva 164); **4) Not to eat or drink on it** (negative mitzva 196).

הִלְכוֹת שְׁבִיתַת עָשׂוֹר – יֵשׁ בְּכֻלָּן אַרְבַּע מִצְוֹות, שְׁתֵּי מִצְוֹות עֲשֵׂה וּשְׁתֵּי מִצְוֹות לֹא תַעֲשֶׂה, וְזֶה הוּא פִּרָטָן: א) לִשְׁבֹּת בּוֹ מִמְּלָאכָה (עשה קסה). ב) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכז). ג) לְהִתְעַנּוֹת בּוֹ (עשה קסד). ד) שֶׁלֹּא לֶאֱכֹל וְלִשְׁתּוֹת בּוֹ (לא תעשה קצו).

***Hilkhot Yom Tov* include twelve mitzvot: six positive mitzvot and six negative mitzvot. Their enumeration follows: 1) To rest on the first** day **of Passover** (positive mitzva 159); **2) Not to perform labor on it** (negative mitzva 323); **3) To rest on the seventh** day **of Passover** (positive mitzva 160); **4) Not to perform labor on it** (negative mitzva 324); **5) To rest on the day of the festival of Shavuot** (positive mitzva 162); **6) Not to perform labor on it** (negative mitzva 325); **7) To rest on Rosh HaShana** (positive mitzva 163); **8) Not to perform labor on it** (negative mitzva 326); **9) To rest on the first** day **of the festival of Sukkot** (positive mitzva 166); **10) Not to perform labor on it** (negative mitzva 328); **11) To rest on the eighth** day **of** that **festival** (positive mitzva 167); **12) Not to perform labor on it** (negative mitzva 329).

הִלְכוֹת שְׁבִיתַת יוֹם טוֹב – יֵשׁ בְּכֻלָּן שְׁתֵּים עֶשְׂרֵה מִצְוֹות, שֵׁשׁ מִצְוֹות עֲשֵׂה וְשֵׁשׁ מִצְוֹות לֹא תַעֲשֶׂה, וְזֶה הוּא פִּרָטָן: א) לִשְׁבֹּת בָּרִאשׁוֹן שֶׁל פֶּסַח (עשה קנט). ב) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכג). ג) לִשְׁבֹּת בַּשְּׁבִיעִי שֶׁל פֶּסַח (עשה קס). ד) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכד). ה) לִשְׁבֹּת בְּיוֹם חַג הַשָּׁבוּעוֹת (עשה קסב). ו) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכה). ז) לִשְׁבֹּת בְּרֹאשׁ הַשָּׁנָה (עשה קסג). ח) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכו). ט) לִשְׁבֹּת בָּרִאשׁוֹן שֶׁל חַג הַסֻּכּוֹת (עשה קסו). י) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכח). יא) לִשְׁבֹּת בַּשְּׁמִינִי שֶׁל חַג (עשה קסז). יב) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה (לא תעשה שכט).

הִלְכוֹת חָמֵץ וּמַצָּה – יֵשׁ בִּכְלָלָן שְׁמוֹנָה מִצְווֹת, שָׁלֹשׁ מִצְווֹת עֲשֵׂה וְחָמֵשׁ מִצְוֹת לֹא תַעֲשֶׂה, וְזֶה הוּא פִּרְטָן: א) שֶׁלֹּא לֶאֱכֹל חָמֵץ בְּיוֹם אַרְבָּעָה עָשָׂר מֵחֲצוֹת הַיּוֹם וּלְמַעְלָה (לא תעשה קצט). ב) לְהַשְׁבִּית שְׁאוֹר מֵאַרְבָּעָה עָשָׂר (עשה קנו). ג) שֶׁלֹּא לֶאֱכֹל חָמֵץ כָּל שִׁבְעָה (לא תעשה קצז). ד) שֶׁלֹּא לֶאֱכֹל תַּעֲרֹבֶת חָמֵץ כָּל שִׁבְעָה (לא תעשה קצח). ה) שֶׁלֹּא יֵרָאֶה חָמֵץ כָּל שִׁבְעָה (לא תעשה ר). ו) שֶׁלֹּא יִמָּצֵא חָמֵץ כָּל שִׁבְעָה (לא תעשה רא). ז) לֶאֱכֹל מַצָּה בְּלֵילֵי הַפֶּסַח (עשה קנח). ח) לְסַפֵּר בִּיצִיאַת מִצְרַיִם בְּאוֹתוֹ הַלַּיְלָה (עשה קנז).

