

Arayot (Forbidden Sexual Relations)

Ref: *Sefer Kedushah, Hilchot Issurei Biah, Chapters 1–4*

Punishments.

If this is done voluntarily the punishment is *karet* (Death by hand of Heaven).

If done unknowingly they are liable to bring a fixed Sin offering (*Chatat*).

Some *arayot* have punishment of execution.

Reminder:

Pack on Punishment for *Sefer Kedushah*



Execution could be by:

- Stoning (*skilah*)
- Fire (*srefah*)
- Strangulation (*chenek*)

Stoning results from contravention of following *mitzvot*:



Not to have sexual relations with one's mother¹

Not to have relations with one's father's wife²

Not to have relations with one's son's wife¹⁴

Not to have relations with an animal¹⁷

For a woman, not to have relations with an animal¹⁸

For a man, not to have relations with another man¹⁹

For a man, not to have relations with a betrothed maiden

Not to have any relations with one's father²⁰

Not to have any relations with one's father's brother²¹

Death by fire results from contravention of following *mitzvot*:



Not to have relations with one's son's daughter⁵

Not to have relation with one's daughter⁶

Not to have relations with one's daughter's daughter⁷

Not to marry a woman's daughter while the woman is still alive⁸

Not to marry a woman's son's daughter⁹ while the woman is still alive

Not to marry a woman's daughters' daughter¹⁰ while the woman is still alive

Strangulation results from contravention of *mitzvah*:



Not to have relations with a married woman (adultery)²²

If the adulteress is a daughter of a Priest, she is executed by fire and adulterer by strangulation.

If adulteress is a betrothed girl, both adulteress and adulterer are stoned.

When Torah uses term '*mitah*', it refers to strangulation. When Torah uses term '*mitah ... demeiheh bam*', it refers to stoning.

Definition of relations.

The rest of the *arayot* result in *karet* (death from Heaven) and the court administer lashes (*malkot*). (All who are liable for *karet* also get *malkot*.)

It seems to me that of the first **23** *mitzvot*, contravention of **16** receives execution, and **7** receive *karet*. Most of the *karet* offenses relate to sisters and *nidah*.

When a person has relations forbidden by a negative command (there are **9**), they receive lashes (*malkot*) – both he and she. I.e. there are 9 which do not get *karet*.



When a person has relations with one of the *shniyot* (relations forbidden by the Rabanim), they receive stripes for rebellious conduct (*makat mardut*).

There are **20** *shniyot*.

🔔 Reminder

Allowed and Forbidden Relations regarding Marriage.

Ref: Sefer Nashim, Hilchot Ishut, Chapter 1.



4 women who are *ervah* forever (i.e. even after death or divorce):

- Father's wife
- Son's wife
- Brother's wife
- Father's paternal brother's wife

If a man engages in relations with any of these, he is liable twice. E.g. with father's wife, once because it is his mother and once because it is his father's wife.

7 close relatives of the wife who are an *ervah* forever:



Not to have relations with one's sister³, even if only a half sister

Not to have relations with one's father's sister¹¹

Not to have relations with one's mother's sister¹²

Not to have relations with one's fathers' brothers' wife¹³

Not to have relations with one's brother's wife¹⁵

Not to have relations with one's wife's sister¹⁶ while his wife is alive

Adultery

Depending on the type of adultery the execution varies i.e.

- Strangulation – 'regular' adultery
- Burning – When woman is daughter of Priest (Plus 9 others mostly relating to daughters and in-laws)
- Stoning
 - Betrothed (engaged) *naarah* (**12-12½**) still in father's house
 - Betrothed *naarah* where there was slander about her which proved to be true. Plus 6 others mainly relating to mother, homosexuality, animals.

There are cases where the man is not held liable i.e.

- Wife of a deaf mute

- Wife of a mentally unstable
- Wife of a *tumtum*
- Wife of an *androgynous* etc.

Special case of *shifchah charufah* (half *eved Cnaani* and half freed woman, betrothed to an *eved Ivri*).

Until she is freed she is not fully married.

A Jewish slave can engage in relations with an *eved Cnaani*.

Also, because she was not yet freed, she is not yet a married woman.

Here punishment for transgression is *malkot* for her and he must bring an *Asham* (Guilt-offering).

🔔 Reminder:

Types of Slaves. Ref: *Sefer Kinyan, Hilchot Avadim*, Chapters 1–9



One is not allowed to have relations with a woman who became impure due to menstruation (*nidah*). This would apply even to a girl above the age of 3. A girl from the day she is born can become a *nidah* i.e. there is no difference between an adult, and minor etc. regarding this impurity. The punishment is *karet*.

📖 | Not to have relations with a woman in the *nidah* or *zavah* state²³

This applies to –

7 days bleeding of *nidah*

Zavah period of bleeding plus her **7** clean days

Impurity after birth of a male – **7 days** (followed by **33** pure days after *mikveh*, even if bleeding.)

Impurity after birth of female – **14 days** (followed by **66** pure days after *mikveh*, even if bleeding).

The above periods of impurity only end when woman goes to *mikveh* (ritual bath). This removes the impurity.

Women usually have fixed periods when menstruation occurs. This is called *veset*. At other times, the husband can assume that his wife is pure unless told otherwise.

A woman who does not have a fixed *veset* is forbidden to engage in relations until she inspects herself for bleeding (i.e. with a cloth).

🔔 Reminder

Summary of Definitions of *zav*, *zavah*, *nidah* and *yoledet* (people who transmit impurity by sitting and lying down)

Ref: *Zav Sefer Korbanot, Hilchot Mechusrei Kaparah*, Chapters 1, 2, 3

Zavah. Nidah Sefer Kedushah, Hilchot Issurei Biah, Chapters 4–11

Yoledet Sefer Kedushah, Hilchot Issurei Biah, Chapters 7, 10

