



# Likkutei Sichos

Volume 17 | Kedoshim | Sichah 3

The Right Place at the Right Time

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## 1.

### DIFFERENT ORDER IN *MISHNAH* AND IN *YAD HACHAZAKAH*

In the order of *Mishnah*, tractate *Kilayim*<sup>1</sup> is placed *after* tractate *Peah*<sup>2</sup> (and *Demai*).<sup>3</sup> *Rambam*<sup>4</sup> explains the reason for this order: “After tractate *Peah*, comes *Demai* ... and after *Demai*, *Kilayim* because this sequence follows their order in *parshas Kedoshim*:<sup>5</sup> “Do not consume the corner {*peah*} of your field,” and then, “Do not seed your field with mixed seeds {*kilayim*.” [As to why tractate *Demai* (and not *Kilayim*) follows *Peah*, *Rambam* explains further: Because similar to tractate *Peah*, tractate *Demai* includes {also} matters {consumables} concerning which the poor enjoy entitlements.”]

In light of this explanation, it is surprising that in *Yad HaChazakah*,<sup>6</sup> *Rambam* places the laws of *kilayim* *before* the laws of *peah* (the first chapters {and laws discussed} in *Hilchos Matnos Aniyim* {“Laws of Gifts to the Poor”}). This is the reverse of their arrangement found in *Mishnah*, and also the reverse of how **Scripture** presents them, as ***Rambam himself*** points out!

*Radbaz*<sup>7</sup> suggests two reasons to explain this reversal:<sup>8</sup>

- a) *Rambam* first discusses the laws of *kilayim* because they follow logically as a continuation of the previous laws he concluded discussing — *Hilchos Arachin VaCharamin* {Laws of Appraisals and Devoted Property}: At the beginning of the last chapter of *Hilchos Arachin VaCharamin*, *Rambam* says:

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<sup>1</sup> {Forbidden mixtures of species based in *Vayikra* 19:19 and *Devarim* 22:9-11.}

<sup>2</sup> {Lit., “corner,” referring to the crops growing on the corner of a field that must be left for the poor based in *Vayikra* 19:9 and 23:22.}

<sup>3</sup> {Produce from one who is suspected to have neglected tithing.}

<sup>4</sup> In the Introduction of his “*Commentary on Mishnah*,” s.v., “And the sixth part,” quoted by *Tosafos Yom Tov* in his commentary on the beginning of tractate *Kilayim*.

<sup>5</sup> *Vayikra* 19:9, 19.

<sup>6</sup> {Also popularly referred to as “*Mishneh Torah*,” and often just by the author’s moniker, *Rambam*.}

<sup>7</sup> {[Rabbi David Ibn Zimra](#), circa 5239–5349; 1479–1589}

<sup>8</sup> In his commentary at the beginning of *Rambam*, “*Hilchos Kilayim*”; and in his commentary, *ibid.*, ch. 2., par. 15, he presents only the first answer.

On the fifteenth of Adar, the court<sup>9</sup> diverts their attention {from other concerns} and examines and investigates matters involving the needs of the community and consecrated property....

The source of this law is the *mishnah* at the beginning of tractate *Shekalim*: “On the fifteenth of the month... and all public needs are taken care of...” The *mishnah* then concludes: “Messengers were also sent to take care of matters pertaining to *kilayim*.” (On the fifteenth of Adar, agents of the court would go forth and uproot *kilayim* from the fields.) Accordingly, *Rambam* arranges the laws of *kilayim* immediately after the laws dealing with *arachin* and *charamin* (because in the *mishnah*, the law that “messengers were also sent to take care of matters pertaining to *kilayim*,” appears as a continuation of the law that “on the fifteen of the month... all public needs are taken care of”).

b) The term *kilayim* encompasses...<sup>10</sup>

all types of forbidden mixtures: different species of trees; of seeds; plants in a vineyard; mating animals of different species; mixing different types of cloth {*shaatnez*}; harnessing different species of animals. It is always *Rambam*'s practice to begin with broad subjects...