***Hilkhot Ḥametz UMatza* include eight mitzvot: three positive mitzvot and five negative mitzvot. Their enumeration follows: 1) Not to eat leavened bread on the day of the fourteenth** of Nisan **from midday onward** (negative mitzva 199); **2) To remove leaven** starting **from the fourteenth** of Nisan (positive mitzva 156); **3) Not to eat leavened bread all seven** days of Passover (negative mitzva 197); **4) Not to eat a mixture of leavened bread all seven** days of Passover (negative mitzva 198); **5) Leavened bread should not be seen** in one's possession **all seven** days of Passover (negative mitzva 200); **6) Leavened bread should not be found** in one's possession **all seven** days of Passover (negative mitzva 201); **7) To eat matza** (unleavened bread) **on the night of Passover** (positive mitzva 158); **8) To relate the exodus from Egypt on that night** (positive mitzva 157).

הִלְכוֹת שׁוֹפָר וְסֻכָּה וְלוּלָב – יֵשׁ בִּכְלָלָן שָׁלֹשׁ מִצְוֹת עֲשֵׂה, וְזֶה הוּא פִּרְטָן: א) לִשְׁמֹעַ קוֹל שׁוֹפָר בְּאֶחָד בְּתִשְׁרֵי (עשה קע). ב) לֵישֵׁב בַּסֻּכָּה שִׁבְעַת יְמֵי הֶחָג (עשה קסח). ג) לִנְטֹל לוּלָב בַּמִּקְדָּשׁ כָּל שִׁבְעַת יְמֵי הֶחָג (עשה קסט).

Hilkhot Shofar VeSukka VeLulav* include three positive mitzvot. Their enumeration follows: 1) To hear the sound of a shofar on the first of Tishrei** (positive mitzva 170); **2) To reside in a *sukka during the **seven days of the festival** of Sukkot (positive mitzva 168); **3) To take a *lulav* in the Temple all seven days** of Sukkot (positive mitzva 169).

הִלְכוֹת שְׁקָלִים – מִצְוַת עֲשֵׂה אַחַת, וְהִיא לִתֵּן כָּל אִישׁ מַחֲצִית הַשֶּׁקֶל בְּכָל שָׁנָה (עשה קעא).

Hilkhot Shekalim include **one positive mitzva, which is that every man must give a half-shekel every year** (positive mitzva 171).

הִלְכוֹת קִדּוּשׁ הַחֹדֶשׁ – מִצְוַת עֲשֵׂה אַחַת, וְהִיא לַחֲשֹׁב וְלֵידַע וְלִקְבַּע בְּאֵיזֶה יוֹם הוּא תְּחִלַּת כָּל חֹדֶשׁ וְחֹדֶשׁ מֵחָדְשֵׁי הַשָּׁנָה (עשה קנג).

Hilkhot Kiddush HaḤodesh include **one positive mitzva, which is to calculate, know, and establish which day is the beginning of each and every month of the year** (positive mitzva 153).

הִלְכוֹת תַּעֲנִיּוֹת – מִצְוַת עֲשֵׂה אַחַת, וְהִיא לְהִתְעַנּוֹת וְלִזְעֹק לִפְנֵי יי בְּעֵת כָּל צָרָה גְּדוֹלָה שֶׁתָּבֹא עַל הַצִּבּוּר (עשה נט).

