

# MITZVOTH 62, 249, 510, 511, 512, 513 and 514

## 1) SEFER HACHINUCH 62

To not keep a witch alive: To not keep a witch alive. Rather, we kill her, as it is stated (Exodus 22:17), "You shall not keep a witch alive." And it is not specifically a witch, but rather anyone that does magic. It is just that it stated it according to what is common, as women are more involved with magic than men (Sanhedrin 67a).

**From the roots of the commandment are that it is known that magic is a very bad thing and causes many mishaps to people.** I do not have to write at length about it, as the things are well-known. And therefore we were commanded to put away from the world someone who makes efforts with this, as he is coming against the will of God, as He desires [the world's] settlement and that everything should be administered in a natural way. As nature was at the beginning of creation and this one wants to change everything. And according to my opinion, the matter of magic is that at the beginning of creation, God, blessed be He, placed for each and every thing in the world a nature [through which] to accomplish its action well and straight, for the good of the creatures of the world that He created; and He commanded each one to act according to its species, as it is written about all the creatures, in Parshat Bereshit (Genesis 1:12), "according to its species." And He also made a higher force govern each and every one from above, to compel it to perform its action; as they, may their memory be blessed, said (Bereshit Rabbah 1), "There is no [blade of] grass below that does not have a constellation above that tells it, 'Grow!' "And besides the action that each and every one does according to its nature, there is another action that they have, by mixing one specie with another. **And in the craft of this mixing there are some angles that were not permitted for people to utilize, because God knows that the end result that will come out for people from these angles will be bad for them. And on account of this, He prevented them from them. And this is what they, may their memory be blessed, said more generally (Shabbat 67b), "Anything that has healing in it does not have the 'ways of the Amorite' in it"; meaning to say, it should not be forbidden from the perspective of magic – since there is a benefit to it that is found from true experience, it is not from the forbidden angles, as they are only forbidden because of the perspective of their damage.** And there is another matter in these forbidden angles of mixture and machinations for which they were forbidden. [It is] **because the power of this mixture is so strong that it negates the power of the constellations that are assigned upon the two species.** And the illustration of this is that it is just like that which you see with the grafting of one specie with a different one, that a new third specie is created. It comes out that the grafting negates the power of both of them. And so we have been prevented from bringing up to our minds to switch the perfect acts of God, even if something that appears to be pleasing comes out in our hand.

And it is possible that a hint will come up in our hands from the roots of the forbidden mixtures of seeds and animals and shatnez (the mixture of linen and wool). And we will write at length about them in their places, with God's help. And that which they, may their memory be blessed, said (Sanhedrin 67b, Chullin 7b), "Why is its name called kishufim (magic)? Because it contradicts the retinue (makhishin pamaliah) on high and on low," is meaning to say that **their power temporarily overrides the power of those forces appointed over them.**

## 2) SEFER HACHINUCH 249

To not divine: That we not follow divinations, as it is stated (Leviticus 19:26), "you shall not divine." And it is repeated in another place, as it is stated (Deut 18:10), "There shall not be found in you, etc. or a diviner." And they said in Sifrei Devarim (Shoftim), "'A diviner' - such as one who says, 'My bread fell from my mouth, the stick fell from my hand, a snake passed on my right and a fox on my left,' **and he refrains from some act because of it.**" And in Sifra, Kedoshim, Chapter 6:2 they said, "'You shall not divine' - such as those that divine with weasels, birds, stars and what is similar to them." To here [are the words of the Sifra]. And such as that which the silly masses among the nations say: Since he came back from his path that he was walking, a deer passed in front of him, or a yelling crow passed over his head or if

he saw thing x at the beginning of the day - he will not have profit today or any [other] bad event will come to him. And all of these acts and similar to them are included in this commandment.