As a wide-ranging subject, then, the laws of *kilayim* are given priority over the laws of *peah*, which is a narrower subject.

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<sup>9</sup> {In the Hebrew original, “*Beis Din*,” in this context, referring to the *Sanhedrin*, Israel's highest court.}

<sup>10</sup> {*Radbaz*, loc cit.}

## 2.

### DIFFICULTIES WITH THE REASONS GIVEN BY *RADBAZ*

Both these answers, however, {are strained and} require considerable study:

- a) The first answer — that the laws dealing with *kilayim* follow the **beginning** of the last chapter in *Hilchos Arachin VaCharamin* (“On the fifteenth of Adar...”) — is not understood [aside from the difficulty in suggesting that *Rambam’s* order was intended to mirror the order in the ***mishnah***, at the beginning of tractate *Shekalim*]: At the **end** of the last chapter in *Hilchos Arachin VaCharamin*, *Rambam* discusses how a person ought to spend his money freely for sacred purposes (consecrated objects). He notes that although “it is proper for a person to behave accordingly in these matters... nonetheless, if he does not sanctify..., it is of no consequence.” Furthermore, “a person should never sanctify nor consecrate **all** of his belongings.... He should not disperse more than a fifth {of his assets to charity}....”

In light of this closing topic, the reverse conclusion ought to be reached. If *Rambam* wants to address laws that follow logically from *Hilchos Arachin VaCharamin* — which **conclude** with the laws of spending liberally on sacred matters — in that case, *Rambam* should have introduced next *Hilchos Matnos Aniyim* {“Laws of Gifts to the Poor”} (which begins with the laws of *peah*”).

[This sequence makes even more sense considering that in *Hilchos Arachin VaCharamin*, *Rambam* brings the rule:<sup>11</sup> “Nowadays, chattels that a person consecrates, without further specification, are to be given to the *kohanim*....” Thus, this rule resembles gifts to the poor since *kohanim* receive no portion or inheritance in the Land of Israel,<sup>12</sup> for which reason

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<sup>11</sup> {Ch. 8} par. 11.

<sup>12</sup> {Rendering them an inherently poorer class than Jews from other tribes.}}

they are entitled to priestly gifts (a category of which includes *charamin*).]

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*Rambam* should not follow with the laws *kilayim*, since, (a) these laws follow logically only the **beginning** of the last chapter of *Hilchos Arachin VaCharamin*; and, (b) their thematic connection lies in something tangential – not in the core subject matter (unlike the thematic connection between the **end** of *Hilchos Arachin VaCharamin* and *Hilchos Matnos Aniyim*, as discussed).

- b) The second answer (that the subject of *kilayim* has priority since it is a class embracing several types of things) would be adequate were the laws of *peah* arranged as a **distinct**, self-contained, subject. In *Mishneh Torah*, however, they are arranged as **part** of a more comprehensive subject – *Hilchos Matnos Aniyim* {Gifts to the Poor} – which includes all sorts of gifts (*peah*, *leket*, *shichecha*, *maaser ani*, *tzedakah*, etc.).<sup>14</sup> So the question remains: Why doesn't *Rambam* first address *Hilchos Matnos Aniyim* (and, consequently, begin with the laws of *peah*), and afterward, *Hilchos Kilayim* – **especially**, since then his arrangement would mirror the order in which these *mitzvos* are presented in Scripture?

### 3.

THE ORDER PARALLELS THE TIMING OF THEIR OBLIGATION

To answer – *Rambam's* order in *Seder Zeraim*<sup>15</sup> follows the sequence of the chronology in which the obligations occur:

He begins with the laws of *kilayim*, which delineate the laws as to how a person is meant to **sow**, etc. (And as a continuation to dealing with the laws

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<sup>13</sup> *Bamidbar* 18:14; *Bava Kama* 110b; *Rambam*, “*Hilchos Bikurim*,” ch. 1, par. 7.

