

Letter of Consolation – אגרת נחמה

(Hebrew available at <http://benyehuda.org/gluckson/maimonides.html>)

Our brethren, the Jews who are placed into trouble, may Gd soon have mercy upon you... The troubles which come from Gd upon His creations are for a good purpose... Gd will not exchange and will not trade in the Jewish nation, which He chose among all of the first nations, for another nation... The essence is that one should not cease praying. Even if, due to the anger of the oppressor and due to the compulsion, one cannot pray the established prayer at its proper time, evening, morning and noon, one should still pray an abbreviated prayer. At least, they should recite daily that they are members of the Jewish nation, holding their Torah in their hearts.

Letter of Assimilation - Declaration on Sanctification of the Divine Name

מאמר על קידוש השם - אגרת השמד

(Hebrew available at <http://www.daat.ac.il/daat/mahshevt/mekorot/kidush-2.htm>)

From Part I: Should a man make this declaration in order not to die and have his children mixed in among the nations, or should he die rather than utter that testimony, since he is obligated by the Torah of Moshe Rabbeinu, and since that testimony also brings a person to abandon all mitzvot?...

We would respond to the body of this man's statement even though it is long, weak and burdensome, were it not for our pity upon the great kindness Gd performed with us, meaning the power of speech, as it is written, 'Who gave Man a mouth.' It is appropriate for a person to have greater pity upon his power of speech than upon his property, not increasing his speech, minimizing his discussion....

It is fitting to know that a person should not speak and orate before the nation's ears until he reviews that which he wishes to say once, twice, thrice and four times, studying it well, before speaking... This is regarding speech; when a person will engrave it by hand and write it on a book, it would be appropriate for him to review it one thousand times, were it possible...

From Part II: If the great pillars of the world – Moshe, Eliyahu and Yeshayahu and the ministering angels – were so punished when they raised just a few words against the Jewish people, then how much more so the lightest of the world's lightweights, who would loose his tongue upon the communities of Israel, sages and their students, Kohanim and Levites, to call them sinners and wicked people and non-Jews and people who are disqualified from testimony and deniers of the Gd of Israel! One who writes this in his hand, what will be his punishment? And these people did not rebel against Gd seeking sweetness and benefit, and they did not abandon religion and distance themselves from it in order to achieve benefit and temporal pleasure – "They wandered because of weapons, because of outstretched swords, because of the aligned bow, because of the weight of war (Yeshayah 21:15)."...

It is also known that Rabbi Meir was caught [to be compelled] for *shmad* in one of the *shmadot* in which the sages of Israel were killed. Those who knew him said, "Are you not Meir?" To which he replied, "I am not." They said to him, "Eat this if you are not a Jew," and there was pig before them, and he said, "I will eat it willingly," and he pretended to eat it but he didn't eat it....

From Part III: I will now explain the error in which this one who increased emptiness fell. Achav ben Omri, who denied Gd and worshipped idols – and about whom Gd testified, "There was never another like Achav" – fasted for two and a half hours, and then, the sages taught, the decree upon him was voided... Gd did not cheat him of the reward...

If Gd would give good reward for small good deeds for these well-known heretics, then how could Gd not reward Jews who were forced into *shmad* and who performed mitzvot in private? Would there be no distinction for him between those who performed mitzvot and those who did not, those who served Gd and those who did not?...

From Part IV: For some of the mitzvot – idolatry, sexual immorality and murder – the law is that whenever one is compelled to violate one of them, he is instructed to be killed rather than violate it, at any time and in any place and in any matter. "In any time" means whether during a time of *shmad* or not, and "in any place" means whether in private or public," and "in any matter" means whether with intent to cause him to violate Judaism or not. The law is that he must be killed rather than violate it.