***It is from the roots of the commandment [that it is] because these matters are crazy things and total foolishness; and it is not fitting for the holy true people that God chose that they pay attention to false words. And also because they are a cause to push man away from faith in God, may He be blessed, and from His holy Torah and to come through them to complete denial [of God and/or Torah]; as he will think that all of his good and all of his evil and all that happens to him is coincidental, and not from the supervision of his Creator.***

### 3) SEFER HACHINUCH 510

To not engage in clairvoyance: That we were prevented to not engage in clairvoyance. And Rambam, may his memory be blessed, wrote (Sefer HaMitzvot LaRambam, Mitzvot Lo Taase 31) that the matter of clairvoyance is the restraint of his ability and thought to [concentrate] on one of the types of movement - like all of the men of [these] abilities all do - that they should tell them what will happen before it does. And truly it becomes realized for them, in that the power of their [concentration] and their quantity from it is very strong. (The explanation of his explanation is) meaning to say that they isolate themselves in their thoughts and fix all of their concentration and all of their feeling to that matter that they want to know. ***And from the isolation and the strong fixing and the elimination from their thought of all matters of the physical world, their souls mix with the spiritual [forces] that [become aware] of near futures, as is known among the wise men. But nonetheless, they never have the power - and not even in demons - to know the distant futures.*** And no one can arrive at this great level, except for a true prophet. And even in near futures, the clairvoyants do not fathom the whole truth, but rather [only] most of their words come true. And in this matter itself, not all of the people are the same in it. Rather there are some who have much superiority in these matters, like the superiority of people in strength and [in] other things that some have over others. And the actions of the people with [these] abilities are not [all] the same. As among them are some that isolate themselves in the deserts to focus on this, and from them one that hits the ground with a stick in his hand - blows that come quickly one after the other - and yells out strange yells and leaves his thought and looks to the ground a long time until he understands what will happen.

And I have already written in the warning (negative commandment) about "do not divine" in the Order of Kedoshim (Sefer HaChinukh 249) what I have known about the reason for these matters. And I saw in the books of ***the early scholars about the reason for this prohibition, [that it is] because all of these matters mislead the masses. And because some of what the clairvoyants tell them come out to be true, they think that the constellations and powers are the cause of all actions that are in the world.*** And they can almost be called part of the evil group that say, "The Lord has abandoned the land" (Ezekiel 8:12). And because of this matter which was very famous at the time of the prophets, the prophet said, "My people asks its wood, and its stick will speak to it" (Hoshea 4:12).

... Nonetheless, ***very disgusting is anyone who fixes his thoughts or expends his time on these vanities. As it is not appropriate for one whom God has graced with knowledge and given the true religion as an inheritance to think about these vanities. Rather, he should fix his thoughts on the service of the Creator, may He be elevated, and not fear the words of the clairvoyant; since God, in His kindnesses will change the system of the stars, and nullify the power of the constellations, [so] as to do good to His pious ones. And it is known that we are the holy people, such that we are not under [the power of] a star or constellation - 'the Lord is our inheritance, as He spoke to us.'*** And [it is] like the matter that we found with the forefathers, that God placed their stature above the ministers above: Like that which is written about Yaakov, ***"but rather Yisrael will be your name" (Genesis 35:10), "for you have dominated (sarita) with powers, etc." (Genesis 32:29); meaning that God made him a minister (sar) over the [celestial] ministers.*** And so [too,] is Yitschak called Yisrael, as it is stated (Genesis 46:8), "these are the Children of Israel that were coming to Egypt, Yaakov and his children." And so [too,] Avraham is called Yisrael, as we wrote in the Introduction of the book. And this is [the meaning of] what is written about the matter of the disagreement of the prophet, Eliyahu, with the prophets of Baal, as it stated (I Kings 18:31), "like the number of tribes of the children of Yaakov," whose name was called Yisrael: As he was rebuking them [about] why they were leaving the service of the Master, the Lord of Hosts, who has in His hand to nullify all the actions of the powers and the constellations; and like the matter that He did with the forefathers, such

that He put the constellations under their hand. And that is [the meaning] of its stating in that place (I Kings 18:31), "like the number of tribes of the children of Yaakov, to whom was the word of the Lord, saying, 'Yisrael will be your name,'" - meaning to say, that He made him a minister over the [celestial] ministers, to change their system and their power with his merit. [This is] meaning to say, Israel, who are the children of Yaakov, are also ministers over the celestial ministers; and hence it would be fitting for them to not worship anything besides God alone. **And so did we find with Yehoshua, who decreed to the sun and the moon to stand - as it is written in Joshua 10:12, "Sun, be still in Gibeon, moon in the Ayalon Valley" - and they stood. And so [too,] several pious ones of Israel who changed the system of the constellations [and their power] with their merit.** The matter would [take too] long, to bring [the] several stories that happened in Israel about this matter.