<sup>14</sup> {For a definition of these terms, see <https://www.chabad.org/986702>}

<sup>15</sup> {The first of the six “orders,” or sections, of the *Mishnah*. The suggestion here is that *Rambam's* order of the tractates in *Zeraim* differs from the conventional order of tractates in our *Mishnayos*.

pertaining to forbidden mixtures of **seeds**, he then addresses *all* the categories of forbidden mixtures<sup>16</sup> — *kilayim*.)

Afterward, the laws relevant to the **harvest** season are discussed — the laws of *peah*, and the other gifts to the poor (and then, incidentally, the remaining gifts related to the poor — *maaser ani*, and *tzedakah*).

Discussed next are those gifts that must be given from the crops after the grain has been processed: *terumos*, *maaser*, *maaser sheni*, *neta revai*,<sup>17</sup> and *bikurim*.

Finally, he discusses the laws of *shemittah* and *yovel*, which occur after a field has been worked for six years — occurring just once every seven years (or fifty years, respectively).

#### 4.

DIFFICULTIES WITH THE ORDER OF THE ANNOUNCEMENTS AS RECORDED IN THE *MISHNAH*

For a more elegant, deeper, solution of the issue, we need to first explain the *mishnah* found at the beginning of tractate *Shekalim*:

On the first of Adar, they make a public announcement about the *shekalim* and concerning *kilayim*.

The way that Torah orders things is precise in the extreme. If so, why was the announcement regarding the *shekalim* made before that regarding *kilayim*? Seemingly, the reverse should be the case:

*Kilayim* is a prohibition that applies to every individual and is constant. Any Jew who is unaware of this law is liable to transgress at any moment the prohibition not to sow forbidden mixtures. Moreover, even if he just sits passively, not performing any action, but in the meantime, in one of his fields, a

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<sup>16</sup> {Including cross breeding different species of animals, not working with different species of animals together, and not wearing a garment made of wool and linen.}

<sup>17</sup> {(lit. "fourth year fruits"); fruit produced by a tree in its fourth year (following the three years of *orlah*) and which in the days of the *Beit HaMikdash* was eaten in Jerusalem.}

forbidden mixture of planting has grown a 200<sup>th</sup> {or more of its former size},<sup>18</sup> he still violates the prohibition of *kilayim* if he **does not uproot** this growth.<sup>19</sup> Also, even if he uproots the *kilayim*, this is effective only going forward, but it doesn't retroactively correct the prior prohibition.

In contrast, the *mitzvah* of *shekalim* (aside from not being a precept with severe consequences for non-compliance)<sup>20</sup> is not obligatory on women, etc.<sup>21</sup> And those who are obligated may give their *shekalim* also after Rosh Chodesh Nissan, because when he {the Temple administrator} set aside funds,<sup>22</sup> he had the intent of including all those whose *shekalim* would be collected in the future.<sup>23</sup> (Note that even someone who did not give a half-*shekel* also had a share in the donated funds and in the communal sacrifices {purchased with these funds}).<sup>24</sup>

In light of these considerations, the announcement concerning *kilayim* should have preceded the announcement concerning the *shekalim*. Why, then, does the *mishnah* reverse the order?

## 5.

### THE DEEPER REASON FOR *KILAYIM* AND THE ADVISORY REGARDING *SHEKALIM*

The (deeper) explanation:

*Ramban*<sup>25</sup> explains the reason for the prohibition of *kilayim* as follows: If a person violates the guidelines of forbidden mixtures, he disrupts the laws of nature established by Hashem, since Hashem decreed {that grasses and trees

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<sup>18</sup> *Kilayim* ch. 5, *mishnah* 6, and at the end of *mishnah* 7 regarding a forbidden mixture concerning a vineyard.

<sup>19</sup> *Pesachim* 25a; *Chulin* 116a; and according to R. Akiva (*Moed Katan* 2b, and sources noted there), even someone who sits passively, allowing *kilayim* to grow, is flogged.

<sup>20</sup> It is only a positive precept {which carries no prescribed penalty for non-observance}.

<sup>21</sup> *Shekalim* ch. 1, *mishnah* 3; *Rambam*, "*Hilchos Shekalim*," ch. 1, par. 7.