For all mitzvot other than these three, one who is compelled should examine whether it is for the sake of the compeller's personal benefit. If it is for the compeller's personal benefit, then he should violate the law rather than be

killed, whether at a time of *shmad* or not, whether in private or in public. This may be seen from Sanhedrin 74b, "But Esther was public! Yes, but Esther was not an active participant. Rava said: Achashverosh did it for his personal benefit." And the law follows Rava... But if the intent is to cause him to leave Judaism, then he should see whether it is a time of *shmad*, in which case he should be killed rather than violate the law, whether in private or in public. If it is not a time of *shmad*, then if it is private then he should violate rather than be killed, and if it is public then he should be killed rather than violate it....

And if one is not killed, but he violates because of compulsion, then he has not done well, and he desecrates the Name of Heaven under compulsion. However, he is not liable for one of the seven penalties [four death penalties, *kareit*, Divine execution or lashes], for we have not found in the entire Torah, not in light or severe laws, any case in which Gd required punishment of one who was compelled. Punishment is only for those who act willingly....

This is clear in the statement of Gd regarding one who gives his children to *molech* – "And I will turn My face against that man," not one who is compelled, mistaken or tricked....

There is no need to bring proof for this, for how could the law of a compelled person be equal with that of a willing violator? And [here] the sages said one should violate the law rather than be killed – but this writer is more precious than the sages, more careful in mitzvot, and he permits his own death with his mouth and tongue! According to his words he sanctifies Gd's Name, but in his deeds he sins and rebels, and he is liable for his life according to the words of Gd, "These are the laws one must practice, and by which one must live," and not die, per Sanhedrin 74a....

Know that in all of the *shmadot* of the time of the sages, they were instructed to violate the mitzvot in some action, as the Talmud records that they were told not to involve themselves in Torah, not to circumcise their children, or to live with their wives when they were *niddot*. But in this *shmad* they are not obligated to do anything, only to speak. One who wishes to fulfill all 613 mitzvot in private may do so, without liability....

When we are asked whether one should be killed or make this declaration, we tell him to declare it and not be killed. But he should not remain in that king's land, but rather he should sit in his house until he leaves it if he must, and he should engage in his activities in secret, for we have never seen such a remarkable *shmad*, in which one is not compelled in anything other than speech....

One who faces this *shmad* must follow the conduct I advise: That he should place between his eyes to practice and fulfill all mitzvot he can practice. Should it occur that he violate many mitzvot or desecrate Shabbat, he should not transport anything he is prohibited to transport [on Shabbat], and he should not say, "What I have already violated is greater than that regarding which I am now careful." Rather, he should be careful in anything he is able....

The advice I give for myself, and the approach I choose for myself and my loved ones and anyone who seeks my counsel, is to leave these places and travel to a place where he can establish his religion and fulfill his Torah without compulsion. He should not fear, and he should abandon his home and family and all he has, for the religion Gd gave to us is great, and its obligation precedes all of the degraded things in the eyes of those with insight. They do not last; awe of Gd endures. Not only this, but even were there two Jewish lands, and the people in one were better in their deeds and customs and more careful and more dedicated to the mitzvot than in the other, one who had awe of Gd would be obligated to leave the land in which their deeds were not as good, to go to the good land....

But those who seduce themselves, saying that they will remain where they are until Mashiach comes to the Maghreb, at which time they will leave for Jerusalem – I don't know how this *shmad* will cease from afflicting them. These people sin, and they cause others to sin....

One who cannot leave due to the desires of his heart or the dangers of the times, so that he remains in those places, must see himself as desecrating the Name of Heaven. It is not by desire, but it is close to being by desire. He is distanced from Gd and punished for his evil desires. However, coupled with this he should know that if he performs any mitzvah, Gd doubles his reward for it. He does it only for the sake of Heaven, and not to be elevated or to be seen to perform mitzvot. The reward for one who performs a mitzvah without fear cannot be compared to the reward of one who performs a mitzvah knowing that should it become known he could lose his life and all he possesses.

Rambam, Mishneh Torah, Hilchot Yesodei haTorah 5:3

All of this is outside of the time of a decree. During the time of a decree, such as when Nevuchadnezzar and his colleagues decree upon Israel to nullify their religion or one of their mitzvot, the Jew should be killed rather than violate even one of the other [non-Big Three] mitzvot, whether among ten [Jews] or among idolaters.