#### 4) SEFER HACHINUCH 511

To not do magic: That we not make efforts with any act of magic at all. And about this is it stated (Deuteronomy 18:10), "There shall not be found in you, etc. or a sorcerer." And the content of magic is generally well-known to all - that people do machinations without end with types of grasses and stones, or [by] adhering things that people use, one to another. And some of them arrange these evil actions at certain known times or specific months that are fit for those crafts. **And the Torah distances us with total distancing from all of these disgusting and ugly things, because they are vanities. And it is not fit for a holy people that holds the true religion to put their thought to these ugly things,** but rather only to His service, may He be elevated. As He will fulfill every want of His people for the good, in their being sheltered by His great name, and their placing all of their trust and their reliance upon His kindnesses alone. **And since these matters are very remote and ugly in front of Him, blessed be He, and there is a spark of matters of idolatry in them ...**

#### 5) SEFER HACHINUCH 512

To not invoke a charm: That we have been prevented from making invocations over anything. And this matter is that a man say things, and say to people that those things [he said] benefit or damage anything. And about this is it stated (Deuteronomy 18:10-11), "There shall not be found in you, etc. And one who invokes charms." And the language of Sifrei Devarim 172 [is] "It is one if he charms a snake or if he charms a scorpion" - meaning to say, that he says to them things, so that they will not bite him, according to his opinion (see Sefer HaMitzvot LaRambam, Mitzvot Lo Taase 35). And so [too, included] is one who says things over his wound, in order that the pain will leave him.

And maybe, my son, you will challenge me with that which we have the textual version in Shevuot 15b in the chapter [entitled] Yediot HaTumah, "The song of disturbances (pegaim) with harps and lyres. [...] And he says, 'He that dwells in the secret place of the Most High,' until 'Because You, O Lord, are my refuge' (Psalms 91:1-9). And he says, 'Lord, how many are my enemies become,' until 'Salvation belongs to the Lord' (Psalms 3:2-9)." And the understanding of "disturbances" is meaning to say that **the saying of these psalms is beneficial in protection from damages (evil spirits). And they [further] said in Berakhot (see Rif 3a on Berakhot), "Rabbi Yehoshua ben Levi would order these verses and fall asleep." However the matter is not, God forbid, similar to the matter of invoking a charm that we mentioned. And they, may their memory be blessed, have already mentioned (Shevuot 15b), "One is prohibited from healing himself with words of Torah." Rather they mentioned to say these psalms that have things that arouse the soul of the one that knows them, to take refuge in God, may He be blessed, to put all of his trust in Him, to fix His awe in his heart and to rely upon His kindness and His goodness. And from the arousal to this, he will be protected, without a doubt, from all damage.** And this is what they answered in the Gemara about this matter, as it challenged there, "And how could Rabbi Yehoshua do that? But doesn't Rabbi Yehoshua say, 'One is prohibited from healing himself with words of Torah?'" and they said, "To protect is different" - meaning to say, the Torah did not forbid that a person say words of Torah to arouse his soul to the good, so that this merit protect him to guard him.

#### 6) SEFER HACHINUCH 513

To not ask a master of ov: That we not ask a master of ov to inform us of anything. And about this is it stated (Deuteronomy 18:10-11), "There shall not be found in you, etc. and a master of ov." And the matter of this magic is that there are people that do sorcery, the name of which is pitos, which brings up the dead from within his underarm and the

questioner listens to the dead answer his questions. What I wrote adjacently about the matters of magic (Sefer HaChinukh 511) is from the roots of the commandment.

#### 7) SEFER HACHINUCH 514

To not ask a yidaaoni: That we not ask a yidaaoni. And this matter is that the sorcerer puts a bone from an animal, the name of which is yidoaa, into his mouth, and that bone speaks through magic. And [regarding] this animal, the name of which is yidoaa, I have seen in a book from the Geonim (early post-Talmudic authorities) that (see Rash on Mishnah Kilayim 8:5) it grows with a large cord that comes out of the ground, similar to the cord of squash and pumpkins, its form is like the form of a man in everything - in the face, the body, the hands and the feet - and it is connected to the cord from its navel.

- 8) SANHEDRIN 67A With regard to the case of the subverter listed among those liable to be executed by stoning, this is one who says to a multitude of people: Let us go and worship idols. The warlock is also liable to be executed by stoning. One who performs a real act of sorcery is liable, but not one who deceives the eyes, making it appear as though he is performing sorcery, as that is not considered sorcery.
- 9) PESACHIM 110A: The threat of a witch may be deterred by reciting the following curse: "May boiling excrement in a sieve be forced into your mouth, (you) witches! May your head go bald and carry off your crumbs; your spices be scattered, and the wind carry off the new saffron in your hands, witches!"
- 10) SHABBAT 66B: Seven loops of knots (tied to the left side of the body) are also a good defense against illness caused by witchcraft.

#### 11) RAMBAM: Mishneh Torah, Laws of Idolatry, 11:16

All the above matters are falsehood and lies with which the original idolaters deceived the gentile nations in order to lead them after them. It is not fitting for the Jews who are wise sages to be drawn into such emptiness, nor to consider that they have any value . . . Whoever believes in [occult arts] of this nature and, in his heart, thinks that they are true and words of wisdom, but are forbidden by the Torah, is foolish and feeble-minded . . . The masters of wisdom and those of perfect knowledge know with clear proof that all these crafts which the Torah forbade are not reflections of wisdom, but rather, emptiness and vanity which attracted the feeble-minded and caused them to abandon all the paths of truth. For these reasons, when the Torah warned against all these empty matters, it advised: "Be of perfect faith with God, your Lord."

#### 12) MOREH NEVUCHIM

"You must beware of joining the mistake of those who write amulets. Whatever you hear from them, or read in their works, especially about the names that they form by combination, is completely meaningless."

RABBI PRUZANSKY

Segulah for recovery from illness — go to a doctor.[9], Segulah for marriage — go out and find a suitable wife.[10], Segulah for honest parnassah — learn a profession.[11], Segulah to prevent drowning — learn how to swim.[12], Segulah for pure faith — don't believe in segulot.[13]

#### 13) MOREH NEVUCHIM

"A person who whispers an incantation over a wound and then recites a verse from the Torah; who recites a verse over a child so that he will not become scared; or who places a Torah scroll or tefillin over a baby so that it will sleep, is considered to be a soothsayer or one who cast spells. Furthermore, such people are included among those who deny the Torah, because they relate to the words of Torah as if they are cures for the body, when, in fact, they are cures for the soul, as [Proverbs 3:22] states: 'And they shall be life for your soul.'

It is, however, permitted for a healthy person to read verses [from the Bible] or chapters from Psalms so that the merit of reading them will protect him and save him from difficulties and injury.”

#### 14) RAMBAN: on Deuteronomy 18:9

And now, know and understand regarding magic, that the Creator (may He be blessed) created everything from nothing and made the upper realms the guides of what is beneath them; and He placed the power of the earth and all that is in it in the stars and constellations according to their motion and direction, as has been demonstrated in the science of astrology . . . However, it was one of His great wonders that He placed within the upper realms alternate ways and forces by which one might change the governance of the realms beneath them . . . But it is the regular governance of the constellations that the Creator (blessed is He) desires, which He placed in them to begin with, and this would be the opposite. This is the secret of magic and its power, such that the rabbis said regarding magical practices that they “contradict the Council Above”; in other words, they subvert the simple forces of nature, which is a contradiction to the upper realms to some extent. Therefore, it is proper that the Torah prohibit them so that the world will be left to its normal function and its natural state, which is the desire of the Creator . . .

#### 15) SHIMON BEN SHETACH

##### SANHEDRIN 45B

מתני' כל הנסקלין נתלין דברי רבי אליעזר וחכ"א אינו נתלה אלא המגדף והעובד ע"ז

MISHNA: The corpses of all those who are stoned are hung after their death; this is the statement of Rabbi Eliezer. And the Rabbis say: Only the corpse of the blasphemer, who has cursed God, and the corpse of the idol worshipper are hung.

האיש תולין אותו פניו כלפי העם והאשה פניה כלפי העץ דברי רבי אליעזר וחכ"א האיש נתלה ואין האשה נתלית אמר (להן) רבי אליעזר והלא שמעון בן שטח תלה נשים באשקלון אמרו לו שמונים נשים תלה ואין דנין שנים ביום אחד

The corpse of a man is hung facing the people, but the corpse of a woman, out of modesty, is hung with facing the tree; this is the statement of Rabbi Eliezer. And the Rabbis say: the corpse of a man is hung, but the corpse of a woman is not hung. Rabbi Eliezer said to the Rabbis: Did Shimon ben Shataḥ not hang in Ashkelon women who were found guilty of witchcraft, proving that the corpse of a woman who is executed is also hung? They said to him: No proof can be brought from here, as he hanged eighty women on that day, and the halakha is that the same court may not judge even two people charged with capital transgressions on the same day. It is therefore clear that he was not acting in accordance with Torah law, but rather his execution of the eighty women was an extraordinary punishment necessitated by unusually pressing circumstances.

##### SANHEDRIN 19A-B

The mishna teaches: A king does not judge and is not judged. ... If they do not judge him, how can he judge? But isn't it written: “Gather yourselves together, yea, gather together [hitkosheshu vakoshu]” (Zephaniah 2:1), and Reish Lakish says: This verse teaches a moral principle: Adorn [kashet] yourself first, and then adorn others, i.e., one who is not subject to judgment may not judge others. ... The Gemara asks: But what is the reason that others do not judge the kings of Israel? It is because of an incident that happened, as the slave of Yannai the king killed a person. Shimon ben Shataḥ said to the Sages: Put your eyes on him and let us judge him. They sent word to Yannai: Your slave killed a person. Yannai sent the slave to them. They sent word to Yannai: You also come here, as the verse states with regard to an ox that gored a person to death: “He should be testified against with his owner” (Exodus 21:29). The Torah stated: The owner of the ox should come and stand over his ox. The Gemara continues to narrate the incident: Yannai came and sat down. Shimon ben Shataḥ said to him: Yannai the king, stand on your feet and witnesses will testify against you. And it is not before us that you are standing, to give us honor, but it is before the One Who spoke and the world came into being that you are standing, as it is stated: “Then both the people, between whom the controversy is, shall stand before the

Lord, before the priests and the judges that shall be in those days” (Deuteronomy 19:17). Yannai the king said to him: I will not stand when you alone say this to me, but according to what your colleagues say, and if the whole court tells me, I will stand.

19b

Shimon ben Shataḥ turned to his right. The judges forced their faces to the ground out of fear and said nothing. He turned to his left, and they forced their faces to the ground and said nothing. Shimon ben Shataḥ said to them: You are masters of thoughts, enjoying your private thoughts, and not speaking. May the Master of thoughts, God, come and punish you. Immediately, the angel Gabriel came and struck those judges to the ground, and they died. At that moment, when they saw that the Sanhedrin does not have power to force the king to heed its instructions, the Sages said: A king does not judge others and others do not judge him, and he does not testify and others do not testify concerning him, due to the danger of the matter.

SANHEDRIN 37B

It has been taught: Rabbi Shimon ben Shetach said, "May I never see comfort if I had not seen a man pursuing his fellow into a ruin, and when I ran after him and saw him, sword in hand with blood dripping from it, and the murdered man writhing, I exclaimed to him, 'Wicked man, who slew this man? Is either me or you!'

But what can I do, since your life does not rest in my hands, for it is written in the Torah, 'at the mouth of two witnesses shall he be put to death.' May he who knows one's thoughts exact vengeance from him who slew his fellow."

It is related that before they moved from the place a serpent came and bit him (the murderer) so that he died.

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אמר רב הונא אלו גליות של בבל שדעתן מיושבת עליהן

16) SHABBAGT 156A

כתיב אפינקסיה דרבי יהושע בן לוי האי מאן דבחד בשבא יהי גבר ולא חדא ביהמאי [ולא חדא ביה] אילימא ולא חד לטיבו והאמר רב אשי אנא בחד בשבא הואי אלא לאו חדא לבישו והאמר רב אשי אנא ודימי בר קקוזתא הוויין בחד בשבא אנא מלך והוא הוה ריש גנבי אלא אי כולי לטיבו אי כולי לבישו מאי טעמא דאיברו ביה אור וחושך

איתמר רבי חנינא אומר מזל מחכים מזל מעשיר ויש מזל לישראל רבי יוחנן אמר אין מזל לישראל

כי מטאי לגביה שואי נפשאי כמאן דשקילי מיניה כי היכי דלא ליכסיף אמר ליה מצוה עבדת נפק שמואל ודרש וצדקה תציל ממות ולא ממיתה משונה אלא ממיתה עצמה

Abraham said before Him: Master of the Universe, I looked at my astrological map, and according to the configuration of my constellations I am not fit to have a son. The Holy One, Blessed be He, said to him: Emerge from your astrology, as the verse states: "And He brought him outside," as there is no constellation for Israel. What is your thinking?

17) BAVA METZIA 85A

"When Rav Zeira emigrated to the Land of Israel, he fasted a hundred fasts to forget the Babylonian Gemara, that it should not trouble him."