<sup>22</sup> {I.e., even if for some reason a person had not given his half-*shekel* as yet, retroactively he received a share in these sacrifices. In this manner, everyone who ultimately contributes toward the sacrifices will have a portion in all the communal sacrifices, even those offered before his contribution was made.}

<sup>23</sup> *Shekalim*, end of ch. 3; *Kesuvos* 108a, and sources cited there; *Rambam*, loc cit., ch. 2, par. 9.

<sup>24</sup> The opinion of Rashi in *Kesuvos* 108a, s.v., "*ve'al ha'asid leegbos*"; see *Kesef Mishnah* ("*Hilchos Shekalim*," *ibid.*) who explains that this is likewise *Rambam's* opinion.

<sup>25</sup> In his commentary on *Vayikra* 19:19; see *Zohar* vol. 3, 86b.

yield produce according to their respective species}. As it says,<sup>26</sup> “{Let the earth sprout} vegetation; {seed-bearing} plants and trees... **according to their species.**” (Similarly, this reasoning is applicable regarding the other sorts of forbidden mixtures.)

The reason for issuing the advisory about *shekalim* on the first of Adar: The communal sacrifices of each year had to be purchased specifically with *shekalim* collected **that** year. It was forbidden to use *shekalim* of one year (collected before Rosh Chodesh Nissan) to purchase communal sacrifices for the following year (after Rosh Chodesh Nissan). The funds of one year were not to be mingled with the funds of another year. Accordingly, an announcement was made on the first of Adar for people to give their *shekalim* before the beginning of the new year (commencing on Rosh Chodesh Nissan).<sup>27</sup>

## 6.

### FROM ONE NON-MINGLING TO ANOTHER

Since “the Holy One peered into the Torah and created the world,”<sup>28</sup> it is understood that **everything** in the world depends upon the Torah and is reflected in it (and in the divine service of the Jewish people). Moreover, everything is **first** and foremost found in Torah; and afterward, it emerges **from** the Torah into the world.

This explains why the *shekalim* announcement was made before the announcement regarding *kilayim*: To maintain the proper functioning of the world by safeguarding the distinctiveness of the various species and preventing forbidden mixtures, this safeguarding must be first addressed by the Torah (in its directives),<sup>29</sup> and then by the Jewish people in their divine service. In both

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<sup>26</sup> *Bereishis* 1:11. *Ramban* there comments that Scripture specifies “according to their species,” for each of them.

<sup>27</sup> *Yerushalmi Shekalim*, at the beginning.

<sup>28</sup> *Zohar* vol. 2, 161b; see *Bereishis Rabbah*, at the beginning.

<sup>29</sup> {In the original Hebrew, “*horaah*,” cognate to *Torah*, thereby supporting the idea that an essential function of Torah is to provide directives or life-lessons.}



Torah and the divine service of Jews, this goal is accomplished by preventing the admixture of things that need to remain apart — according to their species.

Therefore, the court (whose role was to promote **Torah** and to educate) first issued an advisory about, and made their announcement concerning, the *shekalim*. With this announcement, they ensured that the *shekalim* that were used to procure the sacrifices — the service — would be disbursed in their proper time, and not get mixed up with the *shekalim* and sacrifices of a different year.

The deeper and broader significance of these events: The Jewish court proclaimed and revealed all the spiritual powers required to serve Hashem for the upcoming year. (After all, the sacrificial service was a primary service in the Temple, and it is often<sup>30</sup> referred to as just plain “service” — *avodah*.) These spiritual powers had to be maximized in a person’s divine service during the appropriate time {hence, the order of the respective announcements}. Any sort of confusion or mixup in the times or in the order of the service, from one year to the next, was forbidden.

From these spiritual precautionary measures, the announcement regarding *kilayim* came into being in order to ensure that also in the material world, there would be no commingling and *kilayim* of one species with another.

## 7.

FIRST OF ADAR — POTENTIALITY; FIFTEENTH OF ADAR — IN ACTUALITY

On this basis, we can appreciate why we find two scheduled times regarding *kilayim*. On the first of Adar, an **advisory** was issued and an announcement was made about *kilayim*. And on the fifteenth of Adar, agents were *dispatched*:

On the first of Adar, an advisory was issued and an announcement was made about *shekalim*. These measures were only precautionary (with respect to

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<sup>30</sup> *Avos* ch. 1, *mishnah* 2; et al.

the giving of *shekalim*) — in potential {laying the groundwork to enable corrective action to be taken}. Therefore, from it, only a precautionary measure emerged — a potentiality: “an **advisory** was issued... regarding *kilayim*.”

In contrast, on the fifteenth of Adar, on the full moon [not as on Rosh Chodesh (on the first of) Adar when the moon is only in a state of potentiality {to the naked eye}, a point] the necessary preparatory work for the people to give their *shekalim* was actually begun. As it says in the *mishnah*:<sup>31</sup> “On the fifteenth of that month, tables were set up {to collect the coins} throughout the country.”

And from this activity, the practice emerged also in the realm of social conduct that on the fifteenth, the court (not relying on its earlier **announcement** of the first of Adar) dispatched agents to investigate matters pertaining to *kilayim* — agents who **actually** uprooted any forbidden mixtures that they discovered.

This clarifies the rationale for why “on the fifteenth of Adar, the court diverts their attention [from other concerns] and examines and investigates matters involving the needs of the community and consecrated property”:<sup>32</sup> Just as on the fifteenth of Adar, the actual preparations were started for the giving of the *shekalim* for the sacrifices of the upcoming year (which ensured, as explained above, that the energies bestowed [to be used in service] for one designated year should be used specifically in that year and not be mixed up with that of other years), likewise, then, similar precautions had to be undertaken to attend to all “the needs of the community” and “consecrated property.” Thus, all matters earmarked to be attended to in that year would actually be completed before the year’s end (before Rosh Chodesh Nissan).

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<sup>31</sup> *Shekalim* ch. 1, *mishnah* 3; Rambam, “*Hilchos Shekalim*,” ch. 1, par. 9.

<sup>32</sup> {Rambam, “*Hilchos Arachin VaCharamin*,” ch. 8, par. 1.}

## 8.

### NOT TO JUMBLE ONE'S OWN JOB WITH SOMEONE ELSE'S

Just as intermingling is forbidden in matters of “world” (forbidden mixtures of two different species) and “time” (*shekalim* of one year with those of a different year), so, too, in the third realm, “soul,” *kilayim* are forbidden: Each person has been allotted certain areas and things that **he** is expected to utilize and to purify spiritually. The tasks of purification assigned to one person must not be mixed up with those assigned to another.

This is the deeper explanation of the *halachah* with which *Rambam concludes Hilchos Arachin VaCharamin*:

A person should never consecrate all of his property... {as deduced from} the phrase, “*from* all that is his”<sup>33</sup> {but} not “*all* that is his”<sup>34</sup> ... {Instead} a person who disburses money for *mitzvos* should not spend more than a fifth.<sup>35</sup>

A Jew needs to know that his property and money were **given** to him from Hashem in order to be used in a designated order: A portion of his money and property was given to him as a **deposit** (it does not belong to him but to the pauper or to a holy cause, and so forth) in order to fulfill the *mitzvah* of *tzedakah*, etc.<sup>36</sup> And a portion of his property and money was allocated to him to be used for his sustenance and the sustenance of his household.

Therefore, a person mustn't spend more than a fifth of his capital for charitable purposes, because the other four-fifths were designated for **him**. Hashem gave **him** this portion for his upkeep and the upkeep of his family, so he mustn't mingle it together with the portion that belongs to the poor.

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<sup>33</sup> {*Vayikra* 27:28.}

<sup>34</sup> {*Arachin* 28a.}

<sup>35</sup> {*Kesuvos* 50a.}

<sup>36</sup> *Tur*, “*Yoreh Deah*”, beg. of “*Hilchos Tzedakah*.”