Hilkhot Taaniyot include **one positive mitzva, which is to fast and cry out before God at any time of great trouble that befalls the community** (positive mitzva 59).

הִלְכוֹת מְגִלָּה וַחֲנֻכָּה – יֵשׁ בִּכְלָלָן שְׁתֵּי מִצְוֹת עֲשֵׂה מִדִּבְרֵי סוֹפְרִים, וְאֵינָם מִן הַמִּנְיָן.

***Hilkhot Megilla VaḤanukka* include two mitzvot** that apply **by rabbinic law, and are** therefore **not counted** among the six hundred and thirteen mitzvot of the Torah.

נִמְצְאוּ כָּל הַמִּצְוֹת שֶׁל תּוֹרָה הַנִּכְלָלוֹת בְּסֵפֶר זֶה חָמֵשׁ וּשְׁלֹשִׁים, תִּשַׁע עֶשְׂרֵה מֵהֶן מִצְוֹת עֲשֵׂה וְשֵׁשׁ עֶשְׂרֵה מִצְוֹת לֹא תַעֲשֶׂה, וְיֵשׁ בּוֹ שָׁלֹשׁ מִצְוֹת מִדִּבְרֵי סוֹפְרִים.

Thus, all the mitzvot of the Torah that are included in this *Sefer* are **thirty-five: Nineteen of them** are **positive mitzvot and** the other **sixteen** are **negative mitzvot.** The *Sefer* also **includes three mitzvot** that apply **by rabbinic law.**

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הִלְכוֹת
שַׁבָּת

The Halakhot (Laws) of Shabbat

יֵשׁ בִּכְלָלָן חָמֵשׁ מִצְוֹות, שְׁתֵּי מִצְוֹות עֲשֵׂה וְשָׁלֹשׁ מִצְוֹות לֹא תַעֲשֶׂה, וְזֶה הוּא פִּרָטָן:

א) לִשְׁבֹּת בַּשְּׁבִיעִי. ב) שֶׁלֹּא לַעֲשׂוֹת בּוֹ מְלָאכָה. ג) שֶׁלֹּא לַעֲנֹשׁ בְּשַׁבָּת. ד) שֶׁלֹּא לָצֵאת חוּץ לַגְּבוּל בְּשַׁבָּת.
ה) לְקַדֵּשׁ הַיּוֹם בְּזִכְרָה. וּבֵאוּר כָּל הַמִּצְוֹות הָאֵלּוּ בְּפְרָקִים אֵלּוּ.

These halakhot include the elaboration of five mitzvot – two positive mitzvot and three negative mitzvot. Their enumeration follows:

1) To rest on the seventh day. 2) Not to do any prohibited labor on that day. 3) Not to administer judicial punishments on Shabbat. 4) Not to go beyond an established boundary on Shabbat. 5) To sanctify the day through verbal mention.

These mitzvot will be explained in the following chapters.

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Hilkhot Shabbat: Parallels to the mitzvot

The mitzva	*Sefer HaMitzvot*	**The mitzva in** *Hilkhot Shabbat*
To rest on Shabbat	Positive mitzva 154	1:1
Not to do labor on Shabbat	Negative mitzva 320	1:1
Not to administer punishment on Shabbat	Negative mitzva 322	24:7
Not to go beyond the Shabbat boundary	Negative mitzva 321	27:1
To sanctify the day through verbal mention	Positive mitzva 155	29:1

Introduction to *Hilkhot Shabbat*

The laws of Shabbat, which comprise a large part of *Sefer Zemanim*, are found mostly in the talmudic tractate *Shabbat*. The basic elements of the laws of Shabbat are the prohibitions regarding certain types of labor on Shabbat, with all of their details and ramifications, on the one hand, and on the other, the positive mitzva to rest on Shabbat. This positive mitzva of resting on Shabbat entails more than just a commandment to refrain from prohibited types of labor. It is regarded as a general commandment to maintain the spirit of rest and the sanctity of Shabbat. As a result, certain prohibitions and restraints have been added to Shabbat observance which have no direct connection to the performance of prohibited labor, but relate to the essence of the mitzva of rest that distinguishes Shabbat from the other days of the week.