## 9.

### THE REASON BEHIND THE ORDER IN *RAMBAM*

In light of all the above discussion, we can now appreciate the order of the *halachos* adopted in *Yad HaChazakah*:

First, in the last chapter of *Hilchos Arachin VaCharamin*, *Rambam* records the law: “On the fifteenth of Adar, the court diverts their attention [from other concerns] and examines and investigates matters involving the needs of the community and consecrated property.” This was an expression of the idea of *kilayim* in its corresponding spiritual dimension (in the realm of “time”): the precaution taken to prevent the intermingling of the energies allotted for “the needs of the community” and “consecrated property” from one year to the next.

Afterward, *Rambam* also concludes the chapter (“wedging the beginning into the end”)<sup>37</sup> with this point as it is mirrored in every person, in particular (in the dimension of “soul”) in the subject of *arachin va’charmin* — a person should not mingle money that belongs to him with the monies that must be given away. (Because at the outset, these monies that must be given away were only *deposited* with him, not *given* to him).

And from the idea of *kilayim* in a person’s spiritual, divine service, the concept evolves and is expressed in worldly behavior — the (simple) laws of *kilayim*.

However, this connection can lead a person to an erroneous conclusion (as illustrated by the contention of the wicked Turnus Rufus):<sup>38</sup> Since Hashem has blessed **him** with finances and assets, while He has made another person poor, a person might think that he need not give *tzedakah*. After all, his wealth belongs to him, and he mustn’t mix it by giving it to someone else (— *kilayim*)! So *Rambam*, immediately after discussing the laws of *kilayim*, continues with the

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<sup>37</sup> {*Sefer Yetzirah* 1:7; *Pri Etz Chaim*, “*Shaar Hahagos Halimud*,” ch. 1.}

<sup>38</sup> *Bava Basra* 10a.

“Laws of **Gifts** to the Poor,” outlining the **obligation** to give to a pauper (what is rightfully coming to him).

## 10.

### THE ORDER IN *RAMBAM* VS THE ORDER IN THE *MISHNAH*

On this basis, we can also understand the reason for the difference in the order that these subjects are addressed in Scripture (and in the *Mishnah*) — where *peah* comes first, followed by *kilayim* — and the order in *Rambam* — where the laws of *kilayim* are addressed first, and afterward, the laws governing gifts to the poor (such as *peah*) are addressed:

The laws dealing with gifts to the poor underscore that only a **portion** must be given to the poor while the bulk is retained by the benefactor: *peah* is given from the **edge** of his field; *leket* — more than two {dropped} stalks are not considered to be *leket*<sup>39</sup> (and similar limitations apply to the other gifts). These limitations are expressions of (negating) *kilayim* in the spiritual realm (as elucidated above). One must be cautious about not mixing up that which belongs to the benefactor and that which belongs to the pauper. And it's from this spiritual tenet that the prohibition of *kilayim* in the material realm evolved, as explained.

Therefore, in Scripture, first the verse,<sup>40</sup> “Do not consume the corner {*peah*} of your field,” is stated, followed by the verse,<sup>41</sup> “Do not seed your field with mixed seeds {*kilayim*}.” [Similarly, this is the reason for their order in the *Mishnah*.]

In *Rambam*, however, **this** rule concerning gifts to the poor, i.e., one may not give away all that he owns (from which the prohibition of *kilayim* evolves)

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<sup>39</sup> *Peah* ch. 6, *mishnah* 5; *Rambam*, loc. cit, beg. of ch. 4.

<sup>40</sup> {*Vayikra* 19:9.}

<sup>41</sup> {*Vayikra* 19:19.}

was already stated in the end of *Hilchos Arachin VaCharamin*, for which reason the laws concerning *kilayim* follow them.

Afterward, comes *Hilchos Matnos Aniyim*. Here, as the title suggests, the emphasis is placed (not on *refraining* from disbursing everything he owns, but) on the **obligation to give** to the poor. And on the contrary, one must exercise more caution to fulfill this directive “than with any positive precept.” In this way, specifically, “the throne of Israel will be established, and the true faith will stand.”<sup>42</sup>

— From a talk delivered on Purim, 5724 (1964)

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<sup>42</sup> Rambam, “*Hilchos Matnos Aniyim*,” beg. of ch. 10.