There are several distinct sub-sections in *Hilkhot Shabbat* that deal with specific topics. In the first few chapters, the Rambam begins, in his usual manner, by providing definitions of terms, general rules governing culpability for the performance of prohibited labors, and cases in which Shabbat observance is to be overridden in matters of life or death. After these preliminaries, the Rambam (as in the talmudic tractate *Shabbat*) begins his discussion of the Shabbat laws with a discussion of actions taken before Shabbat in preparation for its advent: leaving food on a fire as Shabbat begins; the insulation of pots of food for Shabbat; the lighting of candles in honor of Shabbat; as well as the injunction against benefiting from a prohibited labor that had been performed on Shabbat, which is somewhat related to these other matters. After this, he turns his attention to the prohibited labors themselves – listing the various labors, in each case beginning with a description of the primary labor that is the basis for the prohibition (called *av*, literally, father) and additional labors that are subcategories, or derivatives (called *toladot*, literally, descendants), owing to some resemblance to one or the other of the primary labors.

A significant amount of material is devoted to the last labor on the list of prohibited labors, namely, the "labor" of transferring an object from one domain to another, because this labor involves numerous details and has many technical terms, and both Torah and rabbinic injunctions associated with it.

After this, the Rambam goes on to deal with Shabbat prohibitions that are not actually types of labor, but are related to the positive mitzva to rest

on Shabbat. One group of these prohibitions is called "matters that are prohibited on account of *shevut* (resting)," which includes actions that are prohibited because they have some connection to a Torah-ordained prohibited labor, and are therefore not in consonance with the essence of Shabbat observance. Among the prohibitions that may be regarded as belonging to the *shevut* category is the prohibition to perform actions that are similar to prohibited labors. For the most part, these actions have in common the aspect that they involve some form of betterment of a situation, though sometimes that improvement is not physical in nature, such as the prohibitions against undergoing medical treatments, making music, and immersing vessels or sprinkling water for purposes of ritual purification.

Additionally, there are many laws that were enacted entirely in order to prevent a person from performing a prohibited labor, even though the banned act is not itself a prohibited labor. These include the prohibition against engaging in commercial activity or anything similar to it. Included in this category, which may be included under the rubric of resting on Shabbat, there are also prohibitions against certain actions that are not appropriate for the spirit of Shabbat, particularly engaging in speech that is related to weekday work, as stated in the words of the prophet Isaiah: "If you restrain your walking because of the Sabbath, pursuing your needs on the day of My holiness, and you call the Sabbath a delight and the Lord's sacred, honored, and you honor it by refraining from doing your business, from seeking your needs, and from speaking of matters…" (Isaiah 58:13).

Another body of halakha in the category of resting on Shabbat pertains to the rule that applies to objects that, because they are in some sense antithetical to Shabbat – such as implements used for performing prohibited labors, or items that were not prepared for use on Shabbat – are prohibited from being handled on Shabbat. This subject is discussed in the chapters dealing with the laws of the various types of *muktze* (items set apart, not to be used on Shabbat), encompassing the detailed and sometimes complicated definitions that this area of halakha entails.

Another law mentioned explicitly in the Torah is the concept of the Shabbat boundary beyond which it is prohibited to travel on Shabbat. In *Hilkhot Shabbat*, the Rambam discusses the laws governing how to establish this boundary, how to measure it, and how it applies to individual, groups, and complete cities. These laws are elaborated upon more fully in *Hilkhot Eiruvin*.

Hilkhot Shabbat concludes with the laws of *kiddush*, which is recited at the start of Shabbat, both during prayer and over a cup of wine, and *havdala*, which is recited at the conclusion of Shabbat. It also discusses other details pertaining to the preservation of the honor and enjoyment of the Shabbat day. These laws are actual, tangible expressions of the special spirit of Shabbat